

The Project Gutenberg eBook of History of Woman Suffrage, Volume II

This ebook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this ebook or online at www.gutenberg.org. If you are not located in the United States, you'll have to check the laws of the country where you are located before using this eBook.

Title: History of Woman Suffrage, Volume II

Editor: Susan B. Anthony

Editor: Matilda Joslyn Gage

Editor: Elizabeth Cady Stanton

Release date: February 9, 2009 [eBook #28039]

Language: English

*** START OF THE PROJECT GUTENBERG EBOOK HISTORY OF WOMAN SUFFRAGE, VOLUME
II ***

E-text prepared by Richard J. Shiffer
and the Project Gutenberg Online Distributed Proofreading Team
(<http://www.pgdp.net>)

Transcriber's Note

Every effort has been made to replicate this text as faithfully as possible, including obsolete and variant spellings and other inconsistencies. Text that has been changed to correct an obvious error is noted at the [end](#) of this ebook.

Many occurrences of mismatched single and double quotes remain as they were in the original.

HISTORY OF WOMAN SUFFRAGE.

EDITED BY

ELIZABETH CADY STANTON,
SUSAN B. ANTHONY, AND
MATILDA JOSLYN GAGE.

IN THREE VOLUMES.

VOL. II.

1861-1876.

ALL PERSONS BORN OR NATURALIZED IN THE UNITED STATES, AND SUBJECT TO THE JURISDICTION THEREOF, ARE CITIZENS OF THE UNITED STATES.

SUSAN B. ANTHONY.
17 MADISON ST., ROCHESTER, N. Y.

Entered, according to Act of Congress, in the year 1881, by
ELIZABETH CADY STANTON, SUSAN B. ANTHONY, AND
MATILDA JOSLYN GAGE.

In the Office of the Librarian of Congress, at Washington, D. C.



*The world belongs to
those who take it.
Truly yours
Anna Dickinson*

PREFACE.

[Pg iii]

In presenting to our readers the second volume of the "History of Woman Suffrage," we gladly return our thanks to the press for the many favorable notices we have received from leading journals, both in the old world and the new. The words of cordial approval from a large circle of friends, and especially from women well known in periodical literature, have been to us a constant stimulus during the toilsome months we have spent in gathering material for these pages. It was our purpose to have condensed the records of the last twenty years in a second volume, but so many new questions in regard to Citizenship, State rights, and National power, indirectly bearing on the political rights of women, grew out of the civil war, that the arguments and decisions in Congress and the Supreme Courts have combined to swell these pages beyond our most liberal calculations, with much valuable material that can not be condensed nor

ignored, making a third volume inevitable.

By their active labors all through the great conflict, women learned that they had many interests outside the home. In the camp and hospital, and the vacant places at their firesides, they saw how intimately the interests of the State and the home were intertwined; that as war and all its concomitants were subjects of legislation, it was only through a voice in the laws that their efforts for peace could command consideration.

The political significance of the war, and the prolonged discussions on the vital principles of government involved in the reconstruction, threw new light on the status of woman in a republic. Under a liberal interpretation of the XIV. Amendment, women, believing their rights of citizenship secured, made several attempts to vote in different States. Those who succeeded were arrested, tried, and convicted. Those who were denied the right to register their names and deposit their votes, sued the Inspectors of Election. Others attempting to practice law, being denied that right in the States, took their cases up to the Supreme Court of the United States for adjudication. Others invaded the pulpit, asking to be ordained, which brought the question of woman's right to preach before ecclesiastical assemblies. These various attempts to secure her political and civil rights have called forth endless discussions on woman's true position in the State, the church, and the world of work.

[Pg iv]

While gratefully accepting the generous praises of our friends, we must briefly reply to some strictures by our critics. Some object to the title of our work; they say you can not write the "History of Woman Suffrage" until the fact is accomplished. We feel that already enough has been achieved to make the final victory certain. Women vote in England, Australia, New Zealand, Russia, Sweden, Switzerland, and even India, on certain interests and qualifications; in Wyoming and Utah on all questions, and on the same basis as male citizens; and in a dozen States of the Union on school affairs. Moreover, women are filling many offices, such as Clerks of Courts, Notaries Public, Masters in Chancery, State Librarians, School Superintendents, Commissioners of Charity, Post Mistresses, Pension Agents, Engrossing and Enrolling Clerks in Legislative Assemblies.

After years of persistent effort a resolution was passed in both Houses, during the present session of Congress (1882), securing "a select committee on the political Rights and Disabilities of Woman"—the first time in the history of our Government that a special committee to look after the interests of woman was ever appointed. A proposition for a XVI. Amendment to the National Constitution, to secure to women the right of suffrage, is now pending in Congress. Some phase of this question is being debated every year in State Legislatures. Propositions for so amending their constitutions as to extend the elective franchise to women will be voted upon by the people in four of the Western States within the coming two years. These successive steps of progress during forty years are as surely a part of the History of Woman Suffrage as will be the events of the closing period in which victory shall at last crown the hard fought battles of half a century.

CONTENTS.

[Pg v]

CHAPTER XVI.

PAGE

WOMAN'S PATRIOTISM IN THE WAR.

The first gun on Sumter, April 12, 1861—Woman's military genius—Anna Ella Carroll—The Sanitary Movement—Dr. Elizabeth Blackwell—The Hospitals—Dorothea Dix—Services on the battle-field—Clara Barton—The Freedman's Bureau—Josephine Griffing—Ladies' National Covenant—Political campaigns—Anna Dickinson—The Woman's Loyal National League—The Mammoth Petition—Anniversaries—The Thirteenth Amendment

1

CHAPTER XVII.

CONGRESSIONAL ACTION.

First Petitions to Congress December, 1865, against the word "male" in the 14th Amendment—Joint resolutions before Congress—Messrs. Jenckes, Schenck, Broomall, and Stevens—Republicans protest in presenting petitions—The women seek aid of Democrats—James Brooks in the House of Representatives—Horace Greeley on the petitions—Caroline Healy Dall on Messrs. Jenckes and Schenck—The District of Columbia Suffrage Bill—Senator Cowan, of Pennsylvania, moved to strike out the word "male"—A three days' debate in the Senate—The final vote nine in favor of Mr. Cowan's amendment, and thirty-seven against

90

CHAPTER XVIII.

NATIONAL CONVENTIONS IN 1866-67.

The first National Woman Suffrage Convention after the war—Speeches by Ernestine L. Rose, Antoinette Brown Blackwell, Henry Ward Beecher, Frances D. Gage, Theodore Tilton, Wendell

CHAPTER XIX.

THE KANSAS CAMPAIGN—1867.

The Battle Ground of Freedom—Campaign of 1867—Liberals did not Stand by their Principles—Black Men Opposed to Woman Suffrage—Republican Press and Party Untrue—Democrats in Opposition—John Stuart Mill's Letters and Speeches Extensively Circulated—Henry B. Blackwell and Lucy Stone Opened the Campaign—Rev. Olympia Brown Followed—60,000 Tracts Distributed—Appeal Signed by Thirty-one Distinguished Men—Letters from Helen E. Starrett, Susan E. Wattles, Dr. R. S. Tenney, Lieut.-Governor J. B. Root, Rev. Olympia Brown—The Campaign closed by ex-Governor Robinson, Elizabeth Cady Stanton, Susan B. Anthony, and the Hutchinson Family—Speeches and Songs at the Polls in every Ward in Leavenworth Election Day—Both Amendments lost—9,070 Votes for Woman Suffrage, 10,843 for Negro Suffrage

[Pg vi]

229

CHAPTER XX.

NEW YORK CONSTITUTIONAL CONVENTION.

Constitution Amended once in Twenty Years—Mrs. Stanton before the Legislature Claiming Woman's Right to Vote for Members to the Convention—An Immense Audience in the Capitol—The Convention Assembled June 4th, 1867. Twenty Thousand Petitions Presented for Striking the Word "Male" from the Constitution—"Committee on the Right of Suffrage, and the Qualifications for Holding Office" Horace Greeley, Chairman—Mr. Graves, of Herkimer, Leads the Debate in favor of Woman Suffrage—Horace Greeley's Adverse Report—Leading Advocates Heard before the Convention—Speech of George William Curtis on Striking the Word "Man" from Section 1, Article 11—Final Vote, 19 For, 125 Against—Equal Rights Anniversary of 1868

269

CHAPTER XXI.

RECONSTRUCTION.

The Fourteenth and Fifteenth Amendments—Universal Suffrage and Universal Amnesty the Key-note of Reconstruction—Gerrit Smith and Wendell Phillips hesitate—A Trying Period in the Woman Suffrage Movement—Those Opposed to the word "Male" in the Fourteenth Amendment Voted Down in Conventions—The Negro's Hour—Virginia L. Minor on Suffrage in the District of Columbia—Women Advised to be Silent—The Hypocrisy of the Democrats preferable to that of the Republicans—Senator Pomeroy's Amendment—Protests against a Man's Government—Negro Suffrage a Political Necessity—Charles Sumner Opposed to the Fourteenth Amendment, but Voted for it as a Party Measure—Woman Suffrage for Utah—Discussion in the House as to who Constitute Electors—Bills for Woman Suffrage presented by the Hon. George W. Julian and Senators Wilson and Pomeroy—The Fifteenth Amendment—Anna E. Dickinson's Suggestion—Opinions of Women on the Fifteenth Amendment—The Sixteenth Amendment—Miss Anthony chosen a Delegate to the Democratic National Convention July 4, 1868—Her Address Read by a Unanimous Vote—Horatio Seymour in the Chair—Comments of the Press—*The Revolution*

313

CHAPTER XXII.

NATIONAL CONVENTIONS—1869.

First Convention in Washington—First hearing before Congress—Delegates Invited from Every State—Senator Pomeroy, of Kansas—Debate between Colored Men and Women—Grace Greenwood's Graphic Description—What the Members of the Convention Saw and Heard in Washington—Robert Purvis—A Western Trip—Conventions in Chicago, Milwaukee, St. Louis, Springfield, and Madison—Editorial Correspondence in *The Revolution*—Anniversaries in New York and Brooklyn—Conventions in Newport and Saratoga

345

CHAPTER XXIII.

THE NEW DEPARTURE—UNDER THE FOURTEENTH AMENDMENT.

Francis Minor's Resolutions—Hearing before Congressional Committee—Descriptions by Mrs. Fannie Howland and Grace Greenwood—Washington Convention 1870—Rev. Samuel J. May—Senator Carpenter—Professor Sprague, of Cornell University—Notes of Mrs. Hooker—May Anniversary in New York—The Fifth Avenue Conference—Second Decade Celebration—Washington, 1871—Victoria Woodhull's Memorial—Judiciary Committee—Majority and Minority Reports—George W. Julian and A. A. Sargent in the House—May Anniversary, 1871—Washington in 1872—Senate Judiciary Committee—Benjamin F. Butler—The Sherman-Dahlgren Protest—Women in Grant and Wilson Campaign

[Pg vii]

407

CHAPTER XXIV.

Fifth Washington Convention—Mrs. Gage on Centralization—May Anniversary in New York—Washington Convention, 1874—Frances Ellen Burr's Report—Rev. O. B. Frothingham in New York Convention—Territory of Pembina—Discussion in the Senate—Conventions in Washington and New York, 1875—Hearings before Congressional Committees

521

CHAPTER XXV.

TRIALS AND DECISIONS.

Women Voting under the XVI. Amendment—Appeals to the Courts—Marilla M. Ricker, of New Hampshire, 1870—Nannette B. Gardner, Michigan—Sara Andrews Spencer, District of Columbia—Ellen Rand Van Valkenburgh, California—Catherine V. Waite, Illinois—Carrie S. Burnham, Pennsylvania—Sarah M. T. Huntingdon, Connecticut—Susan B. Anthony, New York—Virginia L. Minor, Missouri—Judges McKee, Jameson, Sharswood, Cartter—Associate Justice Hunt—Chief Justice Waite—Myra Bradwell—Hon. Matt. H. Carpenter—Supreme Court Decisions

586

CHAPTER XXVI.

AMERICAN WOMAN SUFFRAGE ASSOCIATION.

Circular Letter—Cleveland Convention—Association Completed—Henry Ward Beecher, President—Convention in Steinway Hall, New York—George William Curtis Speaks—The First Annual Meeting held in Cleveland—Mrs. Tracy Cutler, President—Mass Meeting in Steinway Hall, New York, 1870—State Action Recommended—Moses Coit Tyler Speaks—Mass Meetings in 1871 in Philadelphia, Washington, Baltimore, Pittsburgh—Memorial to Congress—Letters from William Lloyd Garrison and others—Hon. G. F. Hoar Advocates Woman Suffrage—Anniversary celebrated at St. Louis—Dr. Stone, of Michigan—Thomas Wentworth Higginson, President, 1872—Convention in Cooper Institute, New York—Two Hundred Young Women march in—Meeting in Plymouth Church—Letters from Louise May Alcott and Elizabeth Stuart Phelps—The Annual Meeting in Detroit—Julia Ward Howe, President—Letter from James T. Field—Mary F. Eastman Addresses the Convention. Bishop Gilbert Haven President for 1875—Convention in Steinway Hall, New York—Hon. Charles Bradlaugh Speaks—Centennial Celebration, July 3d—Petition to Congress for a XVI. Amendment—Conventions in Indianapolis, Cincinnati, Washington, and Louisville

756

Appendix.

863

LIST OF ENGRAVINGS.

Vol. II.

ANNA E. DICKINSON	<i>Frontispiece.</i>
CLARA BARTON	page 25
CLEMENCE S. LOZIER, M. D.	153
REV. OLYMPIA BROWN	265
JANE GRAHAM JONES	313
VIRGINIA L. MINOR	409
ISABELLA BEECHER HOOKER	489
BELVA A. LOCKWOOD	521
ELLEN CLARK SARGENT	553
MYRA BRADWELL	617
LUCY STONE	761
JULIA WARD HOWE	793

CHAPTER XVI.

WOMAN'S PATRIOTISM IN THE WAR.

The first gun on Sumter, April 12, 1861—Woman's military genius—Anna Ella Carroll—The

OUR first volume closed with the period when the American people stood waiting with apprehension the signal of the coming conflict between the Northern and Southern States. On April 12, 1861, the first gun was fired on Sumter, and on the 14th it was surrendered. On the 15th, the President called out 75,000 militia, and summoned Congress to meet July 4th, when 400,000 men and \$400,000,000 were voted to carry on the war.

These startling events roused the entire people, and turned the current of their thoughts in new directions. While the nation's life hung in the balance, and the dread artillery of war drowned alike the voices of commerce, politics, religion and reform, all hearts were filled with anxious forebodings, all hands were busy in solemn preparations for the awful tragedies to come.

At this eventful hour the patriotism of woman shone forth as fervently and spontaneously as did that of man; and her self-sacrifice and devotion were displayed in as many varied fields of action. While he buckled on his knapsack and marched forth to conquer the enemy, she planned the campaigns which brought the nation victory; fought in the ranks when she could do so without detection; inspired the sanitary commission; gathered needed supplies for the grand army; provided nurses for the hospitals; comforted the sick; smoothed the pillows of the dying; inscribed the last messages of love to those far away; and marked the resting-places where the brave men fell. The labor women accomplished, the hardships they endured, the time and strength they sacrificed in the war that summoned three million men to arms, can never be fully appreciated.

[Pg 2]

Think of the busy hands from the Atlantic to the Pacific, making garments, canning fruits and vegetables, packing boxes, preparing lint and bandages^[1] for soldiers at the front; think of the mothers, wives and daughters on the far-off prairies, gathering in the harvests, that their fathers, husbands, brothers, and sons might fight the battles of freedom; of those month after month walking the wards of the hospital; and those on the battle-field at the midnight hour, ministering to the wounded and dying, with none but the cold stars to keep them company.

Think of the multitude of delicate, refined women, unused to care and toil, thrown suddenly on their own resources, to struggle evermore with poverty and solitude; their hopes and ambitions all freighted in the brave young men that marched forth from their native hills, with flying flags and marshal music, to return no more forever. The untiring labors, the trembling apprehensions, the wrecked hopes, the dreary solitude of the fatherless, the widowed, the childless in that great national upheaval, have never been measured or recorded; their brave deeds never told in story or in song, no monuments built to their memories, no immortal wreaths to mark their last resting-places.

How much easier it is to march forth with gay companions and marshal music; with the excitement of the battle, the camp, the ever-shifting scenes of war, sustained by the hope of victory; the promise of reward; the ambition for distinction; the fire of patriotism kindling every thought, and stimulating every nerve and muscle to action! How much easier is all this, than to wait and watch alone with nothing to stimulate hope or ambition.

The evils of bad government fall ever most heavily on the mothers of the race, who, however wise and far-seeing, have no voice in its administration, no power to protect themselves and their children against a male dynasty of violence and force.

While the mass of women never philosophize on the principles that underlie national existence, there were those in our late war who understood the political significance of the struggle: the "irrepressible conflict" between freedom and slavery; between national and State rights. They saw that to provide lint, bandages, and supplies for the army, while the war was not conducted on a wise policy, was labor in vain; and while many organizations, active, vigilant, self-sacrificing, were multiplied to look after the material wants of the army, these few formed themselves into a National Loyal League to teach sound principles of government, and to press on the nation's conscience, that "freedom to the slaves was the only way to victory." Accustomed as most women had been to works of charity, to the relief of outward suffering, it was difficult to rouse their enthusiasm for an idea, to persuade them to labor for a principle. They clamored for practical work, something for their hands to do; for fairs, sewing societies to raise money for soldier's families, for tableaux, readings, theatricals, anything but conventions to discuss principles and to circulate petitions for emancipation. They could not see that the best service they could render the army was to suppress the rebellion, and that the most effective way to accomplish that was to transform the slaves into soldiers. This Woman's Loyal League voiced the solemn lessons of the war: liberty to all; national protection for every citizen under our flag; universal suffrage, and universal amnesty.

[Pg 3]

As no national recognition has been accorded the grand women who did faithful service in the late war; no national honors nor profitable offices bestowed on them, the noble deeds of a few representative women should be recorded. The military services of Anna Ella Carroll in planning the campaign on the Tennessee; the labors of Clara Barton on the battle-field; of Dorothea Dix in the hospital; of Dr. Elizabeth Blackwell in the Sanitary; of Josephine S. Griffing in the Freedman's

Bureau; and the political triumphs of Anna Dickinson in the Presidential campaign, reflecting as they do all honor on their sex in general, should ever be proudly remembered by their countrywomen.

ANNA ELLA CARROLL.

THE TENNESSEE CAMPAIGN.

Anna Ella Carroll, the daughter of Thomas King Carroll formerly Governor of Maryland, belongs to one of the oldest and most patriotic families of that State. Her ancestors founded the city of Baltimore; Charles Carroll, of Carrollton, one of the signers of the Declaration of Independence, was of the same family.

At the breaking out of the civil war, Maryland was claimed by the rebellious States, and for a long time her position seemed uncertain. Miss Carroll, an intimate friend of Gov. Hicks, and at that time a member of his family, favored the national cause, and by her powerful arguments induced the Governor to remain firm in his opposition to the scheme of secession. Thus, despite the siren wooing of the South, in its plaint of

"Maryland, my Maryland."

Miss Carroll was the means of preserving her native State to the Union. Although a slave-owner, and a member of that class which so largely proved disloyal, Miss Carroll freed her slaves, and devoted herself throughout the war to the cause of liberty. She replied to the secession speech of Senator Breckenridge, made during the July session of Congress 1861, with such lucid and convincing arguments, that the War Department not only circulated a large edition, but the Government requested her to prepare other papers upon unsettled points. In response she wrote a pamphlet entitled "The War Powers of the Government," published in December, 1861. By the especial request of President Lincoln she also prepared a paper entitled "The Relation of Revolted Citizens to the National Government," which was approved by him, and formed the basis of his subsequent action. In September, 1861, she also prepared a paper on the Constitutional power of the President to make arrests, and to suspend the writ of *habeas corpus*; a subject upon which a great conflict of opinion then existed, even among persons of unquestioned loyalty.

[Pg 4]

Early in the fall of 1861, Miss Carroll took a trip to St. Louis to inspect the progress of the war in the West. A gun-boat fleet, under the special authorization of the President, was then in preparation for a descent of the Mississippi. An examination of this plan by Miss Carroll showed its weakness, and the inevitable disaster it would bring to the National arms. Her astute military genius led her to the substitution of another plan, upon which she based great hopes of success, and its results show it to have been one of the profoundest strategic movements of the ages. Strategy and generalship are two entirely distinct forms of the art of war. Many a general, good at following out a plan, is entirely incapable of forming a successful one. Napoleon stands in the foremost ranks as a strategist, and is held as the greatest warrior of modern times, yet he led no forces into battle. So entirely was he convinced that strategy was the whole art of war, that he was accustomed to speak of himself as the only general of his army, thus subordinating the mere command and movement of forces to the art of strategy. Judged by this standard, which is acknowledged by all military men, Anna Ella Carroll, of Maryland, holds foremost rank as a military genius. On the 12th of November, 1861, while still in St. Louis, Miss Carroll wrote to Hon. Edward Bates at Washington (the member of the Cabinet who first suggested the expedition down the Mississippi), that from information gained by her she believed this plan would fail, and urged him, instead, to have the expedition directed up the Tennessee River, as the true line of attack. She also dispatched a similar letter to Hon. Thomas A. Scott, at that time Assistant Secretary of War. On the 30th of this month (November, 1861), Miss Carroll laid the following plan, accompanied by explanatory maps, before the War Department:

[Pg 5]

The civil and military authorities seem to me to be laboring under a great mistake in regard to the true key of the war in the South-west. It is not the Mississippi, but the Tennessee River. Now, all the military preparations made in the West indicate that the Mississippi River is the point to which the authorities are directing their attention. On that river many battles must be fought and heavy risks incurred, before any impression can be made on the enemy, all of which could be avoided by using the Tennessee River. This river is navigable for medium-class boats to the foot of Muscle Shoals in Alabama, and is open to navigation all the year, while the distance is but two hundred and fifty miles by the river from Paducah on the Ohio. The Tennessee offers many advantages over the Mississippi. We should avoid the almost impregnable batteries of the enemy, which can not be taken without great danger and great risk of life to our forces, from the fact that our forces, if crippled, would fall a prey to the enemy by being swept by the current to him, and away from the relief of our friends. But even should we succeed, still we have only begun the war, for we shall then have to fight the country from whence the enemy derives his supplies.

Now an advance up the Tennessee River would avoid this danger; for, if our boats were crippled, they would drop back with the current and escape capture. But a still greater advantage would be its tendency to *cut the enemy's lines in two*, by reaching the Memphis and Charleston Railroad, threatening Memphis, which lies one hundred miles due west, and no defensible point between; also Nashville, only ninety miles north-east, and Florence and Tuscumbia in North Alabama, forty miles east. A movement in this direction would do more to relieve our friends in Kentucky, and inspire the loyal hearts in East Tennessee, than the possession of the whole of the Mississippi River. If well

executed, it would cause the evacuation of all those formidable fortifications on which the rebels ground their hopes for success; and in the event of our fleet attacking Mobile, the presence of our troops in the northern part of Alabama, would be material aid to the fleet.

Again, the aid our forces would receive from the loyal men in Tennessee would enable them soon to crush the last traitor in that region, and the *separation of the two extremes* would do more than one hundred battles for the Union cause. The Tennessee River is crossed by the Memphis and Louisville Railroad, and the Memphis and Nashville Railroad. At Hamburg the river makes the big bend on the east, touching the north-east corner of Mississippi, entering the north-west corner of Alabama, forming an arc to the south, entering the State of Tennessee at the north-east corner of Alabama, and if it does not touch the north-west corner of Georgia, comes very near it. It is but eight miles from Hamburg to the Memphis and Charleston Railroad, which goes through Tusculumbia, only two miles from the river, which it crosses at Decatur thirty miles above, intersecting with the Nashville and Chattanooga road at Stephenson. The Tennessee never has less than three feet to Hamburg on the "shoalest" bar, and during the fall, winter, and spring months, there is always water for the largest boats that are used on the Mississippi River. It follows, from the above facts, that in making the Mississippi the key to the war in the West, or rather in overlooking the Tennessee River, the subject is not understood by the superiors in command.

[Pg 6]

The War Department looked over these papers, and Col. Scott, the Assistant Secretary, possessing a knowledge of the railroad facilities and connections of the South, unequaled perhaps by any other man in the country at that time, at once saw the vital importance of Miss Carroll's plan. He declared it to be the first clear solution of the difficult problem, and was soon sent West to assist in carrying it out in detail. The Mississippi expedition was abandoned, and the Tennessee made the point of attack. Both land and naval forces were ordered to mass themselves at this point, and the country soon began to feel the wisdom of this movement. The capture of Fort Henry, an important Confederate post on the Tennessee River serving to defend the railroad communication between Memphis and Bowling Green, was the first result of Miss Carroll's plan. It fell Feb. 6, 1862, and was rapidly followed by the capture of Fort Donelson, which, after a gallant defense, surrendered to the Union forces Feb. 16th, and the name of Ulysses S. Grant, as the general commanding these forces, for the first time became known to the American people. By these victories the line of Confederate fortifications was broken, and the enemy's means of communication between the East and the West were destroyed.

All the historians of our civil war concede that the strategy which made the Tennessee River the base of military operations in the South-west, thus cutting the Confederacy in two by its control of the Memphis and Charleston Railroad, also made its final destruction inevitable. At an early day the Government had neither a just conception of the rebellion, nor of the steps necessary for its suppression. It was looked upon from a political rather than a military point of view, and much valuable time was wasted in suggestions and plans worse than futile. But while the national Government had been blind to the real situation, the Confederacy had every hour strengthened its position both at home and abroad, having so far secured the recognition of France and England as to have been acknowledged belligerents, while threats of raising the blockade were also made by the same powers.

[Pg 7]

In order to a more full understanding of our national affairs at that time, we will glance at the proceedings of Congress. When this body met in December, 1861, a "Committee on the Conduct of the War" was at once created, and spirited debates upon the situation took place in both the Senate and the House. It was acknowledged that the salvation of the country depended upon military success. It was declared that the rebellion must be speedily put down or it would destroy the resources of the country, as \$2,000,000 a day were then required to maintain the army in the field. Hon. Mr. Dawes compared the country to a man under an exhausted receiver gasping for breath, and said that sixty days of the present state of things must bring about an ignominious peace. Hon. Geo. W. Julian declared that the country was in imminent danger of a foreign war, and that in the opinion of many the great model Republic of the world was in the throes of death. The credit of the nation was then so poor as to render it unable to make loans of money from foreign countries. The treasury notes issued by the Government were falling in the market, selling at five and six per cent. discount. Mr. Morrill, in the Senate, gave it as his opinion that in six months the nation would be beyond hope of relief.

England was anxiously hoping for our downfall. *The London Post*, Lord Palmerston's paper, the organ of the English Government, prophesied our national bankruptcy within a short time. *The London Times* denounced us in language deemed too offensive to be read before the Senate. It urged England's direct interference; counseled the pouring of a fleet of gun-boats through the St. Lawrence into the lakes with the opening of spring, "to secure, with the mastery of these waters, the mastery of all," and declared that three months hence the field would be all England's own. At that time the British Government had already sent some thirty thousand men into its colonies in North America, preparatory to an assault upon our north-western frontier. The nation seemed upon the point of being lost, and the hopes of millions of oppressed men in other lands destroyed by the disintegration of the Union. The war had been waged six months, but with the exception of West Virginia, the battle had been against the Union. The fact that military success alone could turn the scale, though now acknowledged, seemed to Congress as far as ever from consummation. Our military commanders, quite ignorant of both the geographical and topographical outlines of our vast country, were unable to formulate the plan necessary for a decisive blow.

Such was the situation at the time Miss Carroll sent her plan of the Tennessee campaign to the

[Pg 8]

War Department. Fortunately for civilization this plan was adopted, and with the fall of Fort Henry, the enemy's center was pierced, the decisive point gained. From that hour the nation's final success was assured. Its fall opened the Tennessee River, and its capture was soon followed by the evacuation of Columbus and Bowling Green. Fort Donelson was given up, its rebel garrison of 14,000 troops marched out as prisoners of war, and hope sprang up in the hearts of the people. Pittsburg Landing and Corinth soon followed the fate of the preceding forts. The President declared the victory at Fort Henry to be of the utmost importance. North and South its influence was alike felt. Gen. Beauregard was himself conscious that this campaign sealed the fate of the "Southern Confederacy." The success of the Tennessee campaign rendered intervention impossible, and taught those foreign enemies who were anxiously watching for our country's downfall, the power and stability of a Republic. Missouri was kept in the Union by its means, Tennessee and Kentucky were restored, the National armies were enabled to push to the Gulf States and secure possession of all the great rivers and routes of internal communication through the heart of the Confederate territory.

On the 10th of April, 1862, the President issued the following proclamation:

It has pleased Almighty God to vouchsafe signal victories to the land and naval forces engaged in suppressing an internal rebellion; and at the same time to avert from our country the damages of foreign intervention and invasion.

During all this time the author of this plan remained unknown, except to the President and his Cabinet, who feared to reveal the fact that the Government was proceeding under the advice and plan of a civilian, and that civilian *a woman*. Shortly after the capture of Forts Henry and Donelson a debate as to the author of this campaign took place in the House of Representatives. [2] The Senate discussed its origin March 13. It was variously ascribed to the President, to the Secretary of War, and to different naval and land commanders, Halleck, Grant, Foote, Smith, and Fremont. The historians of the war have also given adverse opinions as to its authorship. Draper's "History of the Civil War" ascribes it to Gen. Halleck; Boynton's "History of the Navy" to Commodore Foote; Lossing's "Civil War" to the combined wisdom of Grant, Halleck, and Foote; Badeau's "History of the Civil War" credits it to Gen. C. F. Smith; and Abbott's "Civil War," to Gen. Fremont.

[Pg 9]

But abundant testimony exists proving Miss Carroll's authorship of the plan, in letters from Hon. B. F. Wade, [3] Chairman of the Committee on the Conduct of the War; from Hon. Thos. A. Scott, Assistant Secretary of War; from Hon. L. D. Evans, former Chief-Justice of the Supreme Court of Texas (entrusted by the Government with an important secret mission during the war); from Hon. Orestes A. Bronson, and many other well-known public men; from conversations of President Lincoln and Secretary Stanton; and from reports of the Military Committee of the XLI., XLII., and XLVI. Congresses. [4] So anxious was the Government to keep the origin of the Tennessee campaign a secret, that Col. Scott, in conversation with Judge Evans, a personal friend of Miss Carroll, pressed upon him the absolute necessity of Miss Carroll's making no claim to the authorship while the struggle lasted. In the plenitude of her self-sacrificing patriotism she remained silent, and saw the honors rightfully belonging to her heaped upon others, although she knew the country was indebted to her for its salvation.

Previous to 1862 historians reckoned but fifteen decisive battles [5] in the world's history, battles in which, says Hallam, a contrary result would have essentially varied the drama of the world in all its subsequent scenes. Professor Cressy, of the chair of Ancient and Modern History, University of London, has made these battles the subject of two grand volumes. The battle of Fort Henry was the sixteenth, and in its effects may well be deemed the most important of all. [6] It opened the doors of liberty to the downtrodden and oppressed among all nations, setting a seal of permanence on the assertion that self-government is the natural right of every person.

[Pg 10]

But it was not alone through her plan of the Tennessee campaign that Miss Carroll exhibited her military genius; throughout the conflict she continued to send plans and suggestions to the War Department. The events of history prove the wisdom of those plans, and that had they been strictly followed, the war would have been brought to a speedy close, [7] and millions of men and money saved to the country.

Upon the fall of Fort Henry, February, 1862, she again addressed the War Department, advising an immediate advance upon Mobile or Vicksburg. In March, 1862, she presented a memorial and maps to Secretary Stanton in person, in regard to the reduction of Island 10, which had long been a vain effort by the Union forces, in which she said:

The failure to take Island 10, which thus far occasions much disappointment to the country, excites no surprise to me. When I looked at the gun-boats at St. Louis, and was informed as to their powers, and that the current of the Mississippi at full tide runs at the rate of five miles per hour, which is very near the speed of our gun-boats, I could not resist the conclusion that they were not well fitted to the taking of batteries on the Mississippi River, if assisted by gun-boats perhaps equal to our own. Hence it was that I wrote Col. Scott from there, that the Tennessee River was our strategic point, and the successes at Forts Henry and Donelson establish the justice of these observations. Had our victorious army, after the fall of Fort Henry, immediately pushed up the Tennessee River and taken position on the Memphis and Charleston Railroad, between Corinth, Miss., and Decatur, Ala., which might easily have been done at that time with a small force, every rebel soldier in Western Kentucky and Tennessee would have fled from every position south of that railroad. And had Buell pursued the enemy in his retreat from Nashville, without delay, into a commanding

[Pg 11]

position in North Alabama, on the railroad between Chattanooga and Decatur, the rebel government at Richmond would necessarily have been obliged to retreat to the cotton States. I am fully satisfied that the true policy of General Halleck is to strengthen Grant's column by such a force as will enable him at once to seize the Memphis and Charleston Railroad, as it is the readiest means of reducing Island 10, and all the strongholds to Memphis.

In October, 1862, observing the preparations for a naval attack upon Vicksburg, Miss Carroll again addressed the Secretary of War in the following memorial:

As I understand an expedition is about to go down the river, for the purpose of reducing Vicksburg, I have prepared the enclosed map in order to demonstrate more clearly the obstacles to be encountered in the contemplated assault. In the first place, it is impossible to take Vicksburg in the front without too great a loss of life and material, for the reason that the river is only about half a mile wide, and our forces would be in point-blank range of their guns, not only from their water-batteries which line the shore, but from the batteries that crown the hills, while the enemy would be protected from the range of our fire.

By examining the map I enclose, you will at once perceive why a place of so little apparent strength has been enabled to resist the combined fleets of the Upper and Lower Mississippi. The most economical plan for the reduction of Vicksburg now, is to push a column from Memphis or Corinth down the Mississippi Central Railroad to Jackson, the capital of the State of Mississippi. The occupation of Jackson, and the command of the railroad to New Orleans, would compel the immediate evacuation of Vicksburg, as well as the retreat of the entire rebel army east of that line; and by another movement of our army from Jackson, Miss., or from Corinth to Meridan, in the State of Mississippi, on the Ohio and Mobile Railroad, especially if aided by a movement of our gun-boats on Mobile, the Confederate forces, with all the disloyal men and slaves, would be compelled to fly east of the Tombigbee. Mobile being then in our possession, with 100,000 men at Meridan, would redeem the entire country from Memphis to the Tombigbee River. Of course I would have the gun-boats with a small force at Vicksburg, as auxiliary to this movement. With regard to the canal, Vicksburg can be rendered useless to the Confederate army upon the very first rise of the river; but I do not advise this, because Vicksburg belongs to the United States, and we desire to hold and fortify it, for the Mississippi River at Vicksburg and the Vicksburg and Jackson Railroad will become necessary as a base for our future operations. Vicksburg might have been reduced eight months ago, as I advised after the fall of Fort Henry, and with much more ease than it can be done to-day.

It will be recollected that after a month's attack upon Vicksburg, commencing June 28, 1862, by the combined Farragut fleet, Porter mortar flotilla and the gun-boat fleet under Capt. C. H. Davis, the bombardment of the city was suspended, it being found impossible to capture and hold it with the forces at command.

[Pg 12]

In October, 1862, Grant was appointed to the command of the forces from New Orleans to Vicksburg under the name of the "Department of Tennessee," and the capture of this "Gibraltar of the Confederacy" was once more attempted. This was the period of Miss Carroll's memorial above given, and the results proved the wisdom of her suggestions, as it was not until the army, by an attack upon its rear, were enabled to capture this stronghold, July 4, 1863, more than a year after the first demand of Farragut's fleet for its capitulation. Had it been attacked immediately after the fall of Fort Henry, according to Miss Carroll's plan, many lives, costly munitions of war, and much valuable time would have alike been saved. Miss Carroll's claim before Congress in connection with the Tennessee campaign of 1862, shows that the Military Committee of the United States Senate at the third session of the 41st Congress, reported (document 337), through Senator Howard, that Miss Carroll "furnished the Government the information which caused the change of the military expedition which was preparing in 1861 to descend the Mississippi, from that river to the Tennessee River." The same committee of the 42d Congress, second session (document 167), reported the evidence in support of this claim. For the House report of the 46th Congress, third session, see document 386.^[8]

No fact in the history of our country is more clearly proved than that its very existence is due to the military genius of Miss Carroll, and no more shameful fact in its history exists, than that Congress has refused all recognition and reward for such patriotic services because they were rendered by a woman. While in the past twenty years thousands of men, great and small, have received thanks and rewards from the country she saved—for work done in accordance with her plans—Grant, first made known at Donelson, having twice received the highest office in the gift of the nation—having made the tour of the world amid universal honors—having received gifts of countless value at home and abroad—Miss Carroll is still left to struggle for a recognition of her services from that country which is indebted to her for its very life.

DOROTHEA DIX,

GOVERNMENT SUPERINTENDENT OF NURSES.

Upon the breaking out of the war, Miss Dix, who for years had been engaged in philanthropic work, saw here another requirement for her services and hurried to Washington to offer them to her country. She found her first work in nursing soldiers who had been wounded by the Baltimore mob.^[9] Upon June 10, 1861, she received from the War Department, Simon Cameron at that time its head, an appointment as the Government Superintendent of Women Nurses. Secretary Stanton, succeeding him, ratified this appointment, thus placing her in an extraordinary and exceptional position, imposing numerous and onerous duties, among them that of hospital visitation, distributing supplies, managing ambulances, adjusting disputes, etc. But

[Pg 13]

while appointed to this office by the Government, Miss Dix found herself as a member of a disfranchised class, in a position of authority without the power of enforcing obedience, and the subject of jealousy among hospital surgeons, which largely militated against the efficiency of her work.^[10]

ELIZABETH BLACKWELL, M.D.

THE SANITARY COMMISSION.

It has been computed that since the historic period, fourteen thousand millions of human beings have fallen in the wars which men have waged against each other. From careful statistics it has also been estimated that four-fifths of this loss of life has been due to privation, exposure, and want of care. At an early day the mortality from sickness was evidently far greater than the above estimate; as late as the Crimean War, this mortality reached seven-eighths of the whole number of deaths. Military surgery was formerly but little understood. The wounded and sick of an army were indebted to the chance aid of friend or stranger, or were left to perish from neglect. Nothing has ever been held so cheap as human life, unless, indeed, it were human rights. But even from times of antiquity we read of women, sometimes of noble birth, who followed the soldiers to the field, treating the wounds of friend or lover with healing balms or rude surgical appliance. To woman is the world indebted for the first systematic efforts toward relief, through the establishment of hospitals for sick or wounded soldiers. As early as the fifth century, the Empress Helena erected hospitals on the routes between Rome and Constantinople, where soldiers requiring it, received careful nursing.

[Pg 14]

In the ninth century an order of women, who consecrated themselves to field work, arose in the Catholic Church. They were called Beguines, and everywhere ministered to the sick and wounded of the armies of Continental Europe during its long period of devastating wars.

To Isabella of Spain,^[11] she who sold her jewels to fit Columbus for the discovery of a New World, is modern warfare most indebted for a mitigation of its horrors, through the establishment of the first regular Camp Hospitals. During her war with the Moors she caused a large number of tents to be furnished at her own charge, with the requisite medicines, appliances, and attendants for the wounded and sick of her army. These were known as the "Queen's Hospitals," and formed the inception of all the tender care given in army hospitals by the most enlightened nations of today.

It is but a few years since Christendom was thrilled by the heroism of a young English girl of high position, Florence Nightingale, who having passed through the course of training required for hospital nurses, voluntarily went out to the Crimea at the time when English soldiers, wounded and sick, were dying by scores and thousands without medicine or care, broke over the red-tape rules of the army, and with her corps of women nurses, brought life in place of death, winning the gratitude and admiration of her country and mankind by her self-sacrifice and her powers of organization. Rev. Henry Kinglake, in his "History of the Crimea," says she brought a priceless reinforcement of brain power to the nation at a time when the brains of Englishmen had given signs of inanition.

A few years later brought our own civil war, and the wonderful sanitary commission, more familiarly known as "The Sanitary," the public records of which are a part of the history of the war; its sacrifices and its successes have burned themselves deep into the hearts of thousands upon thousands. Its fairs in New York, New England, and the Northwest, were the wonders of the world in the variety and beauty of their exhibits and the vast sums realized from them. Scarcely a woman in the nation, from the girl of tender years,^[12] to the aged matron of ninety, whose trembling hands scraped lint or essayed to knit socks and mittens for "the boys in blue," but knows its work, for of it they were a part. But not a hundred of all those thousands who toiled with willing hands, and who, at every battle met anew to prepare or send off stores, knows that to one of her own sex was the formation of the Great Sanitary due.^[13]

[Pg 15]

Dr. Elizabeth Blackwell, returning to this country from England about the time of the breaking out of the war, fresh from an acquaintance with Miss Nightingale, and filled with her enthusiasm, at once called an informal meeting at the New York Infirmary^[14] for Women and Children, where, on April 25th, 1861, the germ of the sanitary, known as the Ladies' Central Relief,^[15] was inaugurated. A public meeting was held April 26, 1861, at the Cooper Union, its object being to concentrate scattered efforts by a large and formal organization. The society then received the name of the "Woman's Central Relief Association of New York." Miss Louisa Lee Schuyler was chosen its president. She soon sent out an appeal to women which brought New York into direct connection with many other portions of the country, enabling it "to report its monthly disbursements by tens of thousands, and the sum total of its income by millions." But very soon after its organization, Miss Schuyler saw the need of more positive connection with the Government. A united address was sent to the Secretary of War from the Woman's Central Relief Association, the Advisory Committee of the Board of Physicians and Surgeons of the hospitals of New York, and the New York Medical Association for furnishing medical supplies. As the result of this address, the Sanitary Commission was established the 9th of June, 1861, under the authority of the Government, and went into immediate operation. Although acting under Government authorization, this commission was not sustained at Government expense, but was supported by the women of the nation. It was organized under the following general rules:

[Pg 16]

1. The system of sanitary relief established by army regulations was to be adopted; the Sanitary Commission was to acquaint itself fully with those rules, and see that its agents were familiar with all the plans and methods of the army system.
2. The Commission was to direct its efforts mainly to strengthening the regular army system, and work to secure the favor and co-operation of the Medical Bureau.
3. The Commission was to know nothing of religious differences or State distinctions, distributing without regard to the place where troops were enlisted, in a purely national spirit.

Under these provisions the Sanitary Commission completed its full organization. Dr. Blackwell, in the Ladies' Relief Association, acted as Chairman of the Registration Committee, a position of onerous duties, requiring accord with the Medical Bureau and War Department, and visited Washington in behalf of this committee. But the Association soon lost her services by her own voluntary act of withdrawal. Professional jealousy of women doctors being offensively shown by some of those male physicians with whom she was brought in contact, she chose to resign rather than allow sex-prejudice to obstruct the carrying on of the great work originated by her. The Sanitary, with its Auxiliary Aid Societies, at once presented a method of help to the loyal^[16] women of the country, and every city, village, and hamlet soon poured its resources into the Commission. Through it \$92,000,000 were raised in aid of the sick and wounded of the army. Nothing connected with the war so astonished foreign nations as the work of the Sanitary Commission.

[Pg 17]

Dr. Henry Bellows, its President at the close of the war, declared in his farewell address, that the army of women at home had been as patriotic and as self-sacrificing as the army of men in the field, and had it not been for their aid the war could not have been brought to a successful termination.^[17]

At every important period in the nation's history, woman has stood by the side of man in duties. Husband, father, son, or brother have not suffered or sacrificed alone.

"The old Continentals
In their ragged regimentals
Faltered not,"

because back of them stood the patriotic women of the thirteen Colonies; those of the north-eastern pine-woods, who aided in the first naval battle of the Revolution; those of Massachusetts, Daughters of Liberty, who formed anti-tea leagues, proclaimed inherent rights, and demanded an independency in advance of the men; those of New York, who tilled the fields, and, removing their hearth-stones, manufactured saltpetre from the earth beneath, to make powder for the army; those of New Jersey, who rebuked traitors; those of Pennsylvania, who saved the army; those of Virginia, who protested against taxation without representation; those of South Carolina, who at Charleston established a paper in opposition to the Stamp Act; those of North Carolina, whose fiery patriotism secured for the counties of Rowan and Mecklenberg the derisive name of "The Hornet's Nest of America." The women of the whole thirteen Colonies everywhere showed their devotion to freedom and their choice of liberty with privation, rather than oppression with luxury and ease.

[Pg 18]

The civil war in our own generation was but an added proof of woman's love for freedom and her worthiness of its possession. The grandest war poem, "The Battle Hymn of the Republic," was the echo of a woman's voice,^[18] while woman's prescience and power were everywhere manifested. She saw, before President, Cabinet, generals, or Congress, that slavery must die before peace could be established in the country.^[19] Months previous to the issue by the President of the Emancipation Proclamation, women in humble homes were petitioning Congress for the overthrow of slavery, and agonizing in spirit because of the dilatoriness of those in power. Were proof of woman's love of freedom, of her right to freedom needed, the history of our civil war would alone be sufficient to prove that love, to establish that right.

WOMEN AS SOLDIERS.

Many women fought in the ranks during the war, impelled by the same patriotic motives which led their fathers, husbands, and brothers into the contest. Not alone from one State, or in one regiment, but from various parts of the Union, women were found giving their services and lives to their country among the rank and file of the army.^[20] Although the nation gladly summoned their aid in camp and hospital, and on the battle-field with the ambulance corps, it gave them no recognition as soldiers, even denying them the rights of chaplaincy,^[21] and by "army regulations" entirely refusing them recognition as part of the fighting forces of the country.

Historians have made no mention of woman's services in the war; scarcely referring to the vast number commissioned in the army, whose sex was discovered through some terrible wound, or by their dead bodies on the battle-field. Even the volumes especially devoted to an account of woman's work in the war, have mostly ignored her as a common soldier, although the files of the newspapers of that heroic period, if carefully examined, would be found to contain many accounts of women who fought on the field of battle.^[22]

[Pg 19]

[Pg 20]

Gov. Yates, of Illinois, commissioned the wife of Lieut. Reynolds of the 17th, as Major, for service in the field, the document being made out with due formality, having attached to it the great seal

of State. President Lincoln, more liberal than the Secretary of War, himself promoted the wife of another Illinois officer, named Gates, to a majorship, for service in the hospital and bravery on the field.

One young girl is referred to who served in seven different regiments, participated in several engagements, was twice severely wounded; had been discovered and mustered out of service eight times, but as many times had re-enlisted, although a Canadian by birth, being determined to fight for the American Union.

Hundreds of women marched steadily up to the mouth of a hundred cannon pouring out fire and smoke, shot and shell, mowing down the advancing hosts like grass; men, horses, and colors going down in confusion, disappearing in clouds of smoke; the only sound, the screaming of shells, the crackling of musketry, the thunder of artillery, through all this women were sustained by the enthusiasm born of love of country and liberty.

Amid "sighing shot and shrieking shell
And the splintered fire of the shattered hell,
And the great white breaths of the cannon smoke
As the growling guns by the battery spoke.

.
Right up to the guns, black-throated and grim,
Right down on the hedges bordered with steel,"

bravely marched hundreds of women.

Nor was the war without its naval heroines. Among the vessels captured by the pirate cruiser *Retribution*, was the Union brigantine, *J. P. Ellicott*, of Bucksport, Maine, the wives of the captain and mate being on board. Her officers and crew were transferred to the pirate vessel and ironed, while a crew from the latter was put on the brigantine; the wife of the mate was left on board the brig with the pirate crew. Having cause to fear bad treatment at the hands of the prize-master^[23] and his mate, this woman formed the bold plan of capturing the vessel. She succeeded in getting the officers intoxicated, handcuffed them and took possession of the vessel, persuading the crew, who were mostly colored men from St. Thomas, to aid her. Having studied navigation with her husband on the voyage, she assumed command of the brig, directing its course to St. Thomas, which she reached in safety, placing the vessel in the hands of the United States Consul, who transferred the prize-master, mate, and crew to a United States steamer, as prisoners of war. Her name was not given, but had this bold feat been accomplished by a man or boy, the country would have rung with praises of the daring deed, and history would have borne the echoes down to future generations.

Not alone on the tented field did the war find its patriotic victims. Many women showed their love of country by sacrifices still greater than enlistment in the army. Among these, especially notable for her surroundings and family, was Annie Carter Lee, daughter of Gen. Robert E. Lee, Commander-in-Chief of the rebel army. Her father and three brothers fought against the Union which she loved, and to which she adhered. A young girl, scarcely beyond her teens when the war broke out, she remained firm in her devotion to the National cause, though for this adherence she was banished by her father as an outcast from that elegant home once graced by her presence. She did not live to see the triumph of the cause she loved so well, dying the third year of the war, aged twenty-three, at Jones Springs, North Carolina, homeless, because of her love for the Union, with no relative near her, dependent for care and consolation in her last hours upon the kindly services of an old colored woman. In her veins ran pure the blood of "Light-Horse Harry" and that of her great aunt, Hannah Lee Corbin, who at the time of the Revolution, protested against the denial of representation to taxpaying women, and whose name does much to redeem that of Lee from the infamy, of late so justly adhering to it. When her father, after the war, visited his ancestral home,^[24] then turned into a vast national cemetery, it would seem as though the spirit of his Union-loving daughter must have floated over him, whispering of his wrecked hopes, and piercing his heart with a thousand daggers of remorse as he recalled his blind infatuation, and the banishment from her home of that bright young life.

Of the three hundred and twenty-eight thousand Union soldiers who lie buried in national cemeteries, many thousands with headboards marked "Unknown," hundreds are those of women obliged by army regulations to fight in disguise. Official records of the military authorities show that a large number of women recruits were discovered and compelled to leave the army. A much greater number escaped detection, some of them passing entirely through the campaigns, while others were made known by wounds or on being found lifeless upon the battle-field. The history of the war—which has never yet been truly written—is full of heroism in which woman is the central figure.

The social and political condition of women was largely changed by our civil war. Through the withdrawal of so many men from their accustomed work, new channels of industry were opened to them, the value and control of money learned, thought upon political questions compelled, and a desire for their own personal, individual liberty intensified. It created a revolution in woman herself, as important in its results as the changed condition of the former slaves, and this silent influence is still busy. Its work will not have been accomplished until the chains of ignorance and selfishness are everywhere broken, and woman shall stand by man's side his recognized equal in rights as she is now in duties.

CLARA BARTON.

MINISTERING ON THE FIELD OF BATTLE.

Clara Barton was the youngest child of Capt. Stephen Barton, of Oxford, Mass., a non-commissioned officer under "Mad Anthony Wayne." Captain Barton, who was a prosperous farmer and leader in public affairs, gave his children the best opportunities he could secure for their improvement. Clara's early education was principally at home under direction of her brothers and sisters. At sixteen, she commenced teaching, and followed the occupation for several years, during which time she assisted her oldest brother, Capt. Stephen Barton, Jr., a man of fine scholarship and business capacity, in equitably arranging and increasing the salaries of the large village schools of her native place, at the same time having clerical oversight of her brother's counting-house. Subsequently, she finished her school education by a very thorough course of study at Clinton, N. Y. Miss Barton's remarkable executive ability was manifested in the fact that she popularized the Public School System in New Jersey, by opening the first free school in Bordentown, commencing with six pupils, in an old tumble-down building, and at the close of the year, leaving six hundred in the fine edifice at present occupied.

[Pg 24]

At the close of her work in Bordentown, she went to Washington, D. C., to recuperate and indulge herself in congenial literary pursuits. There she was, without solicitation, appointed by Hon. Charles Mason, Commissioner of Patents, to the first independent clerkship held by a woman under our Government. Her thoroughness and faithfulness fitted her eminently for this position of trust, which she retained until after the election of President Buchanan, when, being suspected of Republican sentiments, and Judge Mason having resigned, she was deposed, and a large part of her salary withheld. She returned to Massachusetts and spent three years in the study of art, belles-lettres, and languages. Shortly after the election of Abraham Lincoln, she was recalled to the Patent Office by the same administration which had removed her. She returned, as she had left, without question, and taking up her line of duty, awaited developments.

When the civil war commenced, she refused to draw her salary from a treasury already overtaxed, resigned her clerkship and devoted herself to the assistance of suffering soldiers. Her work commencing before the organization of Commissions, was continued outside and altogether independent of them, but always with most cordial sympathy. Miss Barton never engaged in hospital service. Her chosen labors were on the battle-field from the beginning, until the wounded and dead were attended to. Her supplies were her own, and were carried by Government transportation. Nearly four years she endured the exposures and rigors of soldier life, in action, always side by side with the field surgeons, and this on the hardest fought fields; such battles as Cedar Mountain, second Bull Run, Chantilly, Antietam, Falmouth, and old Fredericksburg, siege of Charleston, on Morris Island, at Wagner, Wilderness and Spotsylvania, The Mine, Deep Bottom, through sieges of Petersburg and Richmond, with Butler and Grant; through summer without shade, and winter without shelter, often weak, but never so far disabled as to retire from the field; always under fire in severe battles; her clothing pierced with bullets and torn by shot, exposed at all times, but never wounded.

Firm in her integrity to the Union, never swerving from her belief in the justice of the cause for which the North was fighting, on the battle-field she knew no North, no South; she made her work one of humanity alone, bestowing her charities and her care indiscriminately upon the Blue and the Gray, with an impartiality and Spartan firmness that astonished the foe and perplexed the friend, often falling under suspicion, or censure of Union officers unacquainted with her motives and character for her tender care and firm protection of the wounded captured in battle. Their home-thrusts were met with the same calm courage as were the bullets of the enemy, and many a Confederate soldier lives to bless her for care and life, while no Union man will ever again doubt her loyalty. All unconsciously to herself she was carrying out to the letter in practice the grand and beautiful principles of the Red Cross of Geneva (of which she had never heard), for the entire *neutrality* of war relief among the nations of the earth, that great international step toward a world-wide recognized humanity, of which she has since become the national advocate and leader in this country.

[Pg 25]



Very Sincerely Yours
Clara Barton

At the close of the war she met exchanged prisoners at Annapolis. Accompanied by Dorrence Atwater, she conducted an expedition, sent at her request by the United States Government to identify and mark the graves of the 13,000 soldiers who perished at Andersonville. From Savannah to that point, as theirs were the first trains which had passed since the destruction of the railroads by Sherman, they were obliged to repair the bridges and the embankments, straighten bent rails, and in some places make new roads. The work was completed in August, 1865, and her report of the expedition was issued in the winter of 1866.

The anxiety felt by the whole country for the fate of those whom the exchange of prisoners and the disbanding of troops failed to reveal, stimulated her to devise the plan of relief, which, sanctioned by President Lincoln, resulted in the "search for missing men," which (except the printing) was carried on entirely at her own expense, to the extent of several thousand dollars, employing from ten to fifteen clerks. In the winter of '66, when she was on the point, for want of further means to carry out her plan, of turning the search over to the Government, Congress voted \$15,000 for reimbursing moneys expended, and carrying on the work. The search was continued until 1869, and then a full report made and accepted by Congress. During the winter of 1867-8 Miss Barton was called on to lecture before many lyceums regarding the incidents of the war.

In 1869, her health failing, she went to Switzerland to rest and recover, where she was at the breaking out of the Franco-Prussian war, and immediately tendered her services there, as here, on the battle-field, under the auspices of the Red Cross of Geneva. Her Royal Highness the Grand Duchess of Baden, daughter of the Emperor of Germany, invited Miss Barton to aid her in the establishment of her noble Badise hospitals, a work which consumed several months. On the fall of Strasburg she entered the city with the German army, organized labor for women, conducting the enterprise herself, employing remuneratively a great number, and clothing over thirty thousand. She entered Metz with hospital supplies the day of its fall, and Paris the day after the fall of the Commune. Here she remained two months, distributing money and clothing which she carried, and afterward met the poor in every besieged city in France, extending succor to them.

[Pg 26]

She is a representative of the "International Red Cross of Geneva," and President of the American National Association of the Red Cross, honorary and only woman member of "Comité de Strasbourgeois"; was decorated with the "Gold Cross of Remembrance" by the Grand Duke and Duchess of Baden, and with the "Iron Cross of Merit" by the Emperor and Empress of Germany.

Miss Barton may be said to have given her whole life to humanitarian affairs, largely national in character. The positions she has occupied, whether remunerative or not—and she has filled but few paid positions—have been pioneer ones, in which her efforts and success have been to raise the standard of woman's work and its recognition and remuneration. Her time, her property, and her influence have been held sacred to benevolence of that character that will assist in true progress. Nevertheless, she is one of the most retiring of women, never voluntarily coming before the world except at the call of manifest duty, and shrinking with peculiar sensitiveness from anything verging on notoriety.

Her summers are passed at her pleasant country residence at Dansville, New York, where she has regained in a most gratifying degree her shattered health and war-worn strength, and her winters in Washington in the interests and charge of the great International movement which she

represents in America.

JOSEPHINE SOPHIE GRIFFING.
The National Freedman's Relief Association.
BY CATHARINE A. F. STEBBINS.

Josephine Sophie White was born at Hebron, Conn., December, 1816, and was educated in her native State. She grew to young womanhood in the pure and religious atmosphere of the New England hills, and developed a strength of constitution and character which was the basis of her truly beneficent life-work. Refined, sympathetic, and conscientious, with the golden rule for her text, her career was ever marked with deeds of kindness and charity to the oppressed of every class. Taking an active part in both the "Anti-slavery" and "Woman's Rights" struggles, she early learned the very alphabet of liberty. With her the perception of its blessings and its glory was also a rich inheritance, and the vigilance and courage to conquer and secure it for others was not less a noble legacy. The love of liberty flowed down to her through two streams of life. On the mother's side she was descended from Peter Waldo^[25], after whom the Waldenses were named; and on the father's, from Peregrine White, who was born in Massachusetts in 1620, the first child of Pilgrim parents. It is not strange she was by temperament and constitution a reformer, and a protestant against all despotisms, whether of mind, body, or estate. In the agitation for human rights of one class after another, in their historical order, she enlisted with the Abolitionists, with the Woman Suffragists, with the Loyal League and sanitary workers, and after the war, in relief of the Freedmen. Her interest in her own sex began early, and continued to the last.

[Pg 27]

At the age of twenty-two she married, and about the year 1842 removed with her family to Ohio, where her home soon became the refuge of the fugitive slave, and the resting-place of his defenders. In 1849 she began, with her husband, Chas. S. S. Griffing, her public labors in connection with the "American" and the "Western Anti-Slavery Societies," speaking at first to small audiences in school-houses, and when prejudice and bitterness gave way, to conventions, and mass-meetings; opposition and curiosity yielding finally to sympathy and aid. But for years the meetings were often broken up by mobs. The effort to uproot slavery was pronounced either absurd, treasonable, or irreligious; that it would incite insurrection of the slaves; or if successful, bring great responsibility upon the Abolitionists, and disaster to the whole country.

In 1861, Mrs. Griffing, prompted by the same loyal spirit that moved all the women of the nation, turned from the ordinary occupations of life to see what she could do to mitigate the miseries of the war. She united at once with "The National Woman's Loyal League," lecturing and organizing societies in the West for the soldiers and freedmen, to whom large quantities of clothing and other supplies were sent, and circulating petitions to Congress for the emancipation of slaves as a war measure.

[Pg 28]

While thus engaged, her thoughts naturally turned to the large number of Southern slaves coming with the army into Washington, whose future she foresaw would be beset with distress and want during the long period of change from chattelism to the settled habits of freedom. They were coming by the hundreds and thousands in 1863, with a vague idea of being cared for by "the Governor," but the Government had as yet made no provision, separate from that for the soldiers, when Mrs. Griffing went to Washington and began her labors for them, which were continued until her death.

She at once counseled with President Lincoln and Secretary Stanton as to the best methods for immediate relief; proposed plans which they approved, and received from them every aid possible in their execution. Her first step was to open three ration-houses, where she fed at least a thousand of the old and most destitute of the freed people daily. She visited hundreds in the alleys and old stables, in attics and cellars, and in almost every place where shelter could be found, and became acquainted personally with their necessities, and the best means of supplying them. There were 30,000 in the capital at this time, and it would be difficult to give an idea to one not there, of the time and labor it cost to hunt out the old barracks and get them transformed into shelters for these outcasts. Upon the personal order of the Secretary of War, she was allowed army blankets and wood, which she distributed herself, going with the army wagons to see that those suffering most were first supplied. This "temporary relief" was necessarily continued for some time, during which Mrs. Griffing was made the General Agent of "The National Freedman's Relief Association of the District of Columbia." She opened a correspondence with the Aid societies of the Northern and New England States, which resulted in her receiving supplies of clothing and provisions, which were most acceptable. These were carefully dispensed by herself and two daughters, who were her assistants. Mrs. Griffing opened three industrial schools, where the women were taught to sew;^[26] a price was set on their labors, and they were paid in ready-made garments. The Secretary aided in the purchase of suitable cloth, and with that sent from the North, such outfits were supplied as could be afforded.

[Pg 29]

It was soon apparent to Mrs. Griffing that the Government must provide for the old and the infirm, and that until labor could be found, even a majority of the strong must be included in the provision—with the understanding, however, that they must seek employment and exert themselves to find homes—and that educational and political interests must be established and encouraged. The stress of the situation can not be said ever to have relaxed during our friend's life, except as to numbers—at any rate in the early years; but as soon as some system grew out of the confusion, and all that could be, were supplied with bread and shelter, she turned her

attention in part to the larger plan, and urged a bureau under Government; a department for these freedmen's interests. This plan was favored by Messrs. Sumner, Wade, Wilson, and a few other Senators and Members of Congress, and in December, 1863, a bill for a Bureau of Emancipation was introduced in the House of Representatives by Hon. Mr. Elliot, of Massachusetts. It received no welcome; few cared to listen to the details of the necessity, and it was only through Mrs. Griffing's brave and unwearied efforts that the plan was accepted, and carried through in March, 1865, under the title of "The Freedman's Bureau." The writer has had testimony to the truth of this from Senators Wade of Ohio, Howard of Michigan, and others, as well as to the fact that a majority of the Congressional Committee in charge of the bill, wished that Mrs. Griffing should be made Commissioner (among whom, and most active in support of the bill, was Senator Henry Wilson), but it was decided to place the Bureau in the War Department, with a military man at the head, Mrs. Griffing being appointed "Assistant Commissioner." She really held the position but a few weeks—in name, five months—a second military officer standing ready to take the appointment, as men have ever done, and as they will always crowd women aside so long as they are held political inferiors, without the citizen's charter to sustain their claim. This officer had the title and drew the pay, while our noble friend went on as before in her arduous and almost superhuman labors. The Bureau adopted *her* plan of finding homes in the North, sending the freedmen at Government charge, and of opening employment offices in New York City and in Providence, R. I.; nevertheless it was necessary to supplement Government provision by private generosity; and moreover, that Congress should provide temporary relief for the helpless in the District. Appropriations were made in sums of \$25,000, amounting in all to nearly \$200,000, for the purchase of supplies, a very large proportion of which were distributed by Mrs. Griffing in person from her own residence.^[27] "Shirley Dare," in writing to *The New York World*, after a little time spent with Mrs. G., said:

[Pg 30]

"I sat an hour this morning in Mrs. Griffing's office during the distribution of rations, and a curious scene it was. There was not a sound creature among the crowd which filled the yard, and which hangs about all day from nine till four, and which the neighborhood calls 'Mrs. Griffing's signs.' It reminded me of another crowd of impotent folk, lame, halt, and blind, which filled the loveliest space in Jerusalem, and was a *sign* of joy and charity in the place. Queer, tender, wistful faces, so earnest one forgets their grotesque character and ragged, faded forms, cluster in the porch; such a set as one might once have seen put up at auction as a 'refuse lot' of plantation negroes. The men wear old army cloaks, while the women, with dresses in every stage of decay, are so comic, one struggles between the ludicrous and the pitiful... The faith of this class seems to be fastened nowhere so strongly as upon Mrs. Griffing. Salutations follow her along the streets, enough to satisfy the proudest Pharisee, and it provokes one between a smile and a tear, to see the women waiting timidly, yet eagerly, for a word from her, to set their faces all aglow. They used to say, persistently, 'We belongs to you,' and no efforts could induce them to change that phrase. 'Who has we but the Lord and you?' was the simple argument which stayed protest from the kind, proud woman who was their benefactress. A few words from her will draw out histories simple, funny, and sad beyond question."

Our friend had a strong belief that the able in body could sustain themselves if labor were provided, which it could not be there, so she urged them to go to the North, which greatly needed laborers to fill the places of Northern men in the army. Woman's help, too, was as much in demand, for in many places large farms were wholly managed by women in the absence of husbands and sons; but it was learned by Mrs. Griffing and daughters through repeated testimony, that the life-long teaching of the slaves had been, that no good could come from Northern people,^[28] and this led the many in their pitiable ignorance to believe that, somewhere in the North, the monsters surely lived who were waiting to destroy them, and that the kind few whom they had met were of a different race; that "the North" was beyond the sea, and they could never return, nor hear from their friends left behind; so persistent argument was needed to convince the most ignorant of their false notions, and many of them never were, until some had gone and returned with good tidings. The first company prepared to go numbered sixty persons, for whom Mrs. Griffing procured Government transportation and a day's rations. She went with them to New York City, and as they passed from the cars the sight was a new and strange one. Filing through the streets, the anxious, wondering women dressed partly in neat garments given them, with others of their own selection in less good taste; while on the men an occasional damaged silk hat topped off a coat that would have made Joseph's of old look plain; with ironclad army shoes; or a half-worn wedding swallow-tail, eked out by a plantation broad-brim, and boots too much worn for either comfort or beauty. This motley band, led by a gentle and spiritual-faced woman, will not soon be forgotten by those who saw it depart. Leaving a few at one depot, and a few at another, to be met at the journey's end by their employer, Mrs. Griffing took those remaining to Providence, near which place homes had been provided. After these sent messages back to friends, others went more readily, and during a little more than two years over seven thousand freed people left Washington under Mrs. Griffing's special supervision and direction for homes in the North. I wish I could say how many parties she actually convoyed on the journey, and how many miles she traveled, but I know that she went as far as New York with a great many; and as I have seen them start, knew and felt that it was too much for her, and longed that some stronger person should appear to share her burdens, and relieve her from these exhausting duties. Perhaps she had written letters till twelve o'clock the night before; had taken a long walk beyond the Navy-Yard cars, in the afternoon, to visit her centenarians; or had received calls, and talked till her voice had almost given out.

[Pg 31]

But she had the comfort of knowing that many remained where they had been sent, some buying homes and planting vines about the roof-tree. To behold this, she had wrought heroically in the past for emancipation. She was busy with her hands, busier with her brain, and her spiritual

[Pg 32]

nature was like a spring of sweet waters, overflowing in bounteous blessing on all around. Of the great painter Leonardo da Vinci, his biographer says: "He always saw four things he wanted to do at once." Our friend always saw many more. Her mind was teeming not only with ideals as beautiful as those of the great artist, but with practical plans to educate the ignorant, and lift them to self-support and self-protection. Her being was instinct with constructive and spiritual force.

It would be hard to find any sphere of woman's activity in which she had not been leader. Believing that "the manifest intention of nature is the perfection of man," she faithfully did her part. In the laborious and the menial she served the colored poor, while she neglected no opportunity to open their spiritual vision. She fed, warmed, and clothed them; ministered to the sick; attended the dying; procured their coffins; spoke the comforting words, and sung the hymns at their funerals. She instructed them in their Sunday meetings, and gained release for those in prison for petty offences, or for those unjustly accused. Soldiers often appealed to her to assist and aid them. Her work at the jails was very wearing, for the poor creatures, not unfrequently the mother of an infant left at home, arrested for an imaginary offense, or for *stealing* bread to avert starvation, would *plead* so hard for her to get them released, and had such full faith that she could, that it was a constant tax upon her sympathy and strength, as was all her work connected with them.

Josephine Griffing had to deal too much with the realities of life and death to make many records of her work, save those required in the routine of her office. These were mostly kept by her daughter Emma, her official assistant. But the substance of what was done in these years may be found in the archives of the Government. On the calendar of both Houses of Congress, in the *Congressional Globe*, in the War Office, in the Freedman's Bureau, in the offices of District Government and District Courts, and perhaps in the prisons, the future historian may find abundant records of the patient and humane labors of this merciful, vigilant, and untiring woman. Whether he finds them in her name is not so certain!

Mrs. Griffing not only devoted to these people the six days of the week allotted to labor, but her Sundays were given to public ministrations as well as private visits to the distant and aged, unable to come to the Relief rooms during the week. But for a real picture of the condition of these people, nothing can be more graphic or full of feeling, than her own account in a letter to Lucretia Mott,^[29] intended as an appeal to the Society of Friends in Philadelphia. It, with others, had early responded, and with its contributions in part, she had established the soup-houses before noted. Her account is also in connection with the Bureau, of historical interest. During this long struggle her evenings were spent in writing letters to the North, framing bills, petitions, and appeals to amend the laws of the District. As she was interested in all the reforms of the day, she was frequently called upon for active service in conventions and political gatherings.

[Pg 33]

Of the public men whom she consulted, two at least, I know, made everybody and everything yield when she appeared; these were Secretary Stanton and Chas. Sumner—so interested were they in the objects of her devotion, and so sure that Mrs. Griffing would not take their time without sufficient reason. Benj. F. Wade and Henry Wilson would not yield the palm in their respect to her, and Senator Howard, of Michigan, was also one of her most friendly helpers. Stevens, Julian, Dawes, Ashley—all the friends in Congress—could tell of her great achievements, and their unbounded confidence in her, as the following letters show:

WASHINGTON, D. C., *March 11, 1865.*

To the Commissioner of the Freedman's Bureau:

SIR:—I take pleasure in giving my influence to this application for a place at the head of freedmen's affairs in the District of Columbia for Mrs. Josephine S. Griffing, believing her to be eminently qualified to develop the resources of the freed people in this District, most of whom are women and children—secure the national interest, and give satisfaction to the country. Mrs. Griffing has given successful public and private efforts in behalf of the colored race for many years, and has devoted the entire time of the last year to an investigation of the condition and best method of giving relief to the multitudes of freed people in and around the National Capital. Finding many thousands of women with families without employment or the means of self-support, she has conferred with the President and Governors of the Northwestern States upon the practicability of encouraging their emigration. To meet the destitution of these people in this city during the past winter, Mrs. Griffing has disbursed from the Government about \$25,000 in wood and blankets and rations, and \$5,000 in clothing and money from the public charity. I believe the appointment of Mrs. J. S. Griffing to a chief clerkship or general agency for the District in this Bureau will be creditable to the Government and satisfactory to the freed people.

Z. CHANDLER.

I fully concur with my colleague. Mrs. Griffing is both worthy and capable, and I trust her services will be secured.

[Pg 34]

J. M. HOWARD.

If I had this appointment to make, I would make Mrs. Griffing Commissioner.

J. M. ASHLEY.

I know Mrs. Griffing to be capable and humane, and very devoted to the colored race. I hope that her services may be secured.

CHARLES SUMNER.

I most cheerfully join in this recommendation.

H. WILSON,
J. N. GRIMES.

I fully concur in the above, and hope that Mrs. Griffing will receive a conspicuous place in the Freedman's Bureau. She is the best qualified of any person within my knowledge; her whole heart is in the work.

B. F. WADE, SOLOMON FOOT,
IRA HARRIS, E. D. MORGAN,
W. P. FESSENDEN.

I most fully concur.

J. V. DRIGGS,
T. W. FERRY.

I fully concur in all that is said within in behalf of Mrs. Griffing, and earnestly commend her to the favor sought.

GEO. W. JULIAN.

WASHINGTON, *July 9, 1869.*

Mrs. Griffing has for several years devoted herself with great industry, intelligence, and success to the freed people in the District of Columbia, and in this service she has accomplished more good than any other one individual within my acquaintance. When the War Department was in my charge, she rendered very efficient aid of a humane character to relieve the wants and sufferings of destitute freed people, and was untiring in her benevolent exertions. Property for distribution was often placed in her hands, or under her directions, and she was uniformly trustworthy and skillful in its management and administration. In my judgment, she is entitled to the most full confidence and trust.

EDWIN M. STANTON.

JEFFERSON, OHIO, *Nov. 12, 1869.*

MY DEAR MRS. GRIFFING:—On my return from Washington I found your kind letter of the 28th, ult. I regret much that I did not meet with you at Washington. I know your merits. I know that no person in America has done so much for the cause of humanity for the last four years as you have. Your disinterested labors have saved hundreds of poor human beings not only the greatest destitution and misery, but from actual starvation and death. I also know that in doing this you have not only devoted your whole time, but all the property you have. And I know, too, that your labors are just as necessary now as they ever have been. Others know all this as well as I do. Secretary Stanton can vouch for it all, and I can not doubt that Congress will not only pay you for what you have done, but give you a position where this necessary work may be done by you effectually. This is the very thing that ought to be done at once. Since the Bureau has been abolished it will be impossible to get along with the great influx of imbecility and destitution which gathers and centers in Washington every winter, without some one being appointed to see to it, and certainly everybody knows that there is no one so competent for this work as yourself. To this end I will do whatever I can, but you know that I am now out of place, and have no influence at Court, but whatever I can do to effect so desirable an object will be done.

[Pg 35]

Truly yours,

B. F. WADE.

SENATE CHAMBER, *April 2.*

DEAR MADAM:—I have your note of the 31st, and am very sorry to hear that there is so much distress in the city. I shall endeavor to bring the charter up as soon as I have an opportunity; but while this trial is pending,^[30] it is improbable that any legislative business will be done. I am as anxious as you are to secure its adoption.

Yours truly,

CHARLES SUMNER.

MRS. J. S. GRIFFING, Washington.

BOSTON, *27th July, 1869.*

DEAR MADAM:—The statement or memorial which you placed in my hands was never printed. It is, probably, now on the files of the Senate. I wish I could help your effort with the Secretary of War. You must persevere. If Gen. Rawlins understands the case, he will do all that you desire. Accept my best wishes, and believe me, faithfully yours,

CHARLES SUMNER.

Will Mrs. Griffing let Mr. Sumner know what institution or person should disburse the money appropriated?

SENATE CHAMBER,
Tuesday.

LETTERS ON THE FREEDMAN'S RELIEF ASSOCIATION.

WASHINGTON, *April 8, '71.*

To the Mayor and Board of Common Council, City of Washington, District of Columbia:

MESSRS.:—I have the honor to state that the aged, sick, crippled, and blind persons, for whom the National Freedman's Relief Association of this District partially provides, are at this time in very great destitution, many of them in extreme suffering for want of food and fuel. The Association has provided clothing. It is now twelve weeks since the Government appropriation for their temporary support for the last year was exhausted. This Association has by soliciting contributions, up to this

time, relieved the most extreme cases, that otherwise must have died; but the want of food is so great among at least a thousand of these, not one of whom is able *to labor* for a support, that it is impossible to provide the absolute relief they must have, by further contributions from the charitable and the humane.

I would therefore most earnestly appeal in their behalf, that the Hon. Council and Mayor will appropriate from the market fund for their temporary relief one thousand dollars, to be disbursed by the above-named association, which sum will enable these destitute persons to subsist until, as is hoped and believed, Congress will make the usual special appropriation for their partial temporary support. This Association to report the use of such money to the Mayor and Common Council of the City of Washington, D. C.

[Pg 36]

Very respectfully,

J. S. GRIFFING,
GENERAL AGENT N. F. R. ASSOCIATION, D.
C.

TRIBUNE OFFICE, NEW YORK, *Sept. 7, 1870.*

MRS. GRIFFING:—In my judgment you and others who wish to befriend the blacks crowded into Washington, do them great injury. Had they been told years ago, "You *must* find work; go out and seek it," they would have been spared much misery. They are an easy, worthless race, taking no thought for the morrow, and liking to lean on those who befriend them. Your course aggravates their weaknesses, when you should raise their ambition and stimulate them to self-reliance. Unless you change your course speedily and signally, the swarming of blacks to the District will increase, and the argument that Slavery is their natural condition will be immeasurably strengthened. So long as they look to others to calculate and provide for them, they are not truly free. If there be any woman capable of earning wages who would rather some one else than herself should pay her passage to the place where she can have work, then she needs reconstruction and awakening to a just and honest self-reliance.

Yours,

HORACE GREELEY.

MRS. J. S. GRIFFING, Washington, D. C.

Sept. 12, 1870.

HORACE GREELEY:

DEAR SIR:—Much as I respect your judgment, and admire your candor, I must express entire dissent with your views in reference to those who are laboring to befriend the Freedmen, and also of your estimate of the character of the black race.

When you condemn my work for the old slaves, who can not labor, and are "crowded into Washington" by force of events uncontrollable, as a "great injury," I am at a loss to perceive your estimate of any and all benevolent action. If, to provide houses, food, clothing, and other physical comforts, to those broken-down aged slaves whom we have liberated in their declining years, when all their strength is gone, and for whom no home, family friendship, or subsistence is furnished; if this is a "great injury," in my judgment there is no call for alms-house, hospital, home, or asylum in human society, and all appropriations of sympathy and material aid are worse than useless, and demand your earnest rebuke and discountenance, and to the unfortunates crowded into these institutions, you should say, "You must find work, go out and seek it." So far as an humble individual can be, I am substituting to these a freedman's (relief) bureau; sanitary commission; church sewing society, to aid the poor; orphan asylum; old people's home; hospital and alms-house for the sick and the blind; minister-at-large, to visit the sick, console the dying, and bury the dead; and wherein I fail, and perhaps you discriminate, is the want of wealthy, popular, and what is called honorable associations. Were these at my command, with the field before me, it would be easy to illustrate the practical use as well as the divine origin of the Golden Rule.

If, in your criticism, you refer to my secondary department in which I have labored to furnish employment to the Freedmen both in the District and out, is it not a direct reflection upon all efforts made for the distribution of labor? Is my course more aggravating to the weakness of destitute unemployed freed people, than emigrant societies, intelligence offices, benevolent ladies' societies, and young men's Christian associations, to give work to the poor of all nations; and lastly the Government Indian department, that has wisely called to its aid the American missionary, and the Quaker societies, to farm out the poor Indians? or, if the measures put forth by these admissible agents can raise the ambition and stimulate to self-reliance their beneficiaries, will you be good enough to show wherein the same means, which I claim to employ, must have the opposite effect upon the freedmen crowded into Washington.

[Pg 37]

Is it possible that the swarming of the Irish, Swiss, and German poor, to the city of New York, is attributable to the intelligence offices and immigration societies of your city, and not, as we have supposed, to the want of work and bread at home, and is there really a danger, that in providing and calculating for them, we shall strengthen the argument of race, while our institutions of charity are filled with descendants of the Saxon, the Norman, the Goth, and the Vandal? I think not.

Respectfully yours,

JOSEPHINE S. GRIFFING.

From the New National Era.

MRS. JOSEPHINE S. GRIFFING THE ORIGINATOR OF THE FREEDMEN'S BUREAU.

This truly excellent and noble woman was fitly spoken of in the *New National Era* just after her death, but at that early date it was not possible to obtain the facts to prove the statement at the head of this article, which is but simple truth and historic justice.

Mrs. Griffing was engaged in an arduous work for the Loyal League in the Northwest in 1862, and

foresaw the need of a comprehensive system of protection, help, and education, for the slaves in the trying transition of freedom. She sought counsel and aid from fit persons in Ohio and Michigan, and came here only in 1863 to begin her work of urging the plan of a Bureau for that purpose. Nothing daunted by coldness or indifference she nobly persisted, until in December, 1863, a bill for a Bureau of Emancipation was introduced in the House of Representatives by Hon T. D. Elliott, of Massachusetts. After some changes in the bill, and a committee of conference of the House and Senate, and the valuable aid of Sumner, Wilson, and other Senators, the bill for the Freedman's Bureau finally passed in March, 1865, and was signed by President Lincoln just before his assassination.

The original idea was Mrs. Griffing's; her untiring efforts gave it life, and it is but just that the colored people, of the South especially, should bear in grateful remembrance this able and gentle woman, whose life and strength were spent for their poor sufferers, and who called into useful existence that great national charity, the Freedman's Bureau.

The following letter from William Lloyd Garrison to Giles B. Stebbins, then in Washington, corroborates the above statements:

[Pg 38]

ROXBURY, MASS., *March 4, 1872.*

MY DEAR FRIEND: ... I was glad to see the well-merited tributes paid by yourself and others to the memory of Mrs. Josephine S. Griffing. She was, for a considerable period, actively engaged in the anti-slavery struggle in Ohio, where by her rare executive ability and persuasiveness as a public lecturer, she aided greatly in keeping the abolition flag flying, enlightening and changing public sentiment, and hastening the year of jubilee. With what unremitting zeal and energy did she espouse the cause of the homeless, penniless, benighted, starving freedmen, driven by stress of circumstances into the national capital in such overwhelming numbers; and what a multitude were befriended and saved through her moving appeals in their behalf! How like an angel of mercy must she have seemed to them all! No doubt the formation of the Freedman's Bureau was mainly due to her representations as to its indispensable necessity; and how much good was done by that instrumentality in giving food, clothing, and protection to those who were so suddenly brought out of the house of bondage, as against the ferocity of the rebel element, it is difficult to compute because of its magnitude. She deserves to be gratefully remembered among "the honorable women not a few," who, in their day and generation, have been

"Those starry lights of virtue that diffuse,
Through the dark depths of time their vital flame,"

whose self-abnegation and self-sacrifice in the cause of suffering humanity having been absolute, and who have nobly vindicated every claim made by their sex to full equality with men in all that serves to dignify human nature. Her rightful place is among "the noble army of martyrs," for her life was undoubtedly very much shortened by her many cares and heavy responsibilities and excessive labors in behalf of the pitiable objects of her sympathy and regard.

Very truly yours, WILLIAM LLOYD GARRISON.

PARKER PILLSBURY, in a letter to Mrs. Stebbins says: "The anti-slavery conflict could never boast a braver, truer, abler advocate than Josephine Griffing. It was always an honor and inspiration to stand by her side, no matter how fierce the encounter. I have seen her when an infuriated mob assailed our Conventions, and dashed down doors, windows, seats, stoves, tables, everything that would yield to their demoniac rage, stand amid the ruins calm and unmoved, and with her gentle words of remonstrance shame the intruders, until one by one they shrank away, glad to get out of her sight.

Her beautiful home hospitalities; her warm welcome ever extended to the faithful friends of freedom and humanity, were equal to her unshaken courage and self-control in public assemblies. We used to call that humble home in Litchfield, 'The Saint's Rest,' and such it was to many a fugitive slave, as well as soldier in his cause.

To the first demand for the enfranchisement of women in 1848, Mrs. Griffing heartily responded, and in this reform she was ever untiring in effort, wise in counsel, and eminent in public speech. In 1867 she helped to organize the Universal Franchise Association of the District of Columbia, of which she was president for years. She was also Corresponding Secretary of the National Woman Suffrage Association, and was ever considered the organizing power at Washington. She first suggested the importance of annual conventions at the capital, in order to influence Congressional action.

[Pg 39]

Mrs. Griffing's last appearance in public was at the May Anniversary of the National Woman Suffrage Association, held in New York in 1871, and so feeble was her condition that a screen was placed behind her to enable the audience to hear her voice. At the close of the Convention she went to the home of her childhood, in Hebron, Conn., hoping that the bracing air of the New England hills would give her new life and strength, until she could finish her work. But it was already finished. She had taxed herself to the uttermost, beyond nature's power to recuperate. In November she returned to Washington, and enjoyed the sweet presence and tender care of her daughters until she passed away on Feb. 18, 1872.

THE LADIES' NATIONAL COVENANT.

After the war was fairly inaugurated, the manufactories of the country largely turned their attention to the production of material required by the army, which, combined with the immense number of volunteers from such avocations, and the rise in prices of all home manufactures,

created an immense import of foreign goods, which, pouring into our country when gold was at the highest, brought to our doors a danger no less formidable than that of the Rebellion. It was shown from official returns, in 1863, that during a period of nine months, the imports, at the port of New York alone, amounted to \$160,000,000 in gold; equal, including exchange, freight, insurance, etc., to twice that sum, while our exports amounted to only \$120,000,000 in paper.

This ruinous state of our trade brought on us the taunts of foreign enemies, and roused the attention of the country to devise some method of meeting the new danger; Congress temporarily raised duties fifty per cent. in hopes of stemming the tide of importation. The patriotic women of the nation, ever on the alert for methods of aiding the country, early in 1864 called a meeting of the loyal women of Washington, at which time an association, pledging women to the use of home manufactures, was formed under the name of "The Ladies' National Covenant," with offices in every State and Territory within the national lines. Mrs. General Jas. Taylor was elected President; Mrs. Stephen A. Douglas, Vice-President; Mrs. Rebecca Gillis and Miss Virginia Smith, Recording Secretaries; with ten Corresponding Secretaries, of whom Mrs. H. C. Ingersoll was the most active.

[Pg 40]

This association, formed for the purpose of encouraging domestic manufactures, was composed at its first meeting of the wives of members of the Cabinet and of Senators and Representatives, women of fashion, popular authoresses, mothers who had lost their sons, and wives who had lost their husbands. An Advisory and Organizing Committee was appointed, consisting of women from each State and Territory within the national line. An ADDRESS TO THE WOMEN OF AMERICA was issued, and a constitution consisting of eleven sections, together with the following pledge, was adopted:

THE PLEDGE.

For three years, or during the war, we pledge ourselves to each other and the country, to purchase no imported goods where those of American manufacture can be obtained, such as "dress goods of velvet, silks, grenadines, India crape, and imported organdies, India lace and broche shawls, fine wrought laces and embroideries, watches and precious stones, hair ornaments, fans, artificial flowers and feathers, carpets, furniture, silks and velvets, painted china, ormolu, bronze, marble, ornaments, and mirrors."

The emblem of this Covenant was a black or gilt bee, worn as a pin fastening the national colors, upon the hair, arm, or bosom, as a public recognition of membership. In August of the same year the Secretary stated that orders for the emblem, the badge of the Covenant, were received by the manufacturer of the pin from all parts of the Union. A meeting was held in New York, rooms opened in Great Jones Street, and the Covenant was in a fair way to assume large proportions. When Lee's capitulation was announced the necessity for the Covenant ended, and with peace, trade was allowed to drift into its natural channels.

ANNA ELIZABETH DICKINSON.

Foremost among the women who understood the political significance of the great conflict, was Miss Dickinson, a young girl of Quaker ancestry, who possessed remarkable oratorical power, a keen sense of justice, and an intense earnestness of purpose. In the heated discussions of Anti-Slavery Conventions, she had acquired a clear comprehension of the province of laws and constitutions; of the fundamental principles of governments, and the rights of man. Like a meteor, she appeared suddenly in the political horizon, as if born for the eventful times in which she lived, and inspired by the dangers that threatened the life of the republic.

[Pg 41]

At the very beginning of the war her radical utterances were heard at different points in her native State.^[31] Her admirable speech on the higher law, first made at Kennett Square, and the discussion that followed, in which Miss Dickinson maintained her position with remarkable clearness and coolness for one of her years, were a surprise to all who listened. The flattering reports of this meeting in several of the Philadelphia journals introduced her at once to the public.

On the evening of February 27, 1861, she addressed eight hundred people in Concert Hall, Philadelphia. This was her first appearance before so large an assembly, and the first time she had the sole responsibility of entertaining an audience for an entire evening. She spoke two full hours extemporaneously, and the lecture was pronounced a success, not only by the press, but by the many notables and professional men present. Although it was considered a marvelous performance for a young girl, Miss Dickinson herself was mortified, as she said, with the length of her speech and its lack of point, order, and arrangement.

Soon after, she entered the United States Mint, to labor from seven o'clock in the morning to six at night. Although she was ever faithful to her duties and skillful in everything she undertook, soon becoming the most rapid adjuster in the Mint, her radical criticisms on the war and its leaders cost her the loss of the place. At a meeting just after the battle of Ball's Bluff, in summing up the record, after exonerating Stone and Baker, she said, "Future history will show that this battle was lost not through ignorance and incompetence, but through the treason of the commanding general, George B. McClellan, and time will vindicate the truth of my assertion." She was hissed all over the house, though some cried, "Go on!" "Go on!" She repeated this startling assertion three times, and each time was hissed.

[Pg 42]

When Gen. McClellan was running against Lincoln in 1864, after she had achieved a world-wide reputation, she was sent by the Republican Committee of Pennsylvania to this same town, to speak to the same people, in the same hall. In again summing up the incidents of the war, when she came to Ball's Bluff, she said, "I say now, as I said three years ago, history will record that this battle was lost, not through ignorance or incompetence, but through the treason of the commanding general, George B. McClellan." "And time has vindicated your assertion," was shouted all over the house.

It was the speech made in 1861, that cost her her place in the mint, for while laboring there daily with her hands, her mind was not inactive nor indifferent to the momentous events transpiring about her. She kept a close watch of the progress of the war, and the policy of the Republican leaders. When ex-Governor Pollock dismissed her, he admitted that his reason was that Westchester speech, for at that time McClellan was the idol of the nation.^[32]

With remarkable prescience all through the war, and the period of reconstruction, Miss Dickinson took the advance position. Wendell Phillips used to say that "she was the young elephant sent forward to try the bridges to see if they were safe for older ones to cross." When wily politicians found that her criticisms were applauded by immense audiences, they gained courage to follow her lead. As popular thought was centering everywhere on national questions, Miss Dickinson thought less of the special wrongs of women and negroes and more of the causes of revolutions and the true basis of government; hence she spoke chiefly on the political aspects of the war, and thus made herself available in party politics at once.

In the intervals of public speaking, she made frequent visits to the Government hospitals, and became a most welcome guest among our soldiers. In long conversations with them, she learned their individual histories, experiences, hardships, and sufferings; the motives that prompted them to go into the army; what they saw there; what they thought of war in their hours of solitude, away from the camp and the battle-field. Thus she acquired an insight into the soldier's life and feelings, and from these narratives drew her materials for that deeply interesting lecture on hospital life, which she delivered in many parts of the country.

[Pg 43]

This lecture, given in Concord, New Hampshire, in the autumn of 1862, was the turning-point of her fortunes. In this speech she proved slavery to be the cause of the war, that its continuance would result in prolonged suffering to our soldiers, defeat to our armies, and the downfall of the Republic. She related many touching incidents of her experiences in hospital life, and drew such vivid pictures of the horrors of both war and slavery, that by her pathos and logic, she melted her audience to tears, and forced the most prejudiced minds to accept her conclusions.

It was on this occasion that the Secretary of the State Central Committee heard her for the first time. He remarked to a friend at the close of the lecture, "If we can get this girl to make that speech all through New Hampshire we can carry the Republican ticket in the coming election." Fully appreciating her magnetic power over an audience, he resolved at once, that if the State Committee refused to invite her, he should do so on his own responsibility. But through his influence she was invited by the Republican Committee, and on the first of March commenced her regular campaign speeches. During the four weeks before election she spoke twenty times, everywhere to crowded, enthusiastic audiences. Her march through the State was a succession of triumphs, and ended in a Republican victory.

The member in the first district having no faith that a woman could influence politics, sent word to the Secretary, "Don't send that damn woman down here to defeat my election." The Secretary replied, "We have work enough for her to do in other districts without interfering with you." But when the would-be honorable gentleman saw the furor she created, he changed his mind, and inundated the Secretary with letters to have her sent there. But the Secretary replied, "It is too late; the programme is arranged and published throughout the State; you would not have her when you could, and now you can not have her when you will."

It is pleasant to record that this man, who had the moral hardihood to send a profane adjective over the wires, with the name of this noble girl, lost his election. While all other districts went strongly Republican, his was lost by a large majority. When the news came that the Republicans had carried the State, due credit was awarded to Anna Dickinson. The Governor-elect made personal acknowledgment that her eloquent speeches had secured his election. She was serenaded, feasted, and feted, the recipient of many valuable presents, and eulogized by the press and the people.

[Pg 44]

New Hampshire safe, all eyes were now turned to Connecticut. The contest there was between Seymour and Buckingham. It was generally conceded that, if Seymour was elected, Connecticut would give no more money or troops for the war. The Republicans were completely disheartened. They said nothing could prevent the Democrats from carrying the State by four thousand, while the Democrats boasted that they would carry it by ten thousand. Though the issue was one of such vital importance, there seemed so little hope of success, that the Republicans were disposed to give it up without making an effort. And no resistance to this impending calamity was made until Anna Dickinson went into the State, and galvanized the desponding loyalists to life. She spent two weeks there, and completely turned the tide of popular sentiment. Democrats, in spite of the scurrilous attacks made on her by some of their leaders and editors, received her everywhere with the warmest welcome, tore off their party badges, substituted her likeness, and applauded whatever she said. The halls where she spoke were so densely packed, that

Republicans stayed away to make room for the Democrats, and the women were shut out to give place to those who could vote. There never was such enthusiasm over an orator in this country. The period of her advent, the excited condition of the people, her youth, beauty, and remarkable voice, and wonderful magnetic power, all heightened the effect of her genius, and helped to produce this result. Her name was on every lip; ministers preached about her, prayed for her, as a second Joan of Arc, raised up by God to save that State to the loyal party, and through it the nation to freedom and humanity. As the election approached, the excitement was intense; and when at last it was announced that the State was saved by a few hundred votes, the joy and gratitude of the crowds knew no bounds. They shouted and hurrahed for Anna Dickinson, serenaded her with full bands of music, sent her books, flowers, and ornaments, manifesting in every way their love and loyalty to this gifted girl, who through so many years had bravely struggled with poverty to this proud moment of success in her country's cause. Some leading gentlemen of the State who had invited her there presented her a gold watch and chain, a hundred dollars for every night she had spoken, and four hundred for the last night before election, in Hartford. The comments of the press, though most flattering, give the reader but a faint idea of the enthusiasm of the people.^[33]

[Pg 45]

Fresh from the victories in New Hampshire and Connecticut, she was announced to speak in Cooper Institute, New York. That meeting, in May, 1862, was the most splendid ovation to a woman's genius since Fanny Kemble, in all the wealth of her youth, beauty, and wonderful dramatic power, appeared on the American stage for the first time. There never was such excitement over any meeting in New York; hundreds went away unable even to get standing places in the lobbies and outer halls. The platform was graced with the most distinguished men and women in the country, and so crowded that the young orator had scarce room to stand. There were clergymen, generals, admirals, judges, lawyers, editors, the literati, and leaders of fashion, and all alike ready to do homage to this simple girl, who moved them alternately to laughter and tears, to bursts of applause and the most profound silence.

Henry Ward Beecher, who presided, introduced the speaker in his happiest manner. For nearly two hours she held that large audience with intense interest and enthusiasm, and when she finished with a beautiful peroration, the people seemed to take a long breath, as if to find relief from the intensity of their emotions. Loud cries followed for Mr. Beecher; but he arose, and with great feeling and solemnity, said: "Let no man open his lips here to-night; music is the only fitting accompaniment to the eloquent utterances we have heard." The Hutchinsons closed with one of their soul-stirring ballads, and the audience slowly dispersed, singing the John Brown song with thrilling effect, as they marched into the street.^[34]

[Pg 46]

After her remarkable success in New York, the Philadelphia Union League invited her to speak in that city. The invitation, signed by leading Republicans, she readily accepted. Judge Wm. D. Kelley presided, and a most appreciative audience greeted her. In this address, reviewing the incidents of the war, she criticised General McClellan as usual, with great severity. Some of his personal friends, filled with indignation, left the house, while a derisive laugh followed them to the door. The Philadelphia journals vied with each other in their eulogiums of her grace, beauty, and eloquence. The marked attention she has always received in her native city has been most grateful to her, and honorable to her fellow-citizens.

In July, 1862, the first move was made to enlist colored troops in Pennsylvania. A meeting was called for that purpose in Philadelphia. Judge Kelley, Frederick Douglass, and Anna Dickinson were there, and made strong appeals to the people of that State to grant to the colored man the honor of bearing arms in defence of his country. The effort was successful. A splendid regiment was raised, and the first duty they discharged was to serenade the young orator, who had spoken so eloquently for their race all through the war.

In September a field-day was announced at Camp William Penn. General Pleasanton reviewed the troops. It was a brilliant and interesting occasion, as many were about to leave for the seat of war. At the close of the day when the people began to disperse it was noised round that Miss Dickinson was there; a cry was heard at once on all sides, "A speech! a speech!" The moon was just rising, mingling its pale rays with those of the setting sun, and throwing a soft, mysterious light over the whole scene. The troops gathered round with bristling bayonets and flags flying, the band was hushed to silence, and when all was still, mounted on a gun-wagon, with General Pleasanton and his staff on one side, General Wagner and his staff on the other, this brave girl addressed "our boys in blue." She urged that justice and equality might be secured to every citizen in the republic; that slavery and war might end forever and peace be restored; that our country might indeed be the land of the free and the home of the brave.

[Pg 47]

As she stood there uttering words of warning and prophecy, it seemed as if her lips had been touched with a live coal from the altar of heaven. Her inspired words moved the hearts of our young soldiers to deeds of daring, and gave fresh courage to those about her to bid their loved ones go and die if need be for freedom and their country. The hour, the mysterious light, the stillness, the novel surroundings, the youth of the speaker, all gave a peculiar power to her words, and made the scene one of the most thrilling and beautiful on the page of history.

In January, 1864, she made her first address in Washington. Though she now felt that her success as an orator was established, yet she hesitated long before accepting this invitation.^[35] To speak before the President, Chief-Justice, Judges, Senators, Congressmen, Foreign Diplomats, all the dignitaries and honorables of the Government was one of the most trying ordeals in her

experience. She had one of the largest and most brilliant audiences ever assembled in the Capitol, and was fully equal to the occasion. She made a profound impression, and her speech was the topic of conversation for days afterward. At the close of her address she was presented to many of the distinguished ladies and gentlemen, and chief among them the President. This was one of the grandest occasions of her life. She was honored as no man ever had been before. The comments of the press^[36] must have been satisfactory to her highest ambition as well as to that of her admiring countrywomen.

[Pg 48]

One of the most powerful and impressive appeals she ever made was in the Convention of Southern Loyalists held in Philadelphia in September, 1866. In this Convention there was a division of opinion between the Border and the Gulf States. The latter wanted to incorporate negro suffrage in their platform, as that was the only means of success for the Liberal party at the South. The former, manipulated by Northern politicians, opposed that measure, lest it should defeat the Republican party in the pending elections at the North. This stultification of principle, of radical public sentiment, stirred the soul of Miss Dickinson, and she desired to speak. But a rule that none but delegates should be allowed that privilege, prevented her. However, as the Southern men had never heard a woman speak in public, and felt great curiosity to hear her, they adjourned the Convention, resolved themselves into a committee of the whole, and invited her to address them.

An eye-witness^[37] thus describes the scene: "As the young maiden stepped forward to deliver a speech as denunciatory as was ever listened to against the action of the Border States, on her right sat Brownlow, on her left John Minor Botts with his lips tightly compressed, and his face telling plainly that he remained there from courtesy, and would remain a patient listener to the end. She began; and for the first time since it met, the Convention was so still that the faintest whisper could be heard."

[Pg 49]

She had not spoken long before she declared that Maryland had no business in the Convention, but should have been with delegates that came to welcome. There was vehement applause from the Border States. "This is a direct insult," shouted a delegate from Maryland. She went on in spite of interruptions, reviewing the conduct of the Border States with scorn, and an eloquence never equalled in any of her previous efforts, in favor of an open, manly declaration of the real opinion of the Convention for justice to the colored Loyalist, not in the courts only, but at the ballot-box. The speech was in Miss Dickinson's noblest style throughout—bold, but tender, and often so pathetic that she brought tears to every eye. Every word came from her heart, and it went right to the hearts of all. Kentucky and Maryland now listened as eagerly as Georgia and Alabama; Brownlow's iron features and Botts' rigid face soon relaxed, and tears stood in the old Virginian's eyes; while the noble Tennessean moved his place, and gazed at the inspired girl with an interest and wonderment which no other orator had moved before. She had the audience in hand, as easily as a mother holds her child, and like the child, this audience heard her heart beat. It was a marvelous speech. Its greatness lay in its manner and effect, as well as its argument. When she finished, one after another of the Southern delegates came forward and pinned on her dress the badges of their States until she wore the gifts of Alabama, Missouri, Tennessee, Texas, Florida, Louisiana, and Maryland.

And thus it was from time to time that this remarkable girl uttered the highest thought in American politics in that crisis of our nation's history. While in camp and hospital she spoke words of tenderness and love to the sick and dying, she did not hesitate to rebuke the incapacity and iniquity of those in high places. She was among the first to distrust McClellan and Lincoln, and in a lecture, entitled "My Policy," to unveil his successor, Andrew Johnson, to the people. She saw the scepter of power grasped by the party of freedom, and the first gun fired at Sumter in defence of slavery. She saw our armies go forth to battle, the youth, the promise, the hope of the nation—two millions strong—and saw them return with their ranks thinned and broken, their flags tattered and stained, the maimed, the halt and the blind, the weary and worn; and this, she said, is the price of liberty. She saw the dawn of the glorious day of emancipation when four million African slaves were set free, and that night of gloom when the darkest page in American history was written in the blood of its chief. Through the nation's agony was this young girl born into a knowledge of her power; and she drew her inspiration from the great events of her day.

[Pg 50]

THE WOMAN'S NATIONAL LOYAL LEAGUE.

MAMMOTH PETITION.

Those who had been specially engaged in the Woman Suffrage movement, suspended their Conventions during the war and gave their time and thought wholly to the vital issues of the hour. Seeing the political significance of the war, they urged the emancipation of the slaves as the sure, quick way of cutting the gordian knot of the rebellion. To this end they organized a National League, and rolled up a mammoth petition, urging Congress to so amend the Constitution as to prohibit the existence of slavery in the United States.

From their headquarters in Cooper Institute, New York, they sent out their appeals to the President, Congress, and the people at large; tracts and forms of petition, franked by members of Congress, were scattered like snowflakes from Maine to Texas. Meetings were held every week, in which the policy of the Government was freely discussed, approved or condemned. Robert Dale Owen, chairman of the Freedman's Commission, then residing in New York, aided and

encouraged this movement from the beginning, frequently speaking in the public meetings.

That this League did a timely educational work, is manifested by the letters received from generals, statesmen, editors, and from women in most of the Northern States, fully endorsing its action and principles.^[38] The clearness of thinking women on the cause of the war; the true policy in waging it; their steadfastness in maintaining the principles of freedom, are worthy of consideration. With this League, Abolitionists and Republicans heartily co-operated. In a course of lectures secured for its benefit in Cooper Institute, we find the names of Horace Greeley, George William Curtis, William D. Kelly, Wendell Phillips, E. P. Whipple, Frederick Douglass, Theodore D. Weld, Rev. Dr. Tyng, Dr. Bellows, and Mrs. Frances D. Gage. Many letters are on its files from Charles Sumner, approving its measures, and expressing great satisfaction at the large number of emancipation petitions being rolled into Congress. The Republican press, too, was highly complimentary. The *New York Tribune* said: "The women of the Loyal League have shown great practical wisdom in restricting their efforts to one object, the most important which any society can aim at, in this hour, and great courage in undertaking to do what never has been done in the world before, to obtain one million of names to a petition."

[Pg 51]

The leading journals vied with each other in praising the patience and prudence, the executive ability, the loyalty, the patriotism of the women of the League, and yet these were the same women, who when demanding civil and political rights, privileges, and immunities for themselves, had been uniformly denounced as "unwise," "imprudent," "fanatical," "impracticable." During the six years they held their own claims in abeyance to the slaves of the South, and labored to inspire the people with enthusiasm for the great measures of the Republican party, they were highly honored as "wise, loyal, and clear-sighted." But again when the slaves were emancipated and they asked that women should be recognized in the reconstruction as citizens of the Republic, equal before the law, all these transcendent virtues vanished like dew before the morning sun. And thus it ever is so long as woman labors to second man's endeavors and exalt *his sex* above her own, her virtues pass unquestioned; but when she dares to demand rights and privileges for herself, her motives, manners, dress, personal appearance, character, are subjects for ridicule and detraction.

In March, 1863, an appeal^[39] to the women of the Republic, was published in the *New York Tribune*, and in tract form extensively circulated with "a call"^[40] for a National Convention in New York, which assembled in Dr. Cheever's church May 14th. An immense audience, mostly women, representing a large number of the States, crowded the house at an early hour. Miss Susan B. Anthony called the Convention to order and nominated Lucy Stone for President; the other officers^[41] of the Convention being chosen, Mrs. Stanton made the opening address, and stated the objects of the meeting.

[Pg 52]

[Pg 53]

Miss Anthony having received large numbers of letters^[42] which it was impossible to read, said that the one word which had come up from all quarters showed an earnestness of purpose on the part of women to do everything in their power to aid the Government in the prosecution of this war to the glorious end of freedom. The President in introducing Angelina Grimké Weld, said:

[Pg 54]

This lady, once a South Carolina slaveholder, not only gave freedom to all her slaves twenty years ago, but has spent the strength of her younger years in going up and down among the people, urging the Northern States to make their soil sacred to freedom, to so amend their laws and constitutions that slavery can find no protection within their borders.

MRS. WELD said: I came here with no desire and no intention to speak; but my heart is full, my country is bleeding, my people are perishing around me. But I feel as a South Carolinian, I am bound to tell the North, go on! go on! Never falter, never abandon the principles which you have adopted. I could not say this if we were now where we stood two years ago. I could not say thus when it was proclaimed in the Northern States that the Union was all that we sought. No, my friends, such a Union as we had then, God be praised that it has perished. Oh, never for one moment consent that such a Union should be re-established in our land. There was a time when I looked upon the Fathers of the Revolution with the deepest sorrow and the keenest reproach. I said to their shadows in another world, "Why did you leave this accursed system of slavery for us to suffer and die under? why did you not, with a stroke of the pen, determine—when you acquired your own independence—that the principles which you adopted in the Declaration of Independence should be a shield of protection to every man, whether he be slave or whether he be free?" But, my friends, the experience of sixty years has shown me that the fruit grows slowly. I look back and see that great Sower of the world, as he traveled the streets of Jerusalem and dropped the precious seed, "Do unto others as ye would that others should do unto you." I look at all the contests of different nations, and see that, whether it were the Patricians of Rome, England, France, or any part of Europe, every battle fought gained something to freedom. Our fathers, driven out by the oppression of England, came to this country and planted that little seed of liberty upon the soil of New England. When our Revolution took place, the seed was only in the process of sprouting. You must recollect that our Declaration of Independence was the very first National evidence of the great doctrine of brotherhood and equality. I verily believe that those who were the true lovers of liberty did all they could at that time. In their debates in the Convention they denounced slavery—they protested against the hypocrisy and inconsistency of a nation declaring such glorious truths, and then trampling them underfoot by enslaving the poor and oppressed, because he had a skin not colored like their own; as though a man's skin should make any difference in the recognition of his rights, any more than the color of his hair or of his eyes. This little blade sprouted as it were from the precious seeds that were planted by Jesus of Nazareth. But, my friends, if it took eighteen hundred years to bring forth the little blade which was seen in our Declaration, are we not unreasonable to suppose that more could have been done than has been done, looking at the imperfections of human nature, looking at the selfishness of man, looking at his desire for wealth

[Pg 55]

and his greed for glory?

Had the South yielded at that time to the freemen of the North, we should have had a free Government; but it was impossible to overcome the long and strong prejudices of the South in favor of slavery. I know what the South is. I lived there the best part of my life. I never could talk against slavery without making my friends angry—never. When they thought the day was far off, and there was no danger of emancipation, they were willing to admit it was an evil; but when God in His providence raised up in this country an Anti-slavery Society, protesting against the oppressions of the colored man, they began to feel that truth which is more powerful than arms—that truth which is the only banner under which we can successfully fight. They were comparatively quiet till they found, in the election of Mr. Lincoln, the scepter had actually departed from them. His election took place on the ground that slavery was not to be extended—that it must not pass into the Territories. This was what alarmed them. They saw that if the National Government should take one such step, it never would stop there; that this principle had never before been acknowledged by those who had any power in the nation.

God be praised. Abolitionists never sought place or power. All they asked was freedom; all they wanted was that the white man should take his foot off the negro's neck. The South determined to resist the election of Mr. Lincoln. They determined if Fremont was elected, they would rebel. And this rebellion is like their own Republic, as they call it; it is founded upon slavery. As I asked one of my friends one day, "What are you rebelling for? The North never made any laws for you that they have not cheerfully obeyed themselves. What is the trouble between us?" Slavery, slavery is the trouble. Slavery is a "divine institution." My friends, it is a fact that the South has incorporated slavery into her religion; that is the most fearful thing in this rebellion. They are fighting, verily believing that they are doing God service. Most of them have never seen the North. They understand very little of the working of our institutions; but their politicians are stung to the quick by the prosperity of the North. They see that the institution which they have established can not make them wealthy, can not make them happy, can not make them respected in the world at large, and their motto is, "Rule or ruin."

Before I close, I would like, however strange it may seem, to utter a protest against what Mrs. Stanton said of colonizing the aristocrats in Liberia. I can not consent to such a thing. Do you know that Liberia has never let a slave tread her soil?—that when, from the interior of the country, the slaves came there to seek shelter, and their heathen masters pursued them, she never surrendered one? She stands firmly on the platform of freedom to all. I am deeply interested in this colony of Liberia. I do not want it to be cursed with the aristocracy of the South, or any other aristocracy, and far less with the Copperheadism of the North. (Laughter). If these Southern aristocrats are to be colonized, Mrs. President, don't you think England is the best place for them? England is the country which has sympathized most deeply with them. She has allowed vessels to be built to prey upon our commerce; she has sent them arms and ammunition, and everything she could send through the West India Islands. Shall we send men to Liberia who are ready to tread the black man under their feet? No. God bless Liberia for what she has done, and what she is destined to do. (Applause).

[Pg 56]

I am very glad to say here, that last summer I had the pleasure of entertaining several times, in our house, a Liberian who was well educated in England. He had graduated at Oxford College, and had a high position there. His health broke down, and he went to Liberia. "When I went to Liberia," said he, "I had a first-rate education, and I supposed, of course, I would be a very superior man there; but I soon found that, though I knew a great deal more Greek and Latin and mathematics than most of the men there, I was a child to them in the science of government and history. Why," said he, "you have no idea of the progress of Liberia. The men who go there are freemen—citizens; the burdens of society are upon them; and they feel that they must begin to educate themselves, and they are self-educated men. The President of Liberia, Mr. Benson, was a slave about seven years ago on a plantation in this country. He went to Liberia. He was a man of uncommon talents. He educated himself to the duties which he found himself called upon to perform as a citizen. And when Mr. Benson visited England a year ago, he had a perfect ovation. The white ladies and gentlemen of England, those who were really anti-slavery in their feelings—who love liberty—followed him wherever he went. They opened their houses, they had their *soirees*, and they welcomed him by every kind of demonstration of their good wishes for Liberia."

Now, Mrs. President, the great object that I had in view in rising, was to give you a representative from South Carolina. (Applause). I mourn exceedingly that she has taken the position she has. I once had a brother who, had he been there, would have stood by Judge Pettigrew in his protest against the action of the South. He, many years ago, during the time of nullification in 1832, was in the Senate of South Carolina, and delivered an able address, in which he discussed these very points, and showed that the South had no right of secession; that, in becoming an integral part of the United States, they had themselves voluntarily surrendered that right. And he remarked, "If you persist in this contest, you will be like a girdled tree, which must perish and die. You can not stand." (Applause).

THE PRESIDENT (Lucy Stone): Mrs. Weld thinks it would be too bad to send the Southern aristocrats and Northern copperheads to Liberia: I do not know but it would. I am equally sure that it would be too bad to send them among the laboring people of England, who are thoroughly, heartily, and wholly on the side of the loyal North. They ought not to be sent there. I would suggest, when they are fairly subdued, that we should send them to London to make a part of the staff of the London *Times*. I think they would do better there than anywhere else. (Laughter).

[Pg 57]

The Hutchinson Family being present, varied the proceedings with their inspiring songs. Lucy Stone, in introducing them, said Gen. McClellan was not willing they should sing on the other side of the Potomac, but we are glad to hear them everywhere. Susan B. Anthony presented a series of resolutions,^[43] and said:

There is great fear expressed on all sides lest this war shall be made a war for the negro. I am willing that it shall be. It is a war to found an empire on the negro in slavery, and shame on us if we

do not make it a war to establish the negro in freedom—against whom the whole nation, North and South, East and West, in one mighty conspiracy, has combined from the beginning.

Instead of suppressing the real cause of the war, it should have been proclaimed, not only by the people, but by the President, Congress, Cabinet, and every military commander. Instead of President Lincoln's waiting two long years before calling to the side of the Government the four millions of allies whom we have had within the territory of rebeldom, it should have been the first decree he sent forth. Every hour's delay, every life sacrificed up to the proclamation that called the slave to freedom and to arms, was nothing less than downright murder by the Government. For by all the laws of common-sense—to say nothing of laws military or national—if the President, as Commander-in-Chief of the Army and Navy, could have devised any possible means whereby he might hope to suppress the rebellion, without the sacrifice of the life of one loyal citizen, without the sacrifice of one dollar of the loyal North, it was clearly his duty to have done so. Every interest of the insurgents, every dollar of their property, every institution, however peculiar, every life in every rebel State, even, if necessary, should have been sacrificed, before one dollar or one man should have been drawn from the free States. How much more, then, was it the President's duty to confer freedom on the four million slaves, transform them into a peaceful army for the Union, cripple the rebellion, and establish justice, the only sure foundation of peace! I therefore hail the day when the Government shall recognize that it is a war for freedom. We talk about returning to the old Union—"the Union as it was," and "the Constitution as it is"—about "restoring our country to peace and prosperity—to the blessed conditions that existed before the war!" I ask you what sort of peace, what sort of prosperity, have we had? Since the first slave-ship sailed up the James River with its human cargo, and there, on the soil of the *Old* Dominion, sold it to the highest bidder, we have had nothing but war. When that pirate captain landed on the shores of Africa, and there kidnapped the first stalwart negro, and fastened the first manacle, the struggle between that captain and that negro was the commencement of the terrible war in the midst of which we are to-day. Between the slave and the master there has been war, and war only. This is only a new form of it. No, no; we ask for no return to the *old* conditions. We ask for something better. We want a Union that is a Union in fact, a Union in spirit, not a sham. (Applause).

[Pg 58]

By the Constitution as it is, the North has stood pledged to protect slavery in the States where it existed. We have been bound, in case of insurrections, to go to the aid, not of those struggling for liberty, but of the oppressors. It was politicians who made this pledge at the beginning, and who have renewed it from year to year to this day. These same men have had control of the churches, the Sabbath-schools, and all religious influences; and the women have been a party in complicity with slavery. They have made the large majority in all the different religious organizations throughout the country, and have without protest, fellowshipped the slave-holder as a Christian; accepted pro-slavery preaching from their pulpits; suffered the words "slavery a crime" to be expurgated from all the lessons taught their children, in defiance of the Golden Rule, "Do unto others as you would that others should do unto you." They have had no right to vote in their churches, and, like slaves, have meekly accepted whatever morals and religion the selfish interest of politics and trade dictated.

Woman must now assume her God-given responsibilities, and make herself what she is clearly designed to be, the educator of the race. Let her no longer be the mere reflector, the echo of the worldly pride and ambition of man. (Applause). Had the women of the North studied to know and to teach their sons the law of justice to the black man, regardless of the frown or the smile of pro-slavery priest and politician, they would not now be called upon to offer the loved of their households to the bloody Moloch of war. And now, women of the North, I ask you to rise up with earnest, honest purpose, and go forward in the way of right, fearlessly, as independent human beings, responsible to God alone for the discharge of every duty, for the faithful use of every gift, the good Father has given you. Forget conventionalisms; forget what the world will say, whether you are in your place or out of your place; think your best thoughts, speak your best words, do your best works, looking to your own conscience for approval.

Mrs. HOYT, of Wisconsin: Thus far this meeting has been conducted in such a way as would lead one to suppose that it was an anti-slavery convention. There are ladies here who have come hundreds of miles to attend a business meeting of the Loyal Women of the North; and good as anti-slavery conventions are, and anti-slavery speeches are, in their way, I think that here we should attend to our own business.

[Pg 59]

Mrs. CHALKSTONE, of California: My speech shall be as brief as possible and I ask for an excuse for my broken language. Our field is very small, and God has given us character and abilities to follow it out. We do not need to stand at the ballot-boxes and cast our votes, neither to stand and plead as lawyers; but in our homes we have a great office. I consider women a great deal superior to men. (Laughter and applause). Men are physically strong, but women are morally better. I speak of pure women, good women. It is woman who keeps the world in the balance.

I am from Germany, where my brothers all fought against the Government and tried to make us free, but were unsuccessful. My only son, seventeen years old, is in our great and noble army of the Union. He has fought in many of the battles here, and I only came from California to see him once more. I have not seen him yet; though I was down in the camp, I could not get any pass. But I am willing to lay down all this sacrifice for the cause of liberty. We foreigners know the preciousness of that great, noble gift a great deal better than you, because you never were in slavery, but we are born in it. Germany pines for freedom. In Germany we sacrificed our wealth and ornaments for it, and the women in this country ought to do the same. We can not fight in the battles, but we can do this, and it is all we can do. The speaker, before me, remarked that Abraham Lincoln was two years before he emancipated slaves. She thought it wrong. It took eighteen hundred years in Europe to emancipate the Jews, and they are not emancipated now. Among great and intelligent peoples like Germany and France, until 1814 no Jew had the right to go on the pavement; they had to go in the middle of the street, where the horses walked! It took more than two years to emancipate the people of the North from the idea that the negro was not a human being, and that he had the right to be a free man. A great many will find fault in the resolution that the negro shall be free and equal, because our equal not every human being can be; but free every human being has a right to

be. He can only be equal in his rights. (Applause).

Mrs. ROSE called for the reading of the resolutions, which after a spirited discussion, all except the fifth, were unanimously adopted.

Mrs. HOYT, of Wisconsin, said: *Mrs. President*—I object to the passage of the fifth resolution, not because I object to the sentiment expressed; but I do not think it is the time to bring before this meeting, assembled for the purpose of devising the best ways and means by which women may properly assist the Government in its struggle against treason, anything which could in the least prejudice the interest in this cause which is so dear to us all. We all know that Woman's Rights as an *ism* has not been received with entire favor by the women of the country, and I know that there are thousands of earnest, loyal, and able women who will not go into any movement of this kind, if this idea is made prominent. (Applause). I came here from Wisconsin hoping to meet the earnest women of the country. I hoped that nothing that would in any way damage the cause so dear to us all would be brought forward by any of the members. I object to this, because our object should be to maintain, as women properly may, the integrity of our Government; to vindicate its authority; to re-establish it upon a far more enduring basis. We can do this if we do not involve ourselves in any purely political matter, or any *ism* obnoxious to the people. The one idea should be the maintenance of the authority of the Government as it is, and the integrity of the Republican idea. For this, women may properly work, and I hope this resolution will not pass.

[Pg 60]

SARAH H. HALLECK, of Milton, N. Y.: I would make the suggestion that those who approve of this resolution can afford to give way, and allow that part of it which is objectionable to be stricken out. The negroes have suffered more than the women, and the women, perhaps, can afford to give them the preference. Let it stand as regards them, and blot out the word "woman." It may possibly be woman's place to suffer. At any rate, let her suffer, if, by that means, *man*kind may suffer less.

A VOICE: You are too self-sacrificing.

ERNESTINE L. ROSE: I always sympathize with those who seem to be in the minority. I know it requires a great deal of moral courage to object to anything that appears to have been favorably received. I know very well from long experience how it feels to stand in a minority of one; and I am glad that my friend on the other side (Mrs. Halleck) has already added one to make a minority of two, though that is by far too small to be comfortable. I, for one, object to the proposition to throw woman out of the race for freedom. (Applause). And do you know why? Because she needs freedom for the freedom of man. (Applause). Our ancestors made a great mistake in not recognizing woman in the rights of man. It has been justly stated that the negro at present suffers more than woman, but it can do him no injury to place woman in the same category with him. I, for one, object to having that term stricken out, for it can have no possible bearing against anything that we want to promote: we desire to promote human rights and human freedom. It can do no injury, but must do good, for it is a painful fact that woman under the law has been in the same category with the slave. Of late years she has had some small privileges conceded to her. Now, mind, I say *conceded*; for publicly it has not yet been recognized by the laws of the land that she has a right to an equality with man. In that resolution it simply states a fact, that in a republic based upon freedom, woman, as well as the negro, should be recognized as an equal with the whole human race. (Applause)

ANGELINE G. WELD: *Mrs. President*—I rejoice exceedingly that that resolution should combine us with the negro. I feel that we have been with him; that the iron has entered into our souls. True, we have not felt the slave-holder's lash; true, we have not had our hands manacled, but our *hearts* have been crushed. Was there a single institution in this country that would throw open its doors to the acknowledgment of woman's equality with man in the race for science and the languages, until Oberlin, Antioch, Lima, and a very few others opened their doors, twenty years ago? Have I not heard women say—I said thus to my own brother, as I used to receive from him instruction and reading: "Oh, brother, that I could go to college with you! that I could have the instruction you do! but I am crushed! I hear nothing, I know nothing, except in the fashionable circle." A teacher said to a young lady, who had been studying for several years, on the day she finished her course of instruction, "I thought you would be very glad that you were so soon to go home, so soon to leave your studies." She looked up, and said, "What was I made for? When I go home I shall live in a circle of fashion and folly. I was not made for embroidery and dancing; I was made a woman; but I can not be a true woman, a full-grown woman, in America."

[Pg 61]

Now, my friends, I do not want to find fault with the past. I believe that men did for women the best that they knew how to do. They did not know their own rights; they did not recognize the rights of any man who had a black face. We can not wonder that, in their tenderness for woman, they wanted to shelter and protect her, and they made those laws from true, human, generous feelings. Woman was then too undeveloped to demand anything else. But woman is full-grown to-day, whether man knows it or not, equal to her rights, and equal to the responsibilities of the hour. I want to be identified with the negro; until he gets his rights, we never shall have ours. (Applause).

SUSAN B. ANTHONY: This resolution brings in no question, no *ism*. It merely makes the assertion that in a true democracy, in a genuine republic, every citizen who lives under the government must have the right of representation. You remember the maxim, "Governments derive their just powers from the consent of the governed." This is the fundamental principle of democracy; and before our Government can be a true democracy—before our republic can be placed upon lasting and enduring foundations—the civil and political rights of every citizen must be practically established. This is the assertion of the resolution. It is a philosophical statement. It is not because women suffer, it is not because slaves suffer, it is not because of any individual rights or wrongs—it is the simple assertion of the great fundamental truth of democracy that was proclaimed by our Revolutionary fathers. I hope the discussion will no longer be continued as to the comparative rights or wrongs of one class or another. The question before us is: Is it possible that peace and union shall be established in this country; is it possible for this Government to be a true democracy, a genuine republic, while one-sixth or one-half of the people are disfranchised?

Mrs. HOYT: I do not object to the philosophy of these resolutions. I believe in the advancement of the human race, and certainly not in a retrograde movement of the Woman's Rights question; but at the

same time I do insist that nothing that has become obnoxious to a portion of the people of the country shall be dragged into this meeting. (Applause). The women of the North were invited here to meet in convention, not to hold a Temperance meeting, not to hold an Anti-Slavery meeting, not to hold a Woman's Rights Convention, but to consult as to the best practical way for the advancement of the loyal cause. To my certain knowledge there are ladies in this house who have come hundreds of miles, who will withdraw from this convention, who will go home disappointed, and be thrown back on their own resources, and form other plans of organization; whereas they would much prefer to co-operate with the National Convention if this matter were not introduced. This movement must be sacred to the one object of assisting our Government. I would add one more remark, that though the women of the Revolution did help our Government in that early struggle, they did not find it necessary to set forth in any theoretical or clamorous way their right to equal suffrage or equal political position, though doubtless they believed, as much as any of us, in the advancement of woman.

A LADY: I want to ask the lady who just spoke if the women of the Revolution found it necessary to form Loyal Leagues? We are not bound to do just as the women of the Revolution did. (Applause and laughter).

LUCY N. COLEMAN, of Rochester, N. Y.: I wish to say, in the first place, something a little remote from the point, which I have in my mind just now. A peculiar sensitiveness seems to have come over some of the ladies here in reference to the anti-slavery spirit of the resolutions. It seems to me impossible that a company of women could stand upon this platform without catching something of the anti-slavery spirit, and without expressing, to some extent, their sympathy with the advancement of human rights. It is the Anti-Slavery women and the Woman's Rights women who called this meeting, and who have most effectually aided in this movement. Their hearts bled to the very core that our nation is to-day suffering to its depths, and they came together to devise means whereby they could help the country in its great calamity. I respect the woman who opposed this resolution, for daring to say so much. She says that it is an Anti-Slavery Convention that is in session. So it is, and something more. (Applause). She says it is a Woman's Rights Convention. So it is, and even more than that; it is a World's Convention. (Applause). Another woman (I rejoice to hear that lisping, foreign tongue) says that our sphere is so narrow that we should be careful to keep within it. All honor to her, that she dared to say even that. I recognize for myself no narrow sphere. (Applause). Where you may work, my brother, I may work. I would willingly stand upon the battle-field, and would be glad to receive the balls in my person, if in that way I could do more for my country's good than in any other. I recognize no right of any man or of any woman to say that I should not stand there. Our sphere is *not* narrow—it is broad.

In reference to this resolution, Mrs. Halleck thinks it might be well to leave out woman. No, no. Do you remember, friends, long, long ago here in New York, an Anti-Slavery convention broke up in high dudgeon, because a woman was put upon a committee? But that Anti-Slavery Society, notwithstanding those persons who felt so sensitive withdrew from it, has lived thirty years, and to-day it has the honor of being credited as the cause of this war. Perhaps if the principle which was then at stake—that a woman had a right to be on a committee—had been waived, from the very fact that the principle of right was overruled, that Society would have failed. I would not yield one iota, one particle, to this clamor for compromise. Be it understood that it is a Woman's Rights matter; for the Woman's Rights women have the same right to dictate to a Loyal League that the Anti-Woman's Rights women have, and the side that is strongest will carry the resolution, of course. But do not withdraw it. Do not say, "We will take it away because it is objectionable."

I want the people to understand that this Loyal League—because it is a Loyal League—must of necessity bring in Anti-Slavery and Woman's Rights. (Applause). Is it possible that any of you believe that there is such a being in this country to-day as a loyal man or woman who is not anti-slavery to the backbone? (Applause). Neither is there a loyal man or woman whose intellect is clear enough to take in a broad, large idea, who is not to the very core a Woman's Rights man or woman. (Applause).

MRS. HOYT: As I have said before, I am not opposed to Anti-Slavery. I stand here an Abolitionist from the earliest childhood, and a stronger anti-slavery woman lives not on the soil of America. (Applause). I voted Yea on the anti-slavery resolution, and I would vote it ten times over. But, at the same time, in the West, which I represent, there is a very strong objection to Woman's Rights; in fact, this Woman's Rights matter is odious to some of us from the *manner* in which it has been conducted; not that we object to the philosophy—we believe in the philosophy—but object to this matter being tacked on to a purely loyal convention.... I will make one more statement which bears upon the point which I have been trying to make. I have never before spoken except in private meetings, and therefore must ask the indulgence of the audience. The women of Madison, Wisconsin, feeling the necessity and importance of doing something more than women were doing to assist the Government in this struggle, organized a Ladies' Union League, which has been in operation some time, and is very efficient.

A VOICE:—What are they doing? Please state.

MRS. HOYT: In Madison we had a very large and flourishing "Soldiers' Aid Society." We were the headquarters for that part of the State. A great many ladies worked in our Aid Society, and assisted us, who utterly refused to join with the Loyal League, because, they said, it would damage the Aid Society. We recognized that fact, and kept it purely distinct as a Ladies' Loyal League, for the promotion of the loyal sentiment of the North, and to reach the soldiers in the field by the most direct and practical means which were in our power. We have a great many very flourishing Ladies' Loyal Leagues throughout the West, and we have kept them sacred from Anti-Slavery, Woman's Rights, Temperance, and everything else, good though they may be. In our League we have three objects in view. The first is, retrenchment in household expenses, to the end that the material resources of the Government may be, so far as possible, applied to the entire and thorough vindication of its authority. Second, to strengthen the loyal sentiment of the people at home, and instil a deeper love of the national flag. The third and most important object is, to write to the soldiers in the field, thus reaching nearly every private in the army, to encourage and stimulate him in the way that ladies know how to do. I state again, it is not an Anti-Slavery objection. I will vote for

every Anti-Slavery movement in this Convention. I object to the Woman's Rights resolutions, and nothing else.

ERNESTINE L. ROSE: It is exceedingly amusing to hear persons talk about throwing out Woman's Rights, when, if it had not been for Woman's Rights, that lady would not have had the courage to stand here and say what she did. (Applause). Pray, what means "loyal"? Loyal means to be true to one's highest conviction. Justice, like charity, begins at home. It is because we are loyal to truth, loyal to justice, loyal to right, loyal to humanity, that woman is included in that resolution. Now, what does this discussion mean? The lady acknowledges that it is not against Woman's Rights itself; she is *for* Woman's Rights. We are here to endeavor to help the cause of human rights and human freedom. We ought not to be afraid. You may depend upon it, if there are any of those who are called copperheads—but I don't like to call names, for even a copperhead is better than no head at all—(laughter)—if there are any copperheads here, I am perfectly sure they will object to this whole Convention; and if we want to consult them, let us adjourn *sine die*. If we are loyal to our highest convictions, we need not care how far it may lead. For truth, like water, will find its own level. No, friends, in the name of consistency let us not wrangle here simply because we associate the name of woman with human justice and human rights. Although I always like to see opposition on any subject, for it elicits truth much better than any speech, still I think it will be exceedingly inconsistent if, because some women out in the West are opposed to the Woman's Rights movement—though at the same time they take advantage of it—that therefore we shall throw it out of this resolution.

MRS. SPENCE, of New York: I didn't come to this meeting to participate—only to listen. I don't claim to be a Northerner or a Southerner; but I claim to be a human being, and to belong to the human family (Applause). I belong to no sect or creed of politics or religion; I stand as an individual, defending the rights of every one as far as I can see them. It seems to me we have met here to come to some unity of action. If we attempt to bring in religious, political, or moral questions, we all must of necessity differ. We came here hoping to be inspired by each other to lay some plan by which we can unite in practical action. I have not heard such a proposition made; but I anticipate that it will be. (Hear, hear). Then if we are to unite on some proposition which is to be presented, it seems to me that our resolutions should be practical and directed to the main business. Let the object of the meeting be unity of action and expression in behalf of what we feel to be the highest right, our highest idea of liberty.

THE PRESIDENT (Lucy Stone): Every good cause can afford to be just. The lady from Wisconsin, who differs from some of us here, says she is an Anti-Slavery woman. We ought to believe her. She accepts the principles of the Woman's Rights movement, but she does not like the way in which it has been carried on. We ought to believe her. It is not, then, that she objects to the idea of the equality of women and negroes, but because she does not wish to have anything "tacked on" to the Loyal League, that to the mass of people does not seem to belong there. She seems to me to stand precisely in the position of those good people just at the close of the war of the Revolution. The people then, as now, had their hearts aching with the memory of their buried dead. They had had years of war from which they had garnered out sorrows as well as hopes; and when they came to establish a Union, they found that one black, unmitigated curse of slavery rooted in the soil. Some men said, "We can have no true Union where there is not justice to the negro. The black man is a human being, like us, with the same equal rights." They had given to the world the Declaration of Independence, grand and brave and beautiful. They said, "How can we form a true Union?" Some people representing the class that Mrs. Hoyt represents, answered, "Let us have a Union. We are weak; we have been beset for seven long years; do not let us meddle with the negro question. What we are for is a Union; let us have a Union at all hazards." There were earnest men, men of talent, who could speak well and earnestly, and they persuaded the others to silence. So they said nothing about slavery, and let the wretched monster live.

[Pg 65]

To-day, over all our land, the unburied bones of our fathers and sons and brothers tell the sad mistake that those men made when long ago The babes we bear in anguish and carry in our arms are not ours. The few rights that we have, have been wrung from the Legislature by t they left this one great wrong in the land. They could not accomplish good by passing over a wrong. If the right of one single human being is to be disregarded by us, we fail in our loyalty to the country. All over this land women have no political existence. Laws pass over our heads that we can not unmake. Our property is taken from us without our consent. The babes we bear in anguish and carry in our arms are not ours. The few rights that we have, have been wrung from the Legislature by the Woman's Rights movement. We come to-day to say to those who are administering our Government and fighting our battles, "While you are going through this valley of humiliation, do not forget that you must be true alike to the women and the negroes." We can never be truly "loyal" if we leave them out. Leave them out, and we take the same backward step that our fathers took when they left out slavery. If justice to the negro and to woman is right, it can not hurt our loyalty to the country and the Union. If it is not right, let it go out of the way; but if it is right, there is no occasion that we should reject it, or ignore it. We make the statement that the Government derives its just powers from the consent of the governed, and that all human beings have equal rights. This is not an *ism*—it is simply an assertion that we shall be true to the highest truth.

A MAN IN THE AUDIENCE: The question was asked, as I entered this house, "Is it right for women to meet here and intermeddle in our public affairs?" It is the greatest possible absurdity for women to stand on that platform and talk of loyalty to a Government in which nine-tenths of the politicians of the land say they have no right to interfere, and still oppose Woman's Rights. The very act of standing there is an endorsement of Woman's Rights.

[Pg 66]

A VOICE: I believe this is a woman's meeting. Men have no right to speak here.

THE GENTLEMAN CONTINUED: It is on woman more than on man that the real evils of this war settle. It is not the soldier on the battle-field that suffers most; it is the wife, the mother, the daughter. (Applause. Cries of "Question, question").

A VOICE: You are not a woman, sit down.

SUSAN B. ANTHONY: Some of us who sit upon this platform have many a time been clamored down, and told that we had no right to speak, and that we were out of our place in public meetings; far be it from us, when women assemble, and a man has a thought in his soul, burning for utterance, to retaliate upon him. (Laughter and applause).

The resolution was then put to vote.

A VOICE: Allow me to inquire if men have a right to vote on this question?

THE PRESIDENT: I suppose men who are used to business know that they should *not* vote here. We give them the privilege of speaking.

The resolution was carried by a large majority.

SUSAN B. ANTHONY: The resolution recommending the practical work, has not yet been prepared. We have a grand platform on which to stand, and I hope we shall be able to present a plan of work equally grand. But, Mrs. President, if we should fail in doing this, we shall not fail to enunciate the principles of democracy and republicanism which underlie the structure of a free government. When the heads and hearts of the women of the North are fully imbued with the true idea, their hands will find a way to secure its accomplishment.

There is evidently very great earnestness on the part of all present to settle upon some practical work. I therefore ask that the women from every State of the Union, who are delegates here from Loyal Leagues and Aid Societies, shall retire, at the close of this meeting, to the lecture-room of this church, and there we will endeavor to fix upon the best possible plan we can gather from the counsels of the many. I hope this enthusiasm may be directed to good and legitimate ends, and not allowed to evaporate into thin air. I hope we shall aid greatly in the establishment of this Government on the everlasting foundation of justice to all.

BUSINESS MEETING.

The lecture-room was crowded with representatives from the different States—Susan B. Anthony in the chair. There was a general expression in favor of forming a Woman's Loyal National League, which ended in the adoption of the following resolution:

Resolved, That we, loyal women of the nation, assembled in convention in New York, this 14th day of May, 1863, do hereby pledge ourselves one to another in a Loyal League, to give support to the Government in so far as it makes the war for freedom.

This pledge was signed by nearly every woman present. Mrs. Stanton was elected president unanimously, and Miss Anthony, Secretary. Many women spoke ably and eloquently; women who had never before heard their own voices in a public meeting, discussed nice points of law and constitution in a manner that would have done credit to any legislative assembly. A deep religious tone of loyalty to God and Freedom pervaded the entire meeting. It was an occasion not soon to be forgotten. Women of all ages were assembled there, from the matron of threescore years and ten to the fair girl whose interest in the war had brought to her a premature sadness and high resolve. But of all who mourned the loss of husbands, brothers, sons, and lovers, no word of fear, regret, or doubt was uttered. All declared themselves ready for any sacrifice, and expressed an unwavering faith in the glorious future of a true republic. The interest in the meeting kept up until so late an hour that it was decided to adjourn, to meet the next afternoon.

[Pg 67]

EVENING SESSION.

The evening session was held in Cooper Institute, Mrs. Stanton presiding. An address to the President was read by Miss Anthony, which was subsequently adopted and sent to him.

The Loyal Women of the Country to Abraham Lincoln, President of the United States.

Having heard many complaints of the want of enthusiasm among Northern women in the war, we deemed it fitting to call a National Convention. From every free State, we have received the most hearty responses of interest in each onward step of the Government as it approaches the idea of a true republic. From the letters received, and the numbers assembled here to-day, we can with confidence address you in the name of the loyal women of the North.

We come not to criticise or complain. Not for ourselves or our friends do we ask redress of specific grievances, or posts of honor or emolument. We speak from no considerations of mere material gain; but, inspired by true patriotism, in this dark hour of our nation's destiny, we come to pledge the loyal women of the Republic to freedom and our country. We come to strengthen you with earnest words of sympathy and encouragement. We come to thank you for your proclamation, in which the nineteenth century seems to echo back the Declaration of Seventy-six. Our fathers had a vision of the sublime idea of liberty, equality, and fraternity; but they failed to climb the heights that with anointed eyes they saw. To us, their children, belongs the work to build up the living reality of what they conceived and uttered.

It is not our mission to criticise the past. Nations, like individuals, must blunder and repent. It is not wise to waste one energy in vain regret, but from each failure rise up with renewed conscience and courage for nobler action. The follies and faults of yesterday we cast aside as the old garments we have outgrown. Born anew to freedom, slave creeds and codes and constitutions must now all pass away. "For men do not put new wine into old bottles, else the bottles break, and the wine runneth out, and the bottles perish; but they put new wine into new bottles, and both are preserved."

[Pg 68]

Our special thanks are due to you, that by your Proclamation two millions of women are freed from

the foulest bondage humanity ever suffered. Slavery for man is bad enough, but the refinements of cruelty must ever fall on the mothers of the oppressed race, defrauded of all the rights of the family relation, and violated in the most holy instincts of their nature. A mother's life is bound up in that of her child. There center all her hopes and ambition. But the slave-mother, in her degradation, rejoices not in the future promise of her daughter, for she knows by experience what her sad fate must be. No pen can describe the unutterable agony of that mother whose past, present, and future are all wrapped in darkness; who knows the crown of thorns she wears must press her daughter's brow; who knows that the wine-press she now treads, unwatched, those tender feet must tread alone. For, by the law of slavery, "the child follows the condition of the mother."

By your act, the family, that great conservator of national virtue and strength, has been restored to millions of humble homes, around whose altars coming generations shall magnify and bless the name of Abraham Lincoln. By a mere stroke of the pen you have emancipated millions from a condition of wholesale concubinage. We now ask you to finish the work by declaring that nowhere under our national flag shall the motherhood of any race plead in vain for justice and protection. So long as one slave breathes in this Republic, we drag the chain with him. God has so linked the race, man to man, that all must rise or fall together. Our history exemplifies this law. It was not enough that we at the North abolished slavery for ourselves, declared freedom of speech and the press, built up churches, colleges, and free schools, studied the science of morals, government, and economy, dignified labor, amassed wealth, whitened the sea with our commerce, and commanded the respect and admiration of the nations of the earth, so long as the South, by the natural proclivities of slavery, was sapping the very foundations of our national life....

You are the first President ever borne on the shoulders of freedom into the position you now fill. Your predecessors owed their elevation to the slave oligarchy, and in serving slavery they did but obey their masters. In your election, Northern freemen threw off the yoke. And with you rests the responsibility that our necks shall never bow again. At no time in the annals of the nation has there been a more auspicious moment to retrieve the one false step of the fathers in their concessions to slavery. The Constitution has been repudiated, and the compact broken by the Southern traitors now in arms. The firing of the first gun on Sumter released the North from all constitutional obligations to slavery. It left the Government, for the first time in our history, free to carry out the Declaration of our Revolutionary fathers, and made us in fact what we have ever claimed to be, a nation of freemen.

"The Union as it was"—a compromise between barbarism and civilization—can never be restored, for the opposing principles of freedom and slavery can not exist together. Liberty is life, and every form of government yet tried proves that slavery is death. In obedience to this law, our Republic, divided and distracted by the collisions of caste and class, is tottering to its base, and can only be reconstructed on the sure foundations of impartial freedom to all men. The war in which we are involved is not the result of party or accident, but a forward step in the progress of the race never to be retraced. Revolution is no time for temporizing or diplomacy. In a radical upheaving, the people demand eternal principles to stand upon.

[Pg 69]

Northern power and loyalty can never be measured until the purpose of the war be liberty to man; for a lasting enthusiasm is ever based on a grand idea, and unity of action demands a definite end. At this time our greatest need is not in men or money, valiant generals or brilliant victories, but in a consistent policy, based on the principle that "all governments derive their just powers from the consent of the governed." And the nation waits for you to say that there is no power under our declaration of rights, nor under any laws, human or divine, by which *free* men can be made slaves; and therefore that your pledge to the slaves is irrevocable, and shall be redeemed.

If it be true, as it is said, that Northern women lack enthusiasm in this war, the fault rests with those who have confused and confounded its policy. The page of history glows with incidents of self-sacrifice by woman in the hour of her country's danger. Fear not that the daughters of this Republic will count any sacrifice too great to insure the triumph of freedom. Let the men who wield the nation's power be wise, brave, and magnanimous, and its women will be prompt to meet the duties of the hour with devotion and heroism.

When Fremont on the Western breeze proclaimed a day of jubilee to the bondmen within our gates, the women of the nation echoed back a loud Amen. When Hunter freed a million men, and gave them arms to fight our battles, justice and mercy crowned that act, and tyrants stood appalled. When Butler, in the chief city of the Southern despotism, hung a traitor, we felt a glow of pride; for that one act proved that we had a Government, and one man brave enough to administer its laws. And when Burnside would banish Vandalism to the Dry Tortugas, let the sentence be approved, and the nation will ring with plaudits. Your Proclamation gives you immortality. Be just, and share your glory with men like these who wait to execute your will.

In behalf of the Women's National Loyal League,

Elizabeth Cady Stanton, *President*.

SUSAN B. ANTHONY, *Secretary*.

REV. ANTOINETTE BROWN BLACKWELL: Possibly there maybe nations, like individuals, that are without definite ideas or purposes. They sprang into being by accident, and they continue to live by the sufferance of circumstances. Our American Republic is not of this type. We were born to the heritage of one great idea; we were created by it and for it, and it is mightier than we; it must annihilate us, or it must establish us a nation as lasting as the ages.

Our ante-revolutionary statesmen were dissatisfied with an inadequate, partial, unjust representation. The thought grew in them till it developed the broad principle of self-government by the people. They perceived and asserted that truth; they fought for it, and died or lived for it, as the case might be. So they constructed this great Republic, grounding it firmly upon a deep and wide democracy. Its frame-work was essentially democratic, but there were a few great beams and joists, and plenty of paint and mortar used, which were as purely aristocratic.

[Pg 70]

We, here at the North, have been accustomed to look at the strength of the foundations, and of the consistent massive frame-work; they, at the South, admired the incongruous ornaments and decorations, and they did not forget any of the exceptional timbers. We were shocked when the great structure seemed ready to tumble about our ears; they expected it all the time, and were working for it, ready to perish in the general downfall, if that were inevitable. I have seen a drop of water spread over a small orifice in a layer of melting ice, which was brilliant red in color to me, but it was the intensest blue to my friend, who was standing at my side. The moral vision is quite as largely dependent upon the angle at which it receives its rays of reflected light. North and South represent the extremes of the moral spectrum. The equalizing of labor and capital, which is a beautiful violet to us, is a very angry red to them; and the soft-toned hues of their system of servitude are crimson with blood-guiltiness to ourselves. If we stood where the perfect and undivided sunbeams could fall upon us, we should see all men under the common radiance of that pure white light, of which Providence has an unlimited supply.

No more unanimity of sentiment or principle existed among our own people in the war of the Revolution, than in this. Democracy, asserting its rights, brought on the conflict then, though aristocracy, goaded by the instinct of self-preservation and self-interest, joined hands and aided it to its consummation. Patriotism grew in the hearts of each, and held us together as a nation for about eighty years; but the subordinate antagonism, tortured by its unnatural alliance during all those years, now in turn strikes also for independence. Predominance, precedence, pre-eminence, might have satisfied it for a time; but, from the nature of our institutions, that was impossible. It encroached at every point, and was generally rewarded for its self-assertion; but it was inherently and constitutionally subordinate, and must have remained so forever in the federation of the United States. It struck for independence, and it did well! It did all it could do, if it would not die inane. One must always admire that instinct of the grub which leads it to weave its own winding-sheet, and lie down fearlessly in its sepulcher, preparatory to its resurrection as a butterfly; but immeasurably more to be admired is the calculating courage of men who are ready to stake their all upon any issue—even upon one so mistaken, so false, so partial to one class and so unjust to another, as the cause of the slave-holders. Every earnest purpose must have its own baptism of blessings.

We, the inheritors of a sublime truth, have been grievously wanting in faith in our heritage!—wanting in aim and purpose to maintain its integrity! No wonder the land is still washed with tears of the widowed and fatherless, and that stricken mothers refuse to be comforted. Give us a living principle to die for. "Make this a war for emancipation!" cries anti-slavery England, "and our sympathies will be with you!" They demand much; but, that demand granted, it yet falls infinitely below the real point at issue. It is immeasurably short of the great conflict which we are actually waging. It is one phase of it,—the most acute phase, undoubtedly; but not, therefore, the broadest and most momentous one. Slavery was the peculiar institution of the South; but we, as a nation, have an incomparably greater peculiar institution of our own. The one is only peculiarly exceptional to our general policy; the other is essentially and organically at war with it. It is the only thing which pointedly distinguishes us from a dozen other nations. The consent of the governed is the sole, legitimate authority of any government! This is the essential, peculiar creed of our republic. That principle is on one side of this war; and the old doctrine of might makes right, the necessary ground-work of all monarchies, is on the other. It is a life-and-death conflict between all those grand, universal, man-respecting principles, which we call by the comprehensive term democracy, and all those partial, person-respecting, class-favoring elements which we group together under that silver-slippered word aristocracy. If this war does not mean that, it means nothing.

[Pg 71]

Slavery is malignantly aristocratic, and seems therefore to absorb all other manifestations of the principle into itself. It is Pharaoh's lean kine, which devour all the others of their species, and yet are no better favored than before. But if slavery were dead to-day, aristocracy might still grind our republic to powder. Men may cease to be slaves, and yet not be enfranchised. Although they are no longer bondmen, yet they may be governed without their own consent. But when you deny the universal enfranchisement of our people, you deny the one distinctive principle of our Government, and the only essential, fore-ordained fact in the future of our national institutions. We do not at all comprehend this.

There was one who builded wiser than he knew, Emerson says, and I think that result is not uncommon. The little Indian boy in the pleasant fable, who ran on eagerly in advance of his migrating tribe, to plant his single, three-cornered beech-nut in the center of a great prairie, scarcely foresaw the many acres of heavy timber which was to confront the white pioneer hundreds of years afterward, as the outgrowth of his childish deed. Many soldiers are fighting our battles upon a basis broader than they know. There are men who believe that they are solely engaged in putting down the rebellion; others are maintaining the disputed courage and honor of the "mudsills"; some are fighting to uphold our present Northern civilization and its institutions; and a handful have set out definitely to carry these into the South, to give them to the slave, and to the master also, in spite of himself. All love the Union, and are ready to fight, perhaps to die, for it. Aye! but what does that mean? Something as antagonistic in the interpretation thereof as the decisions touching an ancient oracle, a disputed biblical text, or a knotty passage from our own venerated Constitution.

If victory should come just as she is summoned by each class of our patriotic and brave Union volunteers, would she most favor the rebels or the Government? Look at some of her conflicting purposed achievements:

[Pg 72]

1. To preserve slavery unharmed, without so much as the smell of fire upon its garments, when it shall emerge from the ordeal of war.
2. To gratuitously establish slavery forever, by solemn and unchanging guarantees.
3. To leave slavery to perish slowly and ingloriously, as it must when unprotected.
4. To cripple and destroy slavery by a long guerrilla warfare against its special manifestations.
5. To kill slavery at a blow, by right of an imperious and undoubted military necessity.

6. To exterminate slavery without compromise or weighing of consequences, because it is a gross moral wrong.

These are a few of the many platforms upon which husbands, brothers and sons are fighting to-day. No two opposing armies ever wearied heaven with asking more impossible cross-purposes than does this fraternal, Union army of ours. The bread and fish of these, are stones and scorpions to those. We are a practical people, but we are fighting for practical paradoxes. Do we expect any massive concentration of results? Our wavering, anaconda system of warfare is typical of our moral status as a people. It is the spontaneous and legitimate exponent of our aims and motives. Many or decisive victories I despair of, till we are better educated in the early lesson of the fathers. But from the President—God bless him that he seems to be more teachable than many others—down to the youngest drummer-boy of the army, the severe discipline of this war is schooling us into a better appreciation of our heritage as a peculiar people.

All governments, said the fathers, are subordinate to the people, not the people to their governments. The distinct enunciation of that principle was the net result of the war of the Revolution. Born of the long-suffering and anguish of bleeding nations, its worth is yet incomparably greater than the cost, for it is the sublimest principle which has ever entered into the governmental relations of men. It must turn and overturn till, as rightful sovereign it is placed securely upon the throne of all nations, for, from the inherent nature of things, it is destined to become the mightiest revolutionist of the ages. The reinstating of that principle in the chair of our Republic will be the net result of this war of the Rebellion!

When the statesmen of '76 sought to embody this principle in the complicated machinery of a vast government, there they partially failed—there they designedly failed. The minority seceded from it in that day as in this, and then they compromised. The antagonism which they engrafted on the young Republic assuming, as it does, that power, not humanity, is statute-maker, could not be more diametrically opposed to the axiom which asserts, that humanity, not power, is lawful arbiter of its own rights. The man, unwashed, unmended, unlearned, is yet a safer judge of his own interests, than is all the rank, the wealth, or the wisdom of men or angels. Thomas Simms is a better witness as to his own need of freedom than the combined wisdom of all the Boston lawyers, judges, and statesmen. We can keep ice and fire upon the same planet, but it never does to bring them too near together. A nation proclaiming to the astonished world that governments derive all just powers solely from the consent of the governed, yet in the very face of this assertion enslaving the black man, and disfranchising half its white citizens, besides minor things of like import and consistency—do you wonder that eighty years of such policy culminated in rebellion?

[Pg 73]

Do we expect the whole-hearted sympathy of any monarchy? Cannot they see, also, that two entire opposing civilizations are mustered into the conflict? They may hate slavery, and since we have found the courage to point our cannon more directly against the heart of that, they may rejoice so far; but do they desire to establish the subordination of any government to the rights of the very meanest of its subjects? Are they in love with our plebeian heresy, that all the magnificent civil machinery of nations is but so much base clay in the hands of the multitude of royal potters? We are now testing the practical possibilities of democratic theories; and there are those who would a thousand times rather see these shattered into hopeless fragments than any other result which could possibly transpire in the national affairs of all Christendom. Let our democracy prove shallow, weak, inefficient, unfitted for emergencies, and incapable of sustaining itself under the test of determined opposition, to them it is enough. Our great national axiom, is, *per se*, the eternal foe of all monarchies, aristocracies, oligarchies, of all possible despotism, because it is the fulcrum of a mighty lever which must one day overturn them all, if it be not itself jostled from its resting-place.

What are we to do with our conquered provinces of the South? Give them all the franchises which we hold ourselves, assuredly—as many personal rights and as many State rights—provided always that they cease to encroach upon our liberties, and are no longer rebels against the common Government. Now that the issue is forced upon us, let us apply our principles unsparingly to all, and conclude by making the slaves, men and women too, as free and equal in all civil and political functions as their male masters. Secretary Chase has seized the occasion of our heavy financial troubles to give us a general national banking system; so out of the nettle Danger to our liberal institutions let us pluck the flower Safety to the interest of the feeblest subject. It is thus that the darkest evil is often made nurse to the brightest good. The black mud at its roots nourishes the pure white water-lily. When the Southern people, white and black, male and female, are all voters together, by simple virtue of their human needs and rights, then, but not till then, will I consent to their freely voting themselves into an independent nation, if they are so disposed. Even then, democracy requires that the question shall be decided by the suffrage of the whole country, North as well as South. A republic can never be dismembered except by the consent of a majority of all its citizens....

ERNESTINE L. ROSE, a native of Poland, was next introduced; she said: Louis Kossuth told us it is not well to look back for regret, but only for instruction. I therefore intend slightly to cast my mind's eye back for the purpose of enabling us, as far as possible, to contemplate the present and foresee the future. It is unnecessary to point out the cause of this war. It is written on every object we behold. It is but too well understood that the primary cause is Slavery; and it is well to keep that in mind, for the purpose of gaining the knowledge how ultimately to be able to crush that terrible rebellion which now desolates the land. Slavery being the cause of the war, we must look to its utter extinction for the remedy. (Applause).

[Pg 74]

We have listened this evening to an exceedingly instructive, kind and gentle address, particularly that part of it which tells how to deal with the South after we have brought them back. But I think it would be well, at first, to consider how to bring them back!

Abraham Lincoln has issued a Proclamation. He has emancipated all the slaves of the rebel States with his pen, but that is all. To set them really and thoroughly free, we will have to use some other instrument than the pen. (Applause). The slave is not emancipated; he is not free. A gentleman once found himself of a sudden, without, so far as he knew, any cause, taken into prison. He sent for his lawyer, and told him, "They have taken me to prison." "What have you done?" said the lawyer. "I

have done nothing," he replied. "Then, my friend, they can not put you in prison." "But I am in prison." "Well, that may be; but I tell you, my dear friend, they can not put you in prison." "Well," said he, "I want you to come and take me out, for I tell you, in spite of all your lawyer logic, I am in prison, and I shall be until you take me out." (Great laughter). Now the poor slave has to say, "Abraham Lincoln, you have pronounced me free; still I am a slave, bought and sold as such, and I shall remain a slave till I am taken out of this horrible condition." Then the question is, *How?* Have not already two long years passed over more than a quarter of a million of the graves of the noblest and bravest of the nation? Is that not enough? No; it has proved not to be enough. Let us look back for a moment. Had the Proclamation of John C. Fremont been allowed to have its effect; had the edict of Hunter been allowed to have its effect, the war would have been over. (Applause). Had the people and the Government, from the very commencement of the struggle, said to the South, "You have openly thrown down the gauntlet to fight for Slavery; we will accept it, and fight for Freedom," the rebellion would long before now have been crushed. (Applause). You may blame Europe as much as you please, but the heart of Europe beats for freedom. Had they seen us here accept the terrible alternative of war for the sake of freedom, the whole heart of Europe would have been with us. But such has not been the case. Hence the destruction of over a quarter of a million of lives and ten millions of broken hearts that have already paid the penalty; and we know not how many more it needs to wipe out the stain of that recreancy that did not at once proclaim this war a war for freedom and humanity.

And now we have got here all around us Loyal Leagues. Loyal to what? What does it mean? I have read that term in the papers. A great many times I have heard that expression to-day. I know not what others mean by it, but I will give you my interpretation of what I am loyal to. I speak for myself. I do not wish any one else to be responsible for my opinions. I am loyal only to justice and humanity. Let the Administration give evidence that they too are for justice to all, without exception, without distinction, and I, for one, had I ten thousand lives, would gladly lay them down to secure this boon of freedom to humanity. (Applause). But without this certainty, I am not unconditionally loyal to the Administration. We women need not be, for the law has never yet recognized us. (Laughter). Then I say to Abraham Lincoln, "Give us security for the future, for really when I look at the past, without a guarantee, I can hardly trust you." And then I would say to him, "Let nothing stand in your way; let no man obstruct your path."

[Pg 75]

Much is said in the papers and in political speeches about the Constitution. Now, a good constitution is a very good thing; but even the best of constitutions need sometimes to be amended and improved, for after all there is but one constitution which is infallible, but one constitution that ought to be held sacred, and that is the human constitution. (Laughter). Therefore, if written constitutions are in the way of human freedom, suspend them till they can be improved. If generals are in the way of freedom, suspend them too; and more than that, suspend their money. We have got here a whole army of generals who have been actually dismissed from the service, but not from pay. Now, I say to Abraham Lincoln, if these generals are good for anything, if they are fit to take the lead, put them at the head of armies, and let them go South and free the slaves you have announced free. If they are good for nothing, dispose of them as of anything else that is useless. At all events, cut them loose from the pay. (Applause). Why, my friends, from July, 1861, to October, 1862—for sixteen long months—we have been electrified with the name of our great little Napoleon! And what has the great little Napoleon done? (Laughter). Why, he has done just enough to prevent anybody else from doing anything. (Great applause). But I have no quarrel with him. I don't know him. I presume none of you do. But I ask Abraham Lincoln—I like to go to headquarters, for where the greatest power is assumed, there the greatest responsibility rests, and in accordance with that principle I have nothing to do with menials, even though they are styled Napoleons—but I ask the President why McClellan was kept in the army so long after it was known—for there never was a time when anything else was known—that he was both incapable and unwilling to do anything? I refer to this for the purpose of coming, by and by, to the question, "What ought to be done?" He was kept at the head of the army on the Potomac just long enough to prevent Burnside from doing anything, and not much has been done since that time. Now, McClellan may be a very nice young man—I haven't the slightest doubt of it—but I have read a little anecdote of him. Somebody asked the president of a Western railroad company, in which McClellan was an engineer, what he thought about his abilities. "Well," said the president, "he is a first-rate man to build bridges; he is very exact, very mathematical in measurement, very precise in adjusting the timber; he is the best man in the world to build a good, strong, sound bridge, but after he has finished it, he never wishes anybody to cross over it." (Great laughter). Well, we have disposed of him partially, but we PAY him yet, and you and I are taxed for it. But if we are to have a new general in his place, we may ask, what has become of Sigel? Why does that disinterested, noble-minded, freedom-loving man in vain ask of the Administration to give him an army to lead into the field?

[Pg 76]

A VOICE: Ask Halleck.

Halleck! If Halleck is in the way, dispose of him. (Applause). Do you point me to the Cabinet? If the Cabinet is in the way of freedom, dispose of the Cabinet—(applause) some of them, at least. The magnitude of this war has never yet been fully felt or acknowledged by the Cabinet. The man at its head—I mean Seward—has hardly yet woken up to the reality that we have a war. He was going to crush the rebellion in sixty days. It was a mere *bagatelle!* Why, he could do it after dinner, any day, as easy as taking a bottle of wine! If Seward is in the way of crushing the rebellion and establishing freedom, dispose of him. From the cause of the war, learn the remedy, decide the policy, and place it in the hands of men capable and willing to carry it out. I am not unconditionally loyal, until we know to what principle we are to be loyal. Promise justice and freedom, and all the rest will follow. Do you know, my friends, what will take place if something decisive is not soon done? It is high time to consider it. I am not one of those who look on the darkest side of things, but yet my reason and reflection forbid me to hope against hope. It is only eighteen months more before another Presidential election—only one year before another President will be nominated. Let the present administration remain as indolent, as inactive, and, apparently, as indifferent as they have done; let them keep generals that are inferior to many of their private soldiers; let them keep the best generals there are in the country—Sigel and Fremont—unoccupied—(applause); let them keep the country in the same condition in which it has been the last two years, and is now, and what would be the result, if, at the next election, the Democrats succeed—I mean the sham Democrats? I am a

democrat, and it is because I am a democrat that I go for human freedom. Human freedom and true democracy are identical. Let the Democrats, as they are now called, get into office, and what would be the consequence? Why, under this hue-and-cry for Union, *Union*, UNION, which is like a bait held out to the mass of the people to lure them on, they will grant to the South the meanest and the most contemptible compromises that the worst slaveholders in the South can require. And if they really accept them and come back—my only hope is that they will not—but if the South should accept these compromises, and come back, slavery will be fastened, not only in the South, but it will be nationally fastened on the North. Now, a good Union, like a good Constitution, is a most invaluable thing; but a false Union is infinitely more despicable than no Union at all; and for myself, I would vastly prefer to have the South remain independent, than to bring them back with that eternal curse nationalized in the country. It is not enough for Abraham Lincoln to proclaim the slaves in the South free, nor even to continue the war until they shall be really free. There is something to be done at home; for justice, like charity, must begin at home. It is a mockery to say that we emancipate the slaves we can not reach and pass by those we can reach. First, free the slaves that are under the flag of the Union. If that flag is the symbol of freedom, let it wave over free men only. The slaves must be freed in the Border States. Consistency is a great power. What are you afraid of? That the Border States will join with the now crippled rebel States? We have our army there, and the North can swell its armies. But we can not afford to fight without an object. We can not afford to bring the South back with slavery. We can not compromise with principle. What has brought on this war? Slavery, undoubtedly. Slavery was the primary cause of it. But the great secondary cause was the fact that the North, for the sake of the Union, has constantly compromised. Every demand that the South made of the North was acceded to, until the South came really to believe that they were the natural and legitimate masters, not only of the slaves, but of the North too.

[Pg 77]

Now, it is time to reverse all these things. This rebellion and this war have cost too dear. The money spent, the vast stores destroyed, the tears shed, the lives sacrificed the hearts broken are too high a price to be paid for the mere *name* of Union. I never believed we had a Union. A true Union is based upon principles of mutual interest, of mutual respect and reciprocity, none of which ever existed between the North and South. They based their institutions on slavery; the North on freedom.

I care not by what measure you end the war, if you allow one single germ, one single seed of slavery to remain in the soil of America, whatever may be your object, depend upon it, as true as effect follows cause, that germ will spring up, that noxious weed will thrive, and again stifle the growth, wither the leaves, blast the flowers, and poison the fair fruits of freedom. Slavery and freedom can not exist together. Seward proclaimed a truism, but he did not appreciate its import. There is an irrepressible conflict between freedom and slavery. You might as well say that light and darkness can exist together as freedom and slavery. We, therefore, must urge the Government to do something, and that speedily, to secure the boon of freedom, while they yet can, not only in the rebel States, but in our own States too, and in the Border States. It is just as wrong for us to keep slaves in the Union States as it ever was in the South. Slavery is as great a curse to the slaveholder as it is a wrong to the slaves; and yet while we free the rebel slaveholder from the curse, we allow it to continue with our Union-loving men in the Border States. Free the slaves in the Border States, in Western Virginia, in Maryland, and wherever the Union flag floats, and then there will be a consistency in our actions that will enable us to go to work earnestly with heart and hand united, as we move forward to free all others and crush the rebellion. We have had no energy yet in the war, for we have fought only for the purpose of reuniting, what has never been united, restoring the old Union—or rather the shadow as it was. A small republic, a small nation, based upon the eternal principle of freedom, is great and powerful. A large empire based upon slavery, is weak and without foundation. The moment the light of freedom shines upon it, it discloses its defects, and unmasks its hideous deformities. As I said before, I would rather have a small republic without the taint and without the stain of slavery in it, than to have the South brought back by compromise. To avert such calamity, we must work. And our work must mainly be to watch and criticise and urge the Administration to do its whole duty to freedom and humanity. (Applause).

[Pg 78]

THE PRESIDENT then said: I suppose all the loyal women will agree with me that we owe to the President and the Government in these hours of trial, whether they make mistakes or whether they do not, words of cheer and encouragement; and, as events occur one after another, our criticisms should not be harshly made. When we find willful departure from what is just and true, when we find treason, we should not hesitate to speak the word of strongest denunciation against both the treason and the traitor. But where there is evident intention to be and to do right, where there is loyalty, there all good men and all good women should give a word of cheer and encouragement.

Women have their share in the responsibilities of this hour; in the reconstruction of the Government. The battles now being fought on Southern soil, will be fought again in the Capitol at Washington, when we shall need far-seeing statesmen to base the new Union on justice, liberty, and equality. Ours is the work of educating the people to make this demand.

The entire year was spent in rolling up the mammoth petition. Many hands were busy sending out letters and petitions, counting and assorting the names returned. Each State was rolled up separately in yellow paper, and tied with the regulation red tape, with the number of men and women who had signed, endorsed on the outside. Nearly four hundred thousand were thus sent, and may now be found in the archives at Washington. The passage of the Thirteenth Amendment made the continuance of the work unnecessary. The first installment of 100,000 was presented by Charles Sumner, in an appropriate speech, Feb. 9th, 1864.

THE PRAYER OF ONE HUNDRED THOUSAND.

Speech of Hon. Chas. Sumner on the Presentation of the First Installment of the Emancipation Petition of the Woman's National League.

In the Senate of the United States, Tuesday, February 9, 1864.

MR. SUMNER.—Mr. President: I offer a petition which is now lying on the desk before me. It is too

bulky for me to take up. I need not add that it is too bulky for any of the pages of this body to carry.

This petition marks a stage of public opinion in the history of slavery, and also in the suppression of the rebellion. As it is short I will read it:

[Pg 79]

"TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES:

"The undersigned, women of the United States above the age of eighteen years, earnestly pray that your honorable body will pass at the earliest practicable day an act emancipating all persons of African descent held to involuntary service or labor in the United States."

There is also a duplicate of this petition signed by "men above the age of eighteen years."

It will be perceived that the petition is in rolls. Each roll represents a State.^[44] For instance, here is New York with a list of seventeen thousand seven hundred and six names; Illinois with fifteen thousand three hundred and eighty; and Massachusetts with eleven thousand six hundred and forty-one. These several petitions are consolidated into one petition, being another illustration of the motto on our coin—*E pluribus unum*.

This petition is signed by one hundred thousand men and women, who unite in this unparalleled number to support its prayer. They are from all parts of the country and from every condition of life. They are from the sea-board, fanned by the free airs of the ocean, and from the Mississippi and the prairies of the West, fanned by the free airs which fertilize that extensive region. They are from the families of the educated and uneducated, rich and poor, of every profession, business, and calling in life, representing every sentiment, thought, hope, passion, activity, intelligence which inspires, strengthens, and adorns our social system. Here they are, a mighty army, one hundred thousand strong, without arms or banners; the advance-guard of a yet larger army.

[Pg 80]

But though memorable for their numbers, these petitioners are more memorable still for the prayer in which they unite. They ask nothing less than universal emancipation; and this they ask directly at the hands of Congress. No reason is assigned. The prayer speaks for itself. It is simple, positive. So far as it proceeds from the women of the country, it is naturally a petition, and not an argument. But I need not remind the Senate that there is no reason so strong as the reason of the heart. Do not all great thoughts come from the heart?

It is not for me, on presenting this petition, to assign reasons which the army of petitioners has forborne to assign. But I may not improperly add that, naturally and obviously, they all feel in their hearts, what reason and knowledge confirm: not only that slavery *as a unit*, one and indivisible, is the guilty origin of the rebellion, but that its influence everywhere, even outside the rebel States, has been hostile to the Union, always impairing loyalty, and sometimes openly menacing the national government. It requires no difficult logic to conclude that such a monster, wherever it shows its head, is a *national enemy*, to be pursued and destroyed as such, or at least a nuisance to the national cause to be abated as such. The petitioners know well that Congress is the depository of those supreme powers by which the rebellion, alike in its root and in its distant offshoots, may be surely crushed, and by which unity and peace may be permanently secured. They know well that the action of Congress may be with the co-operation of the slave-masters, or even without the co-operation, under the overruling law of military necessity, or the commanding precept of the Constitution "to guarantee to every State a Republican form of government." Above all, they know well that to save the country from peril, especially to save the national life, there is no power, in the ample arsenal of self-defense, which Congress may not grasp; for to Congress, under the Constitution, belongs the prerogative of the Roman Dictator to see that the Republic receives no detriment. Therefore to Congress these petitioners now appeal. I ask the reference of the petition to the Select Committee on Slavery and Freedmen.

It was referred, after earnest discussion, as Mr. Sumner proposed.

ANNIVERSARY OF THE LOYAL WOMEN'S NATIONAL LEAGUE.

The Anniversary of the Women's National League was held at the Church of the Puritans, Thursday morning, May 12, 1864. The President, Elizabeth Cady Stanton, called the meeting to order, and requested the audience to observe a few moments of silence, that each soul might seek for itself Divine guidance through the deliberations of the meeting. The Corresponding Secretary, Charlotte B. Wilbour, read the call for the meeting. The Recording Secretary read the following report of the Executive Committee:

[Pg 81]

One year ago we formed ourselves into a League, with the declared object of EDUCATING THIRTY MILLIONS OF PEOPLE INTO THE TRUE IDEA OF A CHRISTIAN REPUBLIC, by means of tracts, speeches, appeals, and petitions for emancipation. Whilst as women, we might not presume to teach men statesmanship and diplomacy, we felt it our duty to call the nation back to the a, b, c of human rights. In looking over the history of the Republic we clearly saw IN SLAVERY the cause not only of all our political and financial convulsions, but of the terrible rebellion desolating our country and our homes. To do this was a work of time and money; and we were compelled to assume a debt of FIVE THOUSAND DOLLARS in starting—the item of postage alone amounting to *one thousand*—all of which we are happy to say has been duly paid.

Our thanks are due to Robert Dale Owen, Gerrit Smith, Bradhurst Schieffelin, Wendell Phillips, Jessie Benton Fremont, Frederick Douglass, Henry Ward Beecher, and the Hovey Trust Fund Committee of Boston, for their timely contributions and liberal words of cheer. But still more are we indebted to the numberless, nameless thousands of the honest, earnest children of toil, throughout the country, for their responses to our call, their words of hearty God-speed, and their "mite" offerings, ranging from five cents to five dollars; amounting in all to \$5,000. From these petitions, thus widely scattered, we have already sent to Congress the names of over two hundred thousand

men and women, demanding an amendment of the Constitution and an act of emancipation. And thousands are still returning to us daily, and we hope to roll up another hundred thousand before the close of the present session.

Leaving, then, all minor questions of banks and mints and public improvements for Congressmen to discuss at the rate of \$3,000 a year, we decided the first work to be done was to end slavery, and ring the death knell of caste and class throughout the land. To this end, as a means of educating the people, we sent out twenty thousand emancipation petitions, with tracts and appeals, into different districts of the free States, and into the slave States wherever our armies had opened the way.

The Woman's National League now numbers FIVE THOUSAND MEMBERS. And in the west, where we have employed two lecturing agents—Josephine S. Griffing, and Hannah Tracy Cutler—a large number of auxiliary Leagues have been formed.

We have registered on our books the names of TWO THOUSAND men and women, boys and girls, who have circulated these petitions. We have on file all the letters received from the thousands with whom we have been in correspondence, feeling that this canvass of the nation for freedom will be an important and most interesting chapter in our future history. These letters, coming from all classes and all latitudes, breathe one prayer for the downfall of slavery.

Massachusetts' noble Senator, Charles Sumner, who has so reverently received, presented, and urged these petitions, has cheered us with kind messages, magnifying the importance of our labors. His eloquent speech, made in the Senate on presenting our first installment—*the prayer of one hundred thousand*—we have printed in tract form and scattered throughout the country. We have flooded the nation with letters and appeals, public and private, and put forth every energy to rouse the people to earnest, persistent action against slavery, the deadly foe of all our cherished institutions.

[Pg 82]

We proposed to ourselves in the first moments of enthusiasm to secure, at least, *a million* signatures—one thirtieth part of our entire population. We thought the troubled warnings of a century—the insidious aggressions of slavery, with its violations of the sacred rights of *habeas corpus*, free speech, and free press, with its riots in our cities, and in the councils of the nation striking down, alike, black men and brave Senators, all culminating, at last, in the horrid tragedies of war—must have roused the dullest moral sense, and prepared the nation's heart to do justice and love mercy. But we were mistaken. Sunk in luxury, corruption, and crime—born and bred into the "guilty phantasy that man could hold property in man," we needed the clash of arms, the cannon's roar, the shrieks and groans of fallen heroes, the lamentations of mothers for their first-born, the angel's trump, the voices of the mighty dead, to wake this stolid nation from its sleep of death.

In circulating our petition many refused to sign because they believed slavery a divine institution, and therefore did not wish to change the status of the slave. Others, who professed to hate slavery, denied the right of Congress to interfere with it in the States; and yet others condemned all dictation, or even suggestion to Congress or the President. They said, "*Let the people be still* and trust the affairs of State to the management of the rulers they, themselves, have chosen." And many of our "old Abolitionists," believing *their* work done, that the war had killed slavery, knocked the bottom out of the tub, not only declared our work one of supererogation, but told us that petitioning, as a means of educating the people or influencing Congress, had become obsolete.

Under all these discouragements, with neither press nor pulpit to magnify our work, without money or the enthusiasm of numbers, in simple faith, into the highways and hedges we sent the Gospel of Freedom, and as of old, the people heard with gladness. A very large majority of our petitioners are from the unlettered masses. They who, knowing naught of the machinery of government or the trickery of politics, believe that, as God reigns, there is justice on the earth. As yet, none of our large cities have been thoroughly canvassed; but from the savannahs of the South and the prairies of the West—from the hills of New England and the shores of our lakes and gulfs, have we enrolled the soldiers of freedom; they who, when the rebels shall lay down their arms, with higher, holier weapons must end the war. Through us, two hundred thousand^[45] people—the labor and virtue of the Republic—have spoken in our national Capitol, where their voices were never heard before.

Those unaccustomed to balance influences, who judge of the importance of movements by their apparent results, may deem our efforts lost, because the Amendment and Emancipation bills have not yet passed the House; but *we* feel that our labors for the past year, in the circulation of tracts and petitions and appeals—in our lectures and letters, public and private, have done as much to kill the rebellion, by educating the people for the final blow, as any other organization, civil, political, military, or religious, in the land. Could you but read the many earnest, thrilling letters we have received from simple men and women, in their rural homes, you would have fresh hope for the stability of our Republic; remembering that the life of a nation depends on the virtue of its people, and not on the dignity of its rulers.

[Pg 83]

One poor, infirm woman in Wisconsin, who had lost her husband and all her sons in the war, traveled on foot over *one hundred miles* in gathering *two thousand names*. Her letter was filled with joy that she, too, had been able to do something for the cause of liberty. Follow her, in imagination, through sleet and snow, from house to house; listen to her words—mark the pathos of her voice, as she debates the question of freedom, or tells some tale of horror in the land of slavery, or asks her neighbors one by one, to give their names to end such wrongs. Aside from all she says, the *fact* that she comes in storm, on foot, is to all an argument, that there is something wrong in the republic, demanding haste and action from every citizen. You who, in crowded towns, move masses by your eloquence, scorn not the slower modes. Remember the seeds of enthusiasm you call forth have been planted by humbler hands—by the fireside, the old arm-chair in the workshop, at the plow—wherever man communes alone with God.

Our work for the past year—and what must still be our work—involves the vital question of the nation's life. For, until the old Union with slavery be broken, and our Constitution so amended as to secure the elective franchise to all its citizens who are taxed, or who bear arms to support the Government, we have no foundations on which to build a true Republic. We urge our countrywomen

who have shown so much enthusiasm in the war—in Sanitary and Freedmen's Associations—now to give themselves to the broader, deeper, higher work of reconstruction. The new nation demands the highest type of womanhood. It is a holy mission to minister to suffering soldiers in camp and hospital, and on the battle-field; to hold the heads and stanch the wounds of dying heroes; but holier still, by the magic word of freedom, to speak a dying nation into life.

Four years ago the *many* thought all was well in the land of the free and the home of the brave; but *we* knew the war was raging then through all the Southern States. We knew the secrets of that bastille of horrors; we heard, afar off, the shrieks and groans of the dying, the lamentations of husbands and wives, parents and children, sundered forever from each other. *Then* we fed, and clothed, and sheltered the fugitives in their weary marches where the North Star led, and crowned with immortal wreaths the panting heroes, pursued by the bloodhounds from the everglades of Florida, who asked but to die in freedom under the shadow of a monarch's throne.

Yes, the rebellion has been raging near a century on every cotton field and rice plantation. Every vice, hardship, and abomination, suffered by our soldiers in the war, has been the daily life in slavery. Yet no Northern volunteers marched to the black man's help, though he stood alone against such fearful odds, until John Brown and his twenty-three men threw themselves into the deadly breach. What a sublime spectacle! Behold! the black man, forgetting all our crimes, all his wrongs for generations, now nobly takes up arms in our defence. Look not to Greece or Rome for heroes—to Jerusalem or Mecca for saints—but for the highest virtues of heroism, let us worship the black man at our feet. Mothers, redeem the past by teaching your children the limits of human rights, with the same exactness that you now teach the multiplication table. That "all men are created equal" is a far more important fact for a child to understand, than that twice two makes four.

[Pg 84]

Had we during the past century as fondly guarded the tree of liberty, with its blessed fruits of equality, as have Southern mothers the deadly upas of slavery, the blood of our sires and sons, mingled with the sweat and tears of slaves, would not now enrich the tyrant's soil, our hearthstones would not all be desolate, nor we, with shame, behold our Northern statesmen in the nation's councils overwhelmed with doubt and perplexity on the simplest question of human rights. A mariner without chart or compass, ignorant of the starry world above his head, drifting on a troubled sea, is not more hopeless than a nation, in the throes of revolution, without faith in the immutability and safety of truth and justice.

Behold in the long past the endless wreck of nations—Despotisms, Monarchies, Republics—alike, they all sprang up and bloomed—then drooped and died, because not planted with the seeds of life; and on their crumbling ruins the black man now plants his feet, and as he proudly breaks his chains declares, "MAN ABOVE ALL HUMAN GOVERNMENT."

WENDELL PHILLIPS was introduced and made an eloquent appeal in behalf of the object of the League. He congratulated the Society on the progress it had made, contrasted the past with the present, referred to his experience at former meetings, and argued that woman should have a voice and a vote in the affairs of the nation. He showed the importance of woman's moral power infused into the politics of the country, and of the independence of those outside of party lines, who neither vote or hold office, to criticise the shortcomings of our rulers. He eulogized the manner in which Anna Dickinson had arraigned both men and measures before the judgment-seat of the people; deplored the slavery of party, that puts padlocks on the lips of leading politicians. While the sons of the Puritans, with bated breath, see in the violation of the most sacred rights of citizens the swift-coming destruction of the Republic, and in silence wait the shock, an inspired girl comes forward, sounds the alarm, raises the signal of distress, and fearlessly calls the captain, pilot, crew, and all to duty, for the Ship of State is drifting on a rock-bound coast. Again and again is this young girl put forward to tell the people what men in high places dare not say themselves.

The following resolutions were then read and submitted for discussion:

1. *Whereas*, The testimony of all history, the teachings of all sound philosophy, and our national experience for almost a hundred years, have demonstrated that in the Divine economy there is an "irrepressible conflict" between slavery and freedom; and

[Pg 85]

WHEREAS, The present war is but the legitimate fruit of this unnatural union; therefore

Resolved, That any attempt to reconstruct the Government with any root or branch of the slave system remaining, will surely prove disastrous, and therefore should be met at the outset with the stern rebuke of every true patriot and friend of humanity.

2. *Resolved*, That this Government *still* upholds slavery by military as well as civil power, and is, therefore, itself, still in daring rebellion against the GOD OF JUSTICE, before whom Jefferson "trembled" and whose "exterminating thunders" he warned us would be our destruction, unless, by "the diffusion of light and liberality," we were led to exterminate it forever from the land.

3. *Resolved*, That until the old union with slavery be broken, and the Constitution so amended as to secure the elective franchise to all citizens who bear arms, or are taxed to support the Government, we have no foundations on which to build a TRUE REPUBLIC.

4. WHEREAS, The *Anti* or *Pro*-slavery character of the Constitution has long been a question of dispute among statesmen and judges, as well as reformers, therefore

Resolved, That we demand for the NEW NATION a NEW CONSTITUTION, in which the guarantee of liberty and equality to every human being shall be so plainly and clearly written as never again to be called in question.

5. *Resolved*, That we demand for black men not only the right to be sailors, soldiers, and laborers under equal pay and protection with white men, but the right of suffrage, that only safeguard of civil liberty, without which emancipation is but mockery.

6. *Resolved*, That women now acting as nurses in our hospitals, who are regular graduates of

medicine, should be recognized as physicians and surgeons, and receive the same remuneration for their services as men.

7. *Resolved*, That the failure of the Administration to protect our black troops against such outrages as were long ago officially threatened, and fearfully perpetrated at Port Hudson, Milliken's Bend, Olustee, and Fort Pillow, is but added proof of its *heartless character* or *utter incapacity* to conduct the war.

8. *Resolved*, That when the men of a nation, in a political party, consecrate themselves to "Freedom and Peace" and declare their high resolve to found a Republic on the principles of justice, they have lifted politics into the sphere of morals and religion, where it is the duty of women to be co-workers with them in giving immortal life to the NEW nation.

9. *Resolved*, That our special thanks are due to Robert Dale Owen, who aided us in the inauguration of our work; and to Charles Sumner, who so earnestly and eloquently presented our petitions in the Senate of the United States.

10. WHEREAS, From official statistics, it appears that our annual national expenditures for imported broadcloths, silks, laces, embroideries, wines, spirits, and cigars, are more than one hundred million dollars; therefore

Resolved, that we recommend the formation of leagues of patriotic men and women throughout the country, whose object shall be to discountenance and prevent the indulgence of all these, and similar useless luxuries during the war; thereby encouraging habits of economy, stimulating American industry, diminishing the foreign debt, and increasing our ability to meet the vast expenditures of the present crisis.

[Pg 86]

The following letters were read by Miss Anthony:

LETTER FROM EMILE PRETORIUS.

ST. LOUIS, Mo., *April 29, 1864.*

MADAM:—Your favor of 23d inst. has come to hand with your call, which was published and endorsed by our paper, as you will see by the enclosed slip. Your sentiments are so high and noble that to doubt a favorable result and response from the West would be like doubting whether our women had courage enough to follow the truest instincts, the best impulses of their own pure nature. I, for one, have no such idea, no such fears; and if I should ever believe that the Cornelias and Thuseneldas were only to be found by going back thousands of years in history, and would not and could not be rivalled by patriotic mothers and heroic wives in this present crises of ours, I then would renounce at once all hopes of a national resurrection. Liberty, it is true, is immortal; but we would be bound to look for her in some other part of our globe, if we fail on American soil to enlist in our struggle the full heart of our women.

But there is no such thing as failure in battling for all that is high and good and sacred, and there is no such thing as failure in appealing for so good a cause to woman's noble mind and true heart. They will be with us, every one of them will, and whether a majority of our people be up to our standard this time or not, still, in the eyes of our women we would be what our German poet calls, "the conquering defeated."

Yours for Fremont and Freedom,

Emile Pretorius.

LETTER FROM CHARLES SUMNER.

SENATE CHAMBER, *May 6, 1864.*

MADAM:—I can not be with you in New York, according to the invitation with which you have honored me; for my post of duty is here. I am grateful to your Association for what you have done to arouse the country to insist on the extinction of slavery. Now is the time to strike, and no effort should be spared. And yet there are many who lap themselves in the luxury of present success, and hold back. This is a mistake. The good work must be finished; and to my mind nothing seems to be done while anything remains to be done. There is one point to which attention must be directed. No effort should be spared to castigate and blast the whole idea of *property in man*, which is the corner-stone of the rebel pretension, and the constant assumption of the partisans of slavery, or of its lukewarm opponents. Let this idea be trampled out, and there will be no sympathy with the rebellion; and there will be no such abomination as *slave-hunting*, which is beyond question the most execrable feature of slavery itself. Accept my thanks, and believe me,

Madam, faithfully yours,

Charles Sumner.

MISS SUSAN B. ANTHONY.

[Pg 87]

Speeches were then made by George Thompson, Lucretia Mott, and Ernestine L. Rose; after which, in adjourning the Convention, the President said:

This is the only organization of women that will have a legitimate cause for existence beyond the present hour. The Sanitary, Soldiers' Aid, Hospital, and Freedmen's Societies all end with the war; but the soldier and negro in peace have yet to be educated into the duties of citizens in a republic, and our legislators to be stimulated by a higher law than temporary policy. This is the only organization formed during the war based specifically on universal emancipation and enfranchisement. Knowing that in this great national upheaval women would exert an influence for good or evil, we felt the importance of concentrating all their power on the side of liberty. To this end we have urged them to use with zeal and earnestness their only political right under the Constitution: the right of petition. During the past year the petitions for freedom have been quietly circulating in the most remote school districts of all the free States and Territories, in the Army, the Navy, and some have found their way to the far South. And now they are coming back by the

thousands, with the signatures of men and women, black and white, soldiers and civilians, from every point of the compass, to be presented in mammoth rolls again in the coming Congress. I urge every one present to help spread the glad tidings of liberty to all, by signing and circulating these petitions, remembering that while man may use the bullet and the ballot to enforce his will, this is woman's only weapon of defence to-day in this Republic. The Convention is now adjourned.

The debates throughout these Conventions show how well the leaders of the Loyal League understood the principles of republican government, and the fatal policy of some of those in power. They understood the situation, and clearly made known their sentiments. The character of the discussions and resolutions in their Conventions was entirely changed during the war; broader ideas of constitutional law; the limits of national power and State rights formed the basis of the new arguments. They viewed the questions involved in the great conflict from the point of view of statesmen, rather than that of an ostracised class. Reviewing the varied efforts of the representative women^[46] referred to in this chapter in the political, military, philanthropic, and sanitary departments of the Government, and the army of faithful assistants, behind them, all alike self-sacrificing and patriotic; with a keen insight into the policy of the Government and the legitimate results of the war; the question naturally suggests itself, how was it possible that when peace was restored they received no individual rewards nor general recognition for their services, which, though acknowledged in private, have been concealed from the people and ignored by the Government.^[47]

[Pg 88]

Gen. Grant has the credit for the success of plans which were the outgrowth of the military genius of a woman; Gen. Howard received a liberal salary as the head of the Freedman's Bureau, while the woman who inspired and organized that department and carried its burdens on her shoulders to the day of her death, raised most of the funds by personal appeal for that herculean work.

Dr. Bellows enjoyed the distinction as President of the Sanitary Bureau, which originated in the mind of a woman, who, when the machinery was perfected and in good working order, was forced to resign her position as official head through the bigotry of the medical profession.

Though to Anna Dickinson was due the triumph of the Republican party in several of the doubtful States at a most critical period of the war, yet that party, twenty years in power, has refused to secure her in the same civil and political rights enjoyed by the most ignorant foreigner or slave from the plantations of the South.

The lessons of the war were not lost on the women of this nation; through varied forms of suffering and humiliation, they learned that they had an equal interest with man in the administration of the Government, enjoying or suffering alike its blessings or its miseries. When in the enfranchisement of the black man they saw another ignorant class of voters placed above their heads, and with anointed eyes beheld the danger of a distinctively "male" government, forever involving the nations of the earth in war and violence; a lesson taught on every page of history, alike in every century of human experience; and demanded for the protection of themselves and children, that woman's voice should be heard, and her opinions in public affairs be expressed by the ballot, they were coolly told that the black man had earned the right to vote, that he had fought and bled and died for his country!

[Pg 89]

Did the negro's rough services in camp and battle outweigh the humanitarian labors of woman in all departments of government? Did his loyalty in the army count for more than her educational work in teaching the people sound principles of government? Can it be that statesmen in the nineteenth century believe that they who sacrifice human lives in bloody wars do more for the sum of human happiness and development than they who try to save the multitude and teach them how to live? But if on the battle-field woman must prove her right to justice and equality, history abundantly sets forth her claims; the records of her brave deeds mark every page of fact and fiction, of poetry and prose.

In all the great battles of the past woman as warrior in disguise has verified her right to fight and die for her country by the side of man. In camp and hospital as surgeon, physician, nurse, ministering to the sick and dying, she has shown equal skill and capacity with him. There is no position woman has not filled, no danger she has not encountered, no emergency in all life's tangled trials and temptations she has not shared with man, and with him conquered. If moral power has any value in the balance with physical force, surely the women of this republic, by their self-sacrifice and patriotism, their courage 'mid danger, their endurance 'mid suffering, have rightly earned a voice in the laws they are compelled to obey, in the Government they are taxed to support; some personal consideration as citizens as well as the black man in the "Union blue."

FOOTNOTES:

[1] Before one man was slain the lint and bandages were so piled up in Washington, that the hospital surgeons in self-defence cried out, enough!

[2] Feb. 24, 1862.

[3] In a conversation with Miss Carroll, in February, 1876, Mr. Wade said: "I have sometimes reproached myself that I had not made known the author when they were discussing the resolution in Congress to find out, *but Mr. Lincoln and Mr. Stanton were*

opposed to its being known that the armies were moving under the plan of a civilian, directed by the President as Commander-in-Chief. Mr. Lincoln said it was that which made him hesitate to inaugurate the movement against the opinion of the military commanders, and he did not wish to risk the effect it might have upon the armies if they found out some outside party had originated the campaign; that he wanted the armies to believe they were doing the whole business of saving the country."

[4] See Appendix.

[5] The ninth, known to the world as the battle of Orleans, fought in 1439, which brought the hundred years' war between France and England to an end, securing the independent existence of France, possessed for its organizer and leader, Joan of Arc, then but eighteen, at which time she acquired her cognomen, "Maid of Orleans."

[6] It has been well said: "That assumption of man that as feud is the origin of all laws; that as woman does not fight she shall not vote, that her rights are to be forever held in abeyance to his wishes, was forever silenced by the military genius of Anna Ella Carroll in planning this brilliant campaign. Proving, too, that as right is of no sex, so genius is of no sex."

[7] Hon. L. D. Evans said: "Nothing is more certain than that the rebel power was able to resist all the forces of the Union, and keep her armies from striking their resources and interior lines of communication, upon any of the plans or lines of operation on which the Union arms were operating. Geographically considered, there was but one line which the National armies could take and maintain, and that was *unthought* of and *unknown*, and could not have been found out, in all human probability, in time to have prevented a collapse, or warded off recognition and intervention, but for Miss Carroll. The failure to reduce Vicksburg from the water, after a tremendous sacrifice of life and treasure, and the time it took to take Richmond, furnish irrefragable proof of the inability of the Union to subdue the rebellion on the plan of our ablest generals.... England and France had resolved that duty to their suffering operatives required the raising of the blockade for the supply of cotton, and nothing prevented that intervention but the progress of the National arms up the Tennessee.... This campaign must, therefore, take rank with those few remarkable strategic movements in the world's history, which have decided the fate of empires and nations."

[8] See Appendix.

[9] But as early as she was thus engaged, one woman had already preceded her. When the first blood of the war was shed by the attack upon the Massachusetts troops passing through Baltimore that memorable April 19, 1861, but one person in the whole city was found to offer them shelter and aid. Ann Manley, a woman belonging to what is called the outcast class, with a pity as divine as that of the woman who anointed the feet of our Lord and wiped them with the hair of her head—took the disabled soldiers into her own house, and at the hazard of her life, bound up their wounds. In making up His jewels at the last great day, will not the Lord say of her as of one of old, "She has loved much, and much is forgiven her?"

[10] There was no penalty for disobedience, and persons disaffected, forgetful, or idle, might refuse or neglect to obey with impunity. It indeed seems most wonderful—almost miraculous—that under such circumstances, such a vast amount of good was done. Had she not accomplished half so much, she still would richly have deserved that highest of plaudits, "Well done, good and faithful servant!"—*Woman's Work in the Civil War*.

[11] When the Spanish minister, Señor Don Francisco Barca, was presented to the President, he spoke of America as the "splendid and fortunate land dreamed of, for the service of God and of human progress, by the greatest of all Spanish women, before others conceived of it."

[12] On a pair of socks sent to the Central Association of Relief, was pinned a paper, saying: "These socks were knit by a little girl five years old, and she is going to knit some more, for mother said it would help some poor soldier."

[13] The Christian Commission, an organization of later date, never succeeded in so fully gaining the affection of the soldiers, who, in tent or hospital, hailed the approach of medicine or delicacy, with an affectionate "How are you, Sanitary?"

[14] Organized seven years previously by Dr. Blackwell as an institution where women might be treated by their own sex, and for co-ordinate purposes, and out of which the New York Medical College for Women finally grew.

[15] Women in many other parts of the country were active at as early a date as those of New York. A Soldiers' Aid Society was formed in Cleveland, Ohio, April 20, 1861, five days after the President's proclamation calling for troops. This association, with a slight change in organization, remained in existence a long time after the close of the war, actively employed in securing pensions and back pay to crippled and disabled soldiers. At two points in Massachusetts, meetings to form aid societies were called immediately upon the departure of the Sixth Militia of that State for Washington.

[16] Women as loyal as these were to be found in the South, where an expression of love for the Union was held as a death offence. Among the affecting incidents of the war, was that of a woman who, standing upon the Pedee River bank, waved her handkerchief for joy at seeing her country's flag upon a boat passing up the stream, and who for this exhibition of patriotism was shot dead by rebels on the shore. During the bread riots in Mobile a woman was shot. As she was dying she took a small National flag from her

bosom, where she had kept it hidden, wrapped it outside a cross, kissed it, and fell forward dead.

"Indeed, we may safely say that there is scarcely a loyal woman in the North who did not do something in aid of the cause—who did not contribute time, labor, and money, to the comfort of our soldiers and the success of our arms. The story of the war will never be fully or fairly written if the achievements of woman in it are left untold. They do not figure in the official reports; they are not gazetted for deeds as gallant as ever were done; the names of thousands are unknown beyond the neighborhood where they live, or the hospitals where they loved to labor; yet there is no feature in our war more creditable to us as a nation, none from its positive newness so well worthy of record."—*Women of the War*.

[17] The distinctive features in woman's work in that war, were magnitude, system, thorough co-operation with the other sex, distinctness of purpose, business-like thoroughness in details, sturdy persistency to the close. There was no more general rising among the men than among the women, and for every assembly where men met for mutual exertion in the service of the country, there was some corresponding gathering of women to stir each other's hearts and fingers in the same sacred cause.... And of the two, the women were clearer and more united than the men, because their moral feelings and political instincts were not so much affected by selfishness, or business, or party considerations.... It is impossible to over-estimate the amount of consecrated work done by the loyal women of the North for the army. Hundreds of thousands of women probably gave all the leisure they could command, and all the money they could save and spare, to the soldiers for the whole four years and more of the war.... No words are adequate to describe the systematic, persistent faithfulness of the women who organized and led the Branches of the United States Sanitary Commission. Their voluntary labor had all the regularity of paid service, and a heartiness and earnestness which no paid service can ever have.... Men were ashamed to doubt where women trusted, or to murmur where they submitted, or to do little where they did so much.—*Woman's Work in the Civil War*. L. P. BRACKETT.

[18] Julia Ward Howe. See Appendix.

[19] See Appendix.

[20] During all periods of the war instances occurred of women being found in the ranks fighting as common soldiers, their sex remaining unsuspected.—*Women of the War*.

[21] After the close of the war a bill was passed by Congress authorizing the payment of salary due Mrs. Ella F. Hobart, for services as chaplain in the Union army. Mrs. Hobart was chaplain in the First Wisconsin Volunteer Artillery. The Governor of Wisconsin declined to commission her until the War Department should consent to recognize the validity of the commission. This Secretary Stanton refused to do on account of her sex, though her application was endorsed by President Lincoln, though not by the Government. Mrs. Hobart continued in her position as religious counselor, Congress at last making payment for her services.

[22] There are many and interesting records of women who served in Iowa, Ohio, Michigan, Minnesota, Illinois, Indiana, Kansas, New York, and Pennsylvania Regiments, in the armies of the Potomac, the Cumberland, the Tennessee, with the Indian Rangers, in cavalry, artillery, on foot. A woman was one of the eighteen soldiers sent as a scout at Lookout Mountain—whose capture was deemed impossible—to ascertain the position of General Bragg's forces; and a woman performed one of the most daring naval exploits of the war. It was a woman of Brooklyn, N. Y., who, inspired with the idea that she was to be the country's savior, joined the army in spite of parental opposition, and, during the bloody battle of Lookout Mountain, fell pierced in the side, a mortal wound, by a minie ball. Elizabeth Compton served over a year in the 25th Michigan cavalry; was wounded at the engagement of Greenbrier Bridge, Tennessee, her sex being discovered upon her removal to the hospital, at Lebanon, Kentucky, where, upon recovery, she was discharged from the service. Ellen Goodridge, although not an enlisted soldier, was in every great battle fought in Virginia, receiving a painful wound in the arm from a minie ball. Sophia Thompson served three years in the 59th O. V. I. Another woman soldier, under the name of Joseph Davidson, also served three years in the same company. Her father was killed fighting by her side at Chickamauga. A soldier belonging to the 14th Iowa regiment was discovered, by the Provost-Marshal of Cairo, to be a woman. An investigation being ordered, "Charlie" placed the muzzle of her revolver to her head, fired, and fell dead on open parade-ground. No clue was obtained to her name, home, or family.

Frances Hook, of Illinois, enlisted with her brother in the 65th Home Guards, assuming the name of "Frank Miller." She served three months, and was mustered out without her sex being discovered. She then enlisted in the 90th Illinois, and was taken prisoner in a battle near Chattanooga. Attempting to escape she was shot through one of her limbs. The rebels in searching her person for papers, discovered her sex. They respected her as a woman, giving her a separate room while she was in prison at Atlanta, Ga. During her captivity, Jeff. Davis wrote her a letter, offering her a lieutenant's commission if she would enlist in the rebel army, but she preferred to fight as a private soldier for the stars and stripes, rather than accept a commission from the rebels. This young lady was educated in a superior manner, possessing all the modern accomplishments. After her release from the rebel prison, she again enlisted in the 2d East Tennessee Cavalry. She was in the thickest of the fight at Murfreesboro, and was severely wounded in the shoulder, but fought gallantly and waded the Stone River into Murfreesboro on that memorable Sunday when the Union forces were driven back. Her sex was again disclosed upon the dressing of her wound, and General Rosecrans was informed, who

caused her to be mustered out of the service, notwithstanding her earnest entreaty to be allowed to serve the cause she loved so well. The General was favorably impressed with her daring bravery, and himself superintended the arrangements for her transmission home. She left the army of the Cumberland, resolved to enlist again in the first regiment she met. The *Louisville Journal* gave the following account of her under the head of

"MUSTERED OUT.—'Frank Miller,' the young lady soldier, now at Barracks No. 1, will be mustered out of the service in accordance with the army regulations which prohibit the enlistment of females in the army, and sent to her parents in Pennsylvania. This will be sad news to Frances, who has cherished the fond hope that she would be permitted to serve the Union cause during the war. She has been of great service as a scout to the army of the Cumberland, and her place will not be easily filled. She is a true patriot and a gallant soldier."

"Frank," found the 8th Michigan at Bowling Green, in which she again enlisted, remaining connected with this company. She said she had discovered a great many women in the army, one of them holding a lieutenant's commission, and had at different times assisted in burying three women soldiers, whose sex was unknown to any but herself.

The *St. Louis Times*, sometime after the war, referring to a girl called as a witness before the Police Court of that city, says:

"This lady is a historical character, having served over two years in the Federal army during the war; fifteen months as a private in the Illinois cavalry, and over nine months as a teamster in the noted Lead mine regiment, which was raised in Washburne district from the counties of Jo Daviess and Carrol. She was at the siege of Corinth, and was on duty during most of the campaign against Vicksburg. At Lookout Mountain she formed one of the party of eighteen selected to make a scout and report the position of General Bragg's forces. She was an *attache* of General Blair's seventeenth corps during most of the campaign of the Tennessee, and did good service in the reconnoitering operations around the Chattahoochie River, at which time she was connected with General Davis' fourteenth corps. She went through her army life under the cognomen of 'Soldier Tom.'"

The name of Miss Brownlow, of Tennessee, was familiar during the war for her daring exploits; also that of Miss Richmond, of Raleigh, North Carolina, who handled a musket, rifle, or shot-gun with precision and skill, fully equal to any sharp-shooter, and who was at any time ready to join the clan of which her father, a devoted Unionist, was leader, in an expedition against the rebels, or on horseback, alone in the night, to thread the wild passes of the mountains as a bearer of information.

Major Pauline Cushman and Dr. Mary Walker were also noted for their devotion to the Union. No woman suffered more or rendered more service to the national cause than Major Cushman, who was employed in the secret service of the Government as scout and spy. She carried letters between Louisville and Nashville, and was for many months with the army of the Cumberland, employed by General Rosecrans, rendering the army invaluable service. She was three times taken prisoner, once by John Morgan, and advertised to be hung in Nashville as a Federal spy, but she escaped by singular daring and courage. The third time she was tried and condemned, but her execution was postponed on account of her illness. After lying in prison three months, she had an interview with General Bragg, who assured her that he would make an example of her and hang her as soon as she got well enough to be hung decently.

While she remained in this condition of suspense, the grand army of Rosecrans commenced its forward march, and one fine day the rebel town in which she was imprisoned was surprised and captured by the Union troops under General Gordon Granger, and she was released. After hearing an account of the sufferings she had undergone for the Union cause, General Granger determined to bestow upon her a testimonial of appreciation for her services, and she was accordingly formally proclaimed a Major of cavalry. The ladies of Nashville, hearing of this promotion, prepared a costly riding habit trimmed in military style, with dainty shoulder-straps, etc., and presented the dress to Miss Cushman.

Dr. Mary Walker gave her services on the field as surgeon, winning an acknowledged reputation in the Second corps, army of the Potomac, for professional superiority. She applied for a commission as assistant surgeon, but was refused by Surgeon-General Hammond because of her sex. Dr. Walker suffered imprisonment in Castle Thunder, Richmond, having been taken prisoner.

The special correspondent of the *N. Y. Tribune*, Headquarters Army of the Potomac, Sept. 15, 1863, said: "She applied to both Surgeon-Generals Finlay and Hammond for a commission as assistant surgeon. Her competence was attested and approved, yet as the Army Regulations did not authorize the employment of women as surgeons, her petition was denied. A Senator from New York, with an enlightenment which did him honor, urged her appointment to the Secretary of War, but without success."

[23] Gilbert Hay, shortly before released from Fort La Fayette.

[24] LEE AT ARLINGTON.—Visitors to this noted place are so frequent that his appearance attracted no attention. He walked through the dreary hall, and looked in on the wide, vacant rooms, and passing to the front, stood for some time gazing out over the beautiful panorama, with its one great feature, the new dome of the old capitol, surmounted by a bronze statue of Liberty armed, and with her back to him, gazing seaward.

From this he passed to the garden, and looked over the line of the officers' graves that

bound its sides, saw the dying flowers and wilted borders and leaf strewn walks, and continuing after a slight pause, he stopped on the edge of the field where the sixteen thousand Union soldiers lie buried in lines, as if they had lain down after a review to be interred in their places. Some negroes were at work here raking up the falling leaves, and one old man stopped suddenly and stared at the visitor as if struck mute with astonishment. He continued to gaze in this way until the stranger, walking slowly, regained his horse and rode away, when he dropped his rake and said to his companions: "Shuah as de Lord, men, dat was ole Massa Lee!"

One hastens to imagine the thoughts and feelings that must have agitated this fallen chief as he stood thus, like Marius amid the ruins of Carthage, on the one spot of all others, to realize the fact of the Lost Cause and its eventful history. About him were the scenes of his youth, the home of his honored manhood, the scenery that gave beauty to the peaceful joys of domestic life. They were nearly all the same, and yet between then and now, came the fierce war, the huge campaigns and hundred battles loud with the roar of mouthing cannons and rattling musketry, and stained into history by the blood of thousands, the smoke of burning houses, the devastation of wide States, and the desolation of the households, and all in vain. He stood there, old before his time, the nationality so fiercely struggled for, unrecognized; the great confederacy a dream, his home a grave-yard, and the capitol he sought to destroy grown to twice its size, with the bronze goddess gazing calmly to the East.—*Correspondence of the Cincinnati Commercial*, 1866.

[25] Peter Waldo, a merchant of Lyon, of the 12th century, was less the founder of a sect, than the representative and leader of a wide-spread struggle against the corruptions of the clergy. The church would have tolerated him, had he not trenched upon ground dangerous to the hierarchy. But he had the four Gospels translated and (like Wicklyffe) maintained that laymen had the right to read them to the people. He exposed thus the ignorance and the immorality of the clergy, and brought down their wrath upon himself. His opinions were condemned by a General Council, and he retired to the valleys of the Cottian Alps. Long persecutions followed, but his disciples could not be forced to yield their opinions. The protest of the Waldenses related to practical questions.—*Encyc.*

[26] It was almost as thrilling a sight to me to see these earnest women together at work with their needles, as it was to see the first colored soldier in the Union blue. He was from Camp Reed, near Boston. I met him in the church of Rev. Mr. Grimes, and could not have known before how much such a vision would stir me. It was with great satisfaction that I took him by the hand and rejoiced with him in the progress of the Government toward equality.

[27] Mrs. Briggs ("Olivia") writing to the *Sunday Morning Chronicle* after Mrs. Griffing had departed this life, said in this connection: "Altogether \$166,000 were given by Congress to the helpless who had been so long held in bondage, and for the great good accomplished, the sufferers were more indebted to Mrs. Griffing than to all the women of the country combined, for the larger proportion of the supplies purchased with this money, was distributed by her own hands."

[28] This would at first thought seem to conflict with the knowledge of "the North Star" and "Canada," but, as elsewhere, we must draw the line between the ignorant and the intelligent.

[29] See Appendix.

[30] The impeachment trial of President Johnson

[31] *Forney's Press*, in reporting a meeting at Kennett Square, said: "Miss Anna E. Dickinson, of Philadelphia, aged seventeen years, handsome, of an expressive countenance, plainly dressed, and eloquent beyond her years, made the speech of the occasion. After the listless, monotonous harangues of the day, the distinct, earnest tones of this juvenile Joan of Arc were very sweet and charming. During her discourse, which was frequently interrupted, Miss Dickinson maintained her presence of mind, and uttered her radical sentiments with augmented resolution and plainness. Those who did not sympathize with her remarks, provocative as they were of numerous unmanly interruptions, were softened by her simplicity and solemnity. 'We are told,' said she, 'to maintain constitutions because they are constitutions, and compromises because they are compromises. But what are compromises, and what is laid down in those constitutions? Eminent lawyers have said that certain great fundamental ideas of right are common to the world, and that all laws of man's making which trample on these ideas, are null and void—wrong to obey; right to disobey. The Constitution of the United States recognizes human slavery, and makes the souls of men articles of purchase and of sale.'"

[32] She has always said that that was the best service the Government could have rendered her, as it forced her to the decision to labor no longer with her hands for bread, but open some new path for herself.

[33] The highest compliment that the Union men of this city could pay Miss Anna E. Dickinson, was to invite her to make the closing and most important speech in this campaign. They were willing to rest their case upon her efforts. She may go far and speak much; she will have no more flattering proof of the popular confidence in her eloquence, tact, and power, than this. Her business being to obtain votes for the right side, she addressed herself to that end with singular adaptation. But when we add to this lawyerlike comprehension of the necessities of the case, her earnestness, enthusiasm, and personal magnetism, we account for the effect she produced on that vast audience

Saturday night.

Allyn Hall was packed as it never was before. Every seat was crowded. The aisles were full of men who stood patiently for more than three hours; the window-sills had their occupants, every foot of standing room was taken, and in the rear of the galleries men seemed to hang in swarms like bees. Such was the view from the stage. The stage itself and the boxes were filled with ladies, giving the speaker an audience of hundreds who could not see her face. Hardly a listener left the hall during her speech. Her power over that audience was marvellous. She seemed to have that absolute mastery of it which Joan of Arc is reported to have had of the French troops. They followed her with that deep attention which is unwilling to lose a word, greeting her ever and anon with bursts of applause. The speech in itself and its effect was magnificent. The work of the campaign is done, and it only remains in the name of all loyal men in this district to express to Miss Dickinson most heartfelt thanks for her inspiring aid. She has aroused everywhere respect, enthusiasm, and devotion, not to herself alone, but to our country also. While such women are possible in the United States, there is not a spot big enough for her to stand on, that will not be fought for so long as there is a man left.—*Hartford Courant*.

[34] Her profits on this occasion were about a thousand dollars.

[35] CORRESPONDENCE.

TO MISS ANNA E. DICKINSON, *Philadelphia, Pa.*:

MISS DICKINSON:—Heartily appreciating the value of your services in the campaigns in New Hampshire, Connecticut, Pennsylvania, and New York, and the qualities that have combined to give you the deservedly high reputation you enjoy; and desiring as well to testify that appreciation, as to secure to ourselves the pleasure of hearing you, we unite in cordially inviting you to deliver an address at the capital this winter, at some time suited to your own convenience.

WASHINGTON, D.C., *Dec. 16, 1863.*

Hannibal Hamlin,	Ira Harris,	James A. Garfield,
Charles Sumner,	and sixteen other	Henry C. Deming,
Henry Wilson,	Senators.	R. B. Van Valkenburg,
Benjamin F. Wade,	Schuyler Colfax,	A. C. Wilder,
John Sherman,	Thaddeus Stephens,	and seventy other
James Dixon,	William D. Kelley,	Representatives.
H. B. Anthony,	Robert C. Schenck,	

GENTLEMEN:—I thank you sincerely for the great and most unexpected honor which you have conferred upon me by your kind invitation to speak in Washington. Accepting it, I would suggest the 16th of January as the time, desiring the proceeds to be devoted to the help of the suffering freedmen.

Truly yours, Anna E. Dickinson.

1710 LOCUST ST., Phila., *June 7, 1864.*

[36] The *New York Evening Post* in describing the occasion said: "Miss Dickinson's lecture in the Hall of the House of Representatives last night was a gratifying success, and a splendid personal triumph. She can hardly fail to regard it the most flattering ovation—for such it was—of her life. At precisely half-past seven Miss Dickinson came in, escorted by Vice-President Hamlin and Speaker Colfax. A platform had been built directly over the desk of the official reporters and in front of the clerk's desk, from which she spoke. She was greeted with loud cheers as she entered. Mr. Hamlin introduced her in a neat speech, in which he happily compared her to the Maid of Orleans. The scene was one to test severely the powers of a most accomplished orator, for the audience was not composed of the enthusiastic masses of the people, but rather of loungers, office-holders, orators, critics, and men of the fashionable world. At eight o'clock Mr. and Mrs. Lincoln entered, and not even the utterance of a fervid passage in the lecture could repress the enthusiasm of the audience. Just as the President entered the hall Miss Dickinson was criticising with some sharpness his Amnesty Proclamation and the Supreme Court; and the audience, as if feeling it to be their duty to applaud a just sentiment, even at the expense of courtesy, sustained the criticism with a round of deafening cheers. Mr. Lincoln sat meekly through it, not in the least displeased. Perhaps he knew there were sweets to come, and they did come, for Miss Dickinson soon alluded to him and his course as President, and nominated him as his own successor in 1865. The popularity of the President in Washington was duly attested by volleys of cheers. The proceeds of the lecture—over a thousand dollars—were appropriated at Miss Dickinson's request to the National Freedman's Relief Society."

[37] James Redpath.

[38] See Appendix.

[39] When our leading journals, orators, and brave men from the battle-field, complain that Northern women feel no enthusiasm in the war, the time has come for us to pledge ourselves loyal to freedom and our country. Thus far, there has been no united expression from the women of the North as to the policy of the war. Here and there one has spoken and written nobly. Many have vied with each other in acts of generosity and self-sacrifice for the sick and wounded in camp and hospital. But we have, as yet, no means of judging where the majority of Northern women stand.

If it be true that at this hour the women of the South are more devoted to their cause

than we are to ours, the fact lies here. They see and feel the horrors of the war; the foe is at their firesides; while we, in peace and plenty, live as heretofore. There is an inspiration, too, in a definite purpose, be it good or bad. The women of the South know what their sons are fighting for. The women of the North do not. They appreciate the blessings of slavery; we not the blessings of liberty. We have never yet realized the glory of those institutions in whose defence it is the privilege of our sons to bleed and die. They are aristocrats, with a lower class, servile and obsequious, entrenched in feudal homes. We are aristocrats under protest, who must go abroad to indulge our tastes, and enjoy in foreign despotisms the customs which the genius of a Republic condemns.

But, from the beginning of the Government, there have been women among us who, with the mother of the immortal John Quincy Adams, have lamented the inconsistencies of our theory and practice, and demanded for ALL the people the exercise of those rights that belong to every citizen of a republic. The women of a nation mold its morals, religion, and politics. The Northern treason, now threatening to betray us to our foes, is hatched at our own firesides, where traitor snobs, returned from Europe and the South, out of time and tune with independence and equality, infuse into their sons the love of caste and class, of fame and family, of wealth and ease, and baptize it all in the name of Republicanism and Christianity. Let every woman understand that this war involves the same principles that have convulsed the nations of the earth from Pharaoh to Lincoln—liberty or slavery—democracy or aristocracy—equality or caste—and choose, this day, whether our republican institutions shall be placed on an enduring basis, and an eternal peace secured to our children, or whether we shall leap back through generations of light and experience, and meekly bow again to chains and slavery.

Shall Northern freemen yet stand silent lookers-on when through Topeka, St. Paul, Chicago, Cleveland, Boston, and New York, men and women, little boys and girls, chained in gangs, shall march to their own sad music, beneath a tyrant's lash? On our sacred soil shall we behold the auction-block—babies sold by the pound, and beautiful women for the vilest purposes of lust; where parents and children, husbands and wives, brothers and sisters, shall be torn from each other, and sent East and West, North and South? Shall our free presses and free schools, our palace homes, colleges, churches, and stately capitols all be leveled to the dust? Our household gods be desecrated, and our proud lips, ever taught to sing peans to liberty, made to swear allegiance to the god of slavery? Such degradation shall yet be ours, if we gird not up our giant freemen now to crush this rebellion, and root out forever the hateful principle of caste and class. Men who, in the light of the nineteenth century, believed that God made one race all booted and spurred, and another to be ridden; who would build up a government with slavery for its corner-stone, can not live on the same continent with a pure democracy. To counsel grim-visaged war seems hard to come from women's lips; but better far that the bones of our sires and sons whiten every Southern plain, than that liberty, struck dumb in the capital of our Republic, should plead no more for man. Every woman who appreciates the grand problem of national life must say war, pestilence, famine, anything but an ignoble peace.

We are but co-workers now with the true ones of every age. The history of the past is but one long struggle upward to equality. All men, born slaves to ignorance and fear, crept through centuries of discord—now one race dominant, then another—but in this ceaseless warring, ever wearing off the chains of their gross material surroundings of a mere animal existence, until at last the sun of a higher civilization dawned on the soul of man, and the precious seed of the ages, garnered up in the *Mayflower*, was carried in the hollow of God's hand across the mighty waters, and planted deep beneath the snow and ice of Plymouth Rock with prayers and thanksgivings. And what grew there? Men and women who loved liberty better than life. Men and women who believed that not only in person, but in speech should they be free, and worship the God who had brought them thus far according to the dictates of their own conscience. Men and women who, like Daniel of old, defied the royal lion in his den. Men and women who repudiated the creeds and codes of despots and tyrants, and declared to a waiting world that all men are created equal. And for rights like these, the Fathers fought for seven long years, and we have no record that the women of that Revolution ever once cried, "hold, enough," till the invading foe was conquered, and our independence recognized by the nations of the earth.

And here we are, the grandest nation on the globe. By right no privileged caste or class. Education free to all. The humblest digger in the ditch has all the civil, social, and religious rights with the highest in the land. The poorest woman at the wash-tub may be the mother of a future President. Here all are heirs-apparent to the throne. The genius of our institutions bids every man to rise, and use all the powers that God has given him. It can not be, that for blessings such as these, the women of the North do not stand ready for any sacrifice.

A sister of Kossuth, with him an exile to this country, in conversation one day, called my attention to an iron bracelet, the only ornament she wore. "In the darkest days of Hungary," said she, "our noble women threw their wealth and jewels into the public treasury, and clasping iron bands around their wrists, pledged themselves that these should be the only jewels they would wear till Hungary was free." If darker hours than these should come to us, the women of the North will count no sacrifice too great. What are wealth and jewels, home and ease, sires and sons, to the birthright of freedom, secured to us by the heroes of the Revolution? Shall a priceless heritage like this be wrested now from us by Southern tyrants, and Northern women look on unmoved, or basely bid our freemen sue for peace? No! No! The vacant places at our firesides, the void in every heart says No!! Such sacrifices must not be in vain!! The cloud that hangs o'er all our Northern homes is gilded with the hope that through these present sufferings the nation shall be redeemed.

[40] The call for a meeting of the Loyal Women of the Nation:

In this crisis of our country's destiny, it is the duty of every citizen to consider the peculiar blessings of a republican form of government, and decide what sacrifices of wealth and life are demanded for its defence and preservation. The policy of the war, our whole future life, depends on a clearly-defined idea of the end proposed, and the immense advantages to be secured to ourselves and all mankind, by its accomplishment. No mere party or sectional cry, no technicalities of Constitution or military law, no mottoes of craft or policy are big enough to touch the great heart of a nation in the midst of revolution. A grand idea, such as freedom or justice, is needful to kindle and sustain the fires of a high enthusiasm.

At this hour, the best word and work of every man and woman are imperatively demanded. To man, by common consent, is assigned the forum, camp, and field. What is woman's legitimate work, and how she may best accomplish it, is worthy our earnest counsel one with another. We have heard many complaints of the lack of enthusiasm among Northern women; but, when a mother lays her son on the altar of her country, she asks an object equal to the sacrifice. In nursing the sick and wounded, knitting socks, scraping lint, and making jellies, the bravest and best may weary if the thoughts mount not in faith to something beyond and above it all. Work is worship only when a noble purpose fills the soul. Woman is equally interested and responsible with man in the final settlement of this problem of self-government; therefore let none stand idle spectators now. When every hour is big with destiny, and each delay but complicates our difficulties, it is high time for the daughters of the revolution, in solemn council, to unseal the last will and testament of the Fathers—lay hold of their birthright of freedom, and keep it a sacred trust for all coming generations.

To this end we ask the Loyal Women of the Nation to meet in the church of the Puritans (Dr. Cheever's), New York, on Thursday, the 14th of May next.

Let the women of every State be largely represented both in person and by letter.

On behalf of the Woman's Central Committee,

ELIZABETH CADY STANTON.
SUSAN B. ANTHONY.

[41] *Vice-Presidents.*—Elizabeth Cady Stanton, of New York; Angelina Grimké Weld, of New Jersey; Fannie W. Willard, of Pennsylvania; Mary H. L. Cabot, of Massachusetts; Mary White, of Connecticut; Mrs. E. O. Sampson Hoyt, of Wisconsin; Eliza W. Farnham, of California; Mrs. H. C. Ingersol, of Maine.

Secretaries.—Martha C. Wright, of New York, and Lucy N. Colman, of New York.

Business Committee.—Susan B. Anthony; Ernestine L. Rose, New York; Rev. Antoinette B. Blackwell, New Jersey; Amy Post, New York; Annie V. Mumford, Penn.

[42] See Appendix.

[43] *Resolved, 2.* That we heartily approve that part of the President's Proclamation which decrees freedom to the slaves of rebel masters, and we earnestly urge him to devise measures for emancipating all slaves throughout the country.

Resolved, 3. That the national pledge to the freedmen must be redeemed, and the integrity of the Government in making it vindicated, at whatever cost.

Resolved, 4. That while we welcome to legal freedom the recent slaves, we solemnly remonstrate against all State or National legislation which may exclude them from any locality, or debar them from any rights or privileges as free and equal citizens of a common Republic.

Resolved, 5. There never can be a true peace in this Republic until the civil and political rights of all citizens of African descent and all women are practically established.

Resolved, 7. That the women of the Revolution were not wanting in heroism and self-sacrifice, and we, their daughters, are ready in this war to pledge our time, our means, our talents, and our lives, if need be, to secure the final and complete consecration of America to freedom.

[44] The following is the abstract:

<i>State.</i>	<i>Men.</i>	<i>Women.</i>	<i>Total.</i>
New York	6,519	11,187	17,706
Illinois	6,382	8,998	15,380
Massachusetts	4,248	7,392	11,641
Pennsylvania	2,259	6,366	8,625
Ohio	3,676	4,654	8,330
Michigan	1,741	4,441	6,182
Iowa	2,025	4,014	6,039
Maine	1,225	4,362	5,587
Wisconsin	1,639	2,391	4,030
Indiana	1,075	2,591	3,666
New Hampshire	393	2,261	2,654

New Jersey	824	1,709	2,533
Rhode Island	827	1,451	2,278
Vermont	375	1,183	1,558
Connecticut	393	1,162	1,555
Minnesota	396	1,094	1,490
West Virginia	82	100	182
Maryland	115	50	165
Kansas	84	74	158
Delaware	67	70	137
Nebraska	13	20	33
Kentucky	21		21
Louisiana (New Orleans)		14	14
Citizens of the U. S. living in New Brunswick	19	17	36
	34,399	65,601	100,000

[45] The exact number of signatures, as ascertained by Senator Sumner's clerk was 265,314

[46] Behind Clara Barton stood Frances D. Gage and others aiding and encouraging her in the consummation of her plans; with Dorothea Dix in the Hospitals, the untiring labors of Abby Hopper Gibbons and Jane G. Swisshelm must not be forgotten. Three noble daughters, with hand and heart devoted to the work, made it possible for Josephine S. Griffing to accomplish what she did in the Freedman's Bureau. With Anna Dickinson stood hosts of women identified with the Anti-Slavery and the liberal republican movement; and behind the leaders of the National Woman's Loyal League stood 300,000 petitioners for freedom and equality to the black man, and the select body demanding the right of suffrage for woman, who thoroughly understood the genius of republican institutions.

[47] The facts that Miss Carroll planned the campaign on the Tennessee; that Dr. Elizabeth Blackwell originated the Sanitary movement; and that those Senators most active in carrying the measure for a Freedman's Bureau through Congress, intended that Mrs. Griffing should be its official head, are known only to the few behind the scenes, facts published now on the page of history for the first time.

CHAPTER XVII.

[Pg 90]

CONGRESSIONAL ACTION.

First petitions to Congress December, 1865, against the word "male" in the 14th Amendment—Joint resolutions before Congress—Messrs. Jenckes, Schenck, Broomall, and Stevens—Republicans protest in presenting petitions—The women seek aid of Democrats—James Brooks in the House of Representatives—Horace Greeley on the petitions—Caroline Healy Dall on Messrs. Jenckes and Schenck—The District of Columbia Suffrage bill—Senator Cowan, of Pennsylvania, moved to strike out the word "male"—A three days' debate in the Senate—The final vote nine in favor of Mr. Cowan's amendment, and thirty-seven against.

LIBERTY victorious over slavery on the battle-field had now more powerful enemies to encounter at Washington. The slave set free; the master conquered; the South desolate; the two races standing face to face, sharing alike the sad results of war, turned with appealing looks to the General Government, as if to say, "How stand we now?" "What next?" Questions, our statesmen, beset with dangers, fears for the nation's life, of party divisions, of personal defeat, were wholly unprepared to answer. The reconstruction of the South involved the reconsideration of the fundamental principles of our Government, and the natural rights of man. The nation's heart was thrilled with prolonged debates in Congress and State Legislatures, in the pulpits and public journals, and at every fireside on these vital questions, which took final shape in three historic amendments.

The first point, his emancipation, settled, the political status of the negro was next in order; and to this end various propositions were submitted to Congress. But to demand his enfranchisement on the broad principle of natural rights, was hedged about with difficulties, as the logical result of such action must be the enfranchisement of all ostracised classes; not only the white women of the entire country, but the slave women of the South. Though our Senators and Representatives had an honest aversion to any proscriptive legislation against loyal women, in view of their varied and self-sacrificing work during the war, yet the only way they could open the constitutional door just wide enough to let the black *man* pass in, was to introduce the word "male" into the national Constitution. After the generous devotion of such women as Anna Carroll and Anna Dickinson in sustaining the policy of the Republicans, both in peace and war, they felt it would come with an ill-grace from that party, to place new barriers in woman's path to freedom. But how could the amendment be written without the word "male"? was the question.

[Pg 91]

Robert Dale Owen, being at Washington and behind the scenes at the time, sent copies of the various bills to the officers of the Loyal League in New York, and related to them some of the amusing discussions. One of the Committee proposed "persons" instead of "males." "That will

never do," said another, "it would enfranchise all the Southern wenchers." "Suffrage for black men will be all the strain the Republican party can stand," said another. Charles Sumner said, years afterward, that he wrote over nineteen pages of foolscap to get rid of the word "male" and yet keep "negro suffrage" as a party measure intact; but it could not be done.

Miss Anthony and Mrs. Stanton, ever on the watch-tower for legislation affecting women, were the first to see the full significance of the word "male" in the 14th Amendment, and at once sounded the alarm, and sent out petitions^[48] for a constitutional amendment to "prohibit the States from disfranchising any of their citizens on the ground of sex."^[49]

[Pg 92]

Miss Anthony, who had spent the year in Kansas, started for New York the moment she saw the propositions before Congress to put the word "male" into the National Constitution, and made haste to rouse the women in the East to the fact that the time had come to begin vigorous work again for woman's enfranchisement.^[50] Mr. Tilton (December 27, 1865) proposed the formation of a National Equal Rights Society, demanding suffrage for black men and women alike, of which Wendell Phillips should be President, and the *National Anti-Slavery Standard* its organ. Mr. Beecher promised to give a lecture (January 30th) for the benefit of this universal suffrage movement. The *New York Independent* (Theodore Tilton, editor) gave the following timely and just rebuke of the proposed retrogressive legislation:

[Pg 93]

A LAW AGAINST WOMEN.

The spider-crab walks backward. Borrowing this creature's mossy legs, two or three gentlemen in Washington are seeking to fix these upon the Federal Constitution, to make that instrument walk backward in like style. For instance, the Constitution has never laid any legal disabilities upon woman. Whatever denials of rights it formerly made to our slaves, it denied nothing to our wives and daughters. The legal rights of an American woman—for instance, her right to her own property, as against a squandering husband; or her right to her own children, as against a malicious father—have grown, year by year, into a more generous and just statement in American laws. This beautiful result is owing in great measure to the persistent efforts of many noble women who, for years past, both publicly and privately, both by pen and speech, have appealed to legislative committees, and to the whole community, for an enlargement of the legal and civil status of their fellow-country women. Signal, honorable, and beneficent have been the works and words of Lucretia Mott, Lydia Maria Child, Paulina W. Davis, Abby Kelly Foster, Frances D. Gage, Lucy Stone, Caroline H. Dall, Antoinette Brown Blackwell, Susan B. Anthony, Elizabeth Cady Stanton, and many others. Not in all the land lives a poor woman, or a widow, who does not owe some portion of her present safety under the law to the brave exertions of these faithful laborers in a good cause.

Now, all forward-looking minds know that, sooner or later, the chief public question in this country will be woman's claim to the ballot. The Federal Constitution, as it now stands, leaves this question an open one for the several States to settle as they choose. Two bills, however, now lie before Congress proposing to array the fundamental law of the land against the multitude of American women by ordaining a denial of the political rights of a whole sex. To this injustice we object totally! Such an amendment is a snap judgment before discussion; it is an obstacle to future progress; it is a gratuitous bruise inflicted upon the most tender and humane sentiment that has ever entered into American politics. If the present Congress is not called to legislate *for* the rights of women, let it not legislate *against* them.

But Americans now live who shall not go down into the grave till they have left behind them a Republican Government; and no republic is Republican which denies to half its citizens those rights which the Declaration of Independence, and which a true Christian Democracy make equal to all. Meanwhile, let us break the legs of the spider-crab!

While the 13th Amendment was pending, Senator Sumner wrote many letters to the officers of the Loyal League, saying, "Send on the petitions; they give me opportunity for speech." "You are doing a noble work." "I am grateful to your Association for what you have done to arouse the country to insist on the extinction of slavery." And our petitions were sent again and again, 300,000 strong, and months after the measure was carried, they still rolled in from every quarter where the tracts and appeals had been scattered. But when the proposition for the 14th Amendment was pending, and the same women petitioned for their own civil and political rights, they received no letters of encouragement from Republicans nor Abolitionists; and now came some of the severest trials the women demanding the right of suffrage were ever called on to endure. Though loyal to the Government and the rights of the colored race, they found themselves in antagonism with all with whom they had heretofore sympathized. Though Unionists, Republicans, and Abolitionists, they could not without protest see themselves robbed of their birth-right as citizens of the republic by the proposed amendment. Republicans presented their petitions in a way to destroy their significance, as petitions for "universal suffrage," which to the public meant "manhood suffrage." Abolitionists refused to sign them, saying, "This is the negro's hour."^[51] Colored men themselves opposed us, saying, do not block our chance by lumbering the Republican party with Woman Suffrage.

[Pg 94]

[Pg 95]

The Democrats readily saw how completely the Republicans were stultifying themselves and violating every principle urged in the debates on the 13th Amendment, and volunteered to help the women fight their battle. The Republicans had declared again and again that suffrage was a natural right that belonged to every citizen that paid taxes and helped to support the State. They had declared that the ballot was the only weapon by which one class could protect itself against the aggressions of another. Charles Sumner had rounded out one of his eloquent periods, by saying, "The ballot is the Columbiad of our political life, and every citizen who holds it is a full-

armed monitor."

The Democrats had listened to all the glowing debates on these great principles of freedom until the argument was as familiar as a, b, c, and continually pressed the Republicans with their own weapons. Then those loyal women were taunted with having gone over to the Democrats and the Disunionists. But neither taunts nor persuasions moved them from their purpose to prevent, if possible, the introduction of the word "male" into the Federal Constitution, where it never had been before. They could not see the progress—in purging the Constitution of all invidious distinctions on the ground of color—while creating such distinctions for the first time in regard to sex.

In the face of all opposition they scattered their petitions broadcast, and in one session of Congress they rolled in upwards of ten thousand. The Democrats treated the petitioners with respect, and called attention in every way to the question.^[52] But even such Republicans as Charles Sumner presented them, if at all, under protest. A petition from Massachusetts, with the name of Lydia Maria Child at the head, was presented by the great Senator under protest as "most inopportune!" As if there could be a more fitting time for action than when the bills were pending.

[Pg 96]

[Pg 97]

During the morning hour of February 21st, Senator Henderson, of Missouri, presented a petition from New York.

[Pg 98]

SUFFRAGE FOR WOMEN.

MR. HENDERSON: I present the petition of Mrs. Gerrit Smith and twenty-seven other ladies of the United States, the most of them from the State of New York, praying that the right of suffrage be granted to women. Along with the petition I received a note, stating as follows:

I notice in the debates of to-day that Mr. Yates promises, at the "proper time" to tell you why the women of Illinois are not permitted to vote. To give you an opportunity to press him on this point I send you a petition, signed by twenty-eight intelligent women of this State, who are native-born Americans—read, write, and pay taxes, and now claim representation! I was surprised to-day to find Mr. Sumner presenting a petition, with an apology, from the women of the republic. After his definition of a true republic, and his lofty peans to "equal rights" and the ballot, one would hardly expect him to ignore the claims of fifteen million educated tax-payers, now taking their places by the side of man in art, science, literature, and government. I trust, sir, you will present this petition in a manner more creditable to yourself and respectful to those who desire to speak through you. Remember, the right of petition is our only right in the Government; and when three joint resolutions are before the House to introduce the word "male" into the Federal Constitution, "it is the proper time" for the women of the nation to be heard, Mr. Sumner to the contrary notwithstanding.

The right of petition is a sacred right, and whatever may be thought of giving the ballot to women, the right to ask it of the Government can not be denied them. I present this petition without any apology. Indeed, I present it with pleasure. It is respectful in its terms, and is signed by ladies occupying so high a place in the moral, social, and intellectual world, that it challenges at our hands, at least a respectful consideration. The distinguished Senators from Massachusetts and from Illinois must make their own defense against the assumed inconsistency of their position. They are abundantly able to give reasons for their faith in all things; whether they can give reasons satisfactory to the ladies in this case, I do not know. The Senators may possibly argue that if women vote at all, the right should not be exercised before the age of twenty-one; that they are generally married at or before that age, and that when married, they become, or ought to become, merged in their husbands; that the act of one must be regarded as the act of the other; that the good of society demands this unity for purposes of social order; that political differences should not be permitted to disturb the peace of a relation so sacred. The honorable Senators will be able to find authority for this position, not only in the common law, approved as it is by the wisdom and experience of ages, but in the declaration of the first man, on the occasion of the first marriage, when he said, "This is now bone of my bone and flesh of my flesh." It may be answered, however, that the wife, though one with her husband, at least constitutes his better half, and if the married man be entitled to but one vote, the unmarried man should be satisfied with less than half a vote. [Laughter]. Having some doubts, myself, whether beyond a certain age, to which I have not yet arrived, such a man should be entitled to a vote or even half a vote, I leave the difficulty to be settled by my friend from Massachusetts and the fair petitioners. The petitioners claim, that as we are proposing to enfranchise four million emancipated slaves, equal and impartial justice alike demands the suffrage for fifteen million women. At first view the proposition can scarcely be met with denial, yet reasons "thick as blackberries" and strong as truth itself may be urged in favor of the ballot in the one case, which can not be urged in the other.

[Pg 99]

MR. SAULSBURY: I rise to a point of order. My point of order is, that a man who has lived an old bachelor as long as the Senator from Missouri has, has no right to talk about women's rights. [Laughter].

The PRESIDENT *pro tem.*: The chair moves that is not a point of order; and the Senator from Missouri will proceed.

MR. HENDERSON: I had no idea that that was a point of order, sir. Whatever may be said theoretically about the elective franchise as a natural right, in practice at least, it has always been denied in the most liberal States to more than half the population. It is withheld from those whose crimes prove them devoid of respect for social order, and generally from those whose ignorance or imbecility unfits them for an intelligent appreciation of the duties of citizens and the blessings of good government. To women the suffrage has been denied in almost all Governments, not for the reasons just stated, but because it is wholly unnecessary as a means of their protection. In the government

of nature the weaker animals and insects, dependent on themselves for safety and life, are provided with means of defense. The bee has its sting and the despised serpent its deadly poison. So, in the Governments of men, the weak must be provided with power to inspire fear at least in the strong, if not to command their respect. Political power was claimed originally by the people as a means of protecting themselves against the usurpations of those in power, whose interests or caprices might lead to their oppression. Hence came the republican system. But it was never thought the interests or caprices of men could lead to a denial of the civil rights or social supremacy of woman. People of one race have always been unjust to those of another. The ignorant and sordid Jew despised the Samaritan and scoffed at the idea of his equality. To him the learned and accomplished Greek was a barbarian, and all rights were denied him except those simple rights accorded to the most degraded Gentile. Chinamen, to-day, believe as firmly in the superiority of the celestial race as Americans do in the superiority of the Anglo-Saxon. All races of men are unjust to other races. They are unjust because of pride. That very pride makes them just to the women of their own race. There may be men who have prejudice against race; they are less than men who have prejudice against sex. The social position of woman in the United States is such that no civil right can be denied her. The women here have entire charge of the social and moral world. Hence she must be educated. First impressions are those which bend the mind to noble or ignoble action, and these impressions are made by mothers. To have intelligent voters we must have intelligent mothers. To have free men we must have free women. The voter from this source receives his moral and intellectual training. Woman makes the voter, and should not descend from her lofty sphere to engage in the angry contests of her creatures. She makes statesmen, and her gentle influence, like the finger of the angel pointing to the path of duty, would be lost in the controversies of political strife. She makes the soldier, infuses courage and patriotism in his youthful heart, and hovers like an invisible spirit over the field of battle, urging him on to victory or death in defense of the right. Hence woman takes no musket to the battle-field. Here, as in politics, her personal presence would detract from her power. Galileo, Newton, and La Place could not fitly discuss the laws of planetary motion with ignorant rustics at a country inn. The learned divine who descends from the theological seminary to wrangle upon doctrinal points with the illiterate, stubborn teacher of a small country flock must lose half his influence for good. Our Government is built as our Capitol is built. The strong and brawny arms of men, like granite blocks, support its arches; but woman, lovely woman, the true goddess of Liberty, crowns its dome.

[Pg 100]

MR. YATES: I wish to ask the Senator from Missouri a question. I understand that he has introduced a resolution to amend the Constitution of the United States so that there shall be no distinction on account of color. Will the gentleman accept an amendment to that resolution that there shall be no distinction in regard to sex?

MR. HENDERSON: I have given my views, I think, very distinctly, as the Senator would have found if he had listened, in the latter part of what I have just stated in reference to the question of voting. In reply to what he has said, I will say that I do not think that on the mere presentation of a petition it is in order to discuss the merits of the petition. I hope, therefore, that the Senator will not insist upon entering into a question of that sort now.

MR. YATES: I shall not do so. I only wish to say that I am not proposing to amend the Constitution. I simply desire to give rights to those who have rights under the Constitution as it has been amended. When I propose to amend the Constitution then the question will come up whether I will allow women to vote or not.

MR. SUMNER: Before this petition passes out of sight I wish to make one observation, and only one. The Senator from Missouri began by an allusion to myself and to a remark which fell from me when I presented the other day a petition from women of the United States praying for the ballot. I took occasion then to remark that in my opinion the petition at that time was not judicious. That was all that I said. I did not undertake to express my opinion on the great question whether women should vote or should not vote. I did venture to say that in my opinion it was not judicious for them at this moment to bring forward their claims so as to compromise in any way the great question of equal rights for an enfranchised race now before Congress. The Senator has quoted a letter suggesting that I did not present the petition in a creditable way. I have now to felicitate my excellent friend on the creditable way in which he has performed his duty. [Laughter].

MR. YATES: Allow me to say that I think the two gentlemen, one of whom has arrived at the age of forty-nine and the other sixty-three, have no right to discuss the question of women's rights in the Senate. [Laughter].

THE PRESIDENT *pro tem.*: Will the Senator from Missouri suggest the disposition he wishes made of this petition?

[Pg 101]

MR. HENDERSON: Let it lie on the table.

THE PRESIDENT *pro tem.*: That order will be made.

The wriggling, the twisting, the squirming of the Republicans at this crisis under the double fire of the Democrats and the women, would have been laughable, had not their proposed action been so outrageously unjust and ungrateful. The tone of the Republican press^[53] was stale, flat, and unprofitable. But while their journals were thus unsparing in their ridicule and criticism of the loyal women who had proved themselves so patriotic and self-sacrificing, they would grant them no space in their columns to reply.^[54]

[Pg 102]

The second session of the Thirty-ninth Congress is memorable for an able debate in the Senate on the enfranchisement of woman, on the bill^[55] "to regulate the franchise in the District of Columbia," which proposed extending the suffrage to the "males" of the colored race. On Monday, December 10, 1866, Senator Cowan, of Pennsylvania, moved to amend the amendment by striking out the word "male" before the word person. This debate in the Senate lasted three entire days, and during that time the comments of the press were as varied as they were

[Pg 103]

multitudinous. Even Horace Greeley,^[56] who had ever been a true friend to woman, in favor of all her rights, industrial, educational, and political, said the time had not yet come for her enfranchisement.

From *The Congressional Globe* of December 11th, 12th, 13th, 1866, we give the debates on Mr. Cowan's amendment. In moving to drop the word "male" from the District of Columbia Suffrage bill, he said:

MR. PRESIDENT: It is very well known that I have always heretofore been opposed to any change of the kind contemplated by this bill; but while opposing that change I have uniformly asserted that if it became inevitable, if the change was certain, I should insist upon this change as an accompaniment. It is agreed—for I suppose when my honorable friend from Rhode Island [Mr. Anthony] and myself agree to it, it will be taken to be the universal sentiment of the body—that the right of suffrage is not a natural right, but a conventional right, and that it may be limited by the community, the body-politic, in any manner they see fit and consistent with their sense of propriety and safety.

[Pg 104]

The proposition now before the Senate is to confer on the colored people of this District the right of franchise; that is, the advocates of the bill say that that will be safe and prudent and proper, and will contribute, of course, to the happiness of the mass of the inhabitants of the District; and they further say that no reason can be given why a man of one color should not vote as well as a man of another color, especially when both are equally members of the same society, equally subjected to its burdens, equally to be called upon to defend it in the field, and all that. I agree to a great portion of that. I do not know and never did know any very good reason why a black man should not vote as well as a white man, except simply that all the white men said, "We do not like it." I do not know of any very good reason why a black woman should not marry a white man, but I suppose the white man would give about the same reason, he does not like to do it. There are certain things in which we do not like to go into partnership with the people of different races and between whom and ourselves there are tribal antipathies. It is now proposed to break down that barrier, so far as political power may be concerned, and admit both equally to share in this privilege; and since the barrier is to be broken down, and since there is to be a change, I desire another change, for which I think there is quite as good a reason, and a little better, perhaps, than that offered for this. I propose to extend this privilege not only to males, but to females as well; and I should like to hear even the most astute and learned Senator upon this floor give any better reason for the exclusion of females from the right of suffrage than there is for the exclusion of negroes. I want to hear that reason. I should like to know it.

Now, for my part, I very much prefer, if the franchise is to be widened, if more people are to be admitted to the exercise of it, to allow females to participate than I would negroes; but certainly I shall never give my consent to the disfranchisement of females who live in society, who pay taxes, who are governed by the laws, and who have a right, I think, even in that respect, at times to throw their weight in the balance for the purpose of correcting the corruptions and the viciousness to which the male portions of the family tend. I think they have a right to throw their influence into the scale; and I should like to hear any reason to be offered why this should not be. Taxation and representation ought to go hand in hand. That we have heard here until all ears have been wearied with it. If taxation and representation are to go hand in hand, why should they not go hand in hand with regard to the female as well as the male? Is there any reason why Mrs. Smith should be governed by a goat-head of a mayor any more than John Smith, if he could correct it? He is paid by taxes levied and assessed on her property just in the same way as he is paid out of taxes levied on the property of John. If she commits an offense she is subjected to be tried, convicted, and punished by the other sex alone; and she has no protection whatever in any way either as to her property, her person, or to her liberty very often. There is another thing, too. A great many reflections have been made upon the white race keeping the black in slavery. I should like to know whether we have not partially kept the female sex in a condition of slavery, particularly that part of them who labor for a living? I do not know of any reason in the world why a woman should be confined to two dollars a week when a man gets two dollars a day and does not do any more work than she does, and does not do that which he does do quite so well at all times.

[Pg 105]

Mr. President, if we are to venture upon this wide sea of universal suffrage, I object to manhood suffrage. I do not know anything specially about manhood which dedicates it to this purpose more than exists about womanhood. Womanhood to me is rather the more exalted of the two. It is purer; it is higher; it is holier; and it is not purchasable at the same price that the other is, in my judgment. If you want to widen the franchise so as to purify your ballot-box, throw the virtue of the country into it; throw the temperance of the country into it; throw the purity of the country into it; throw the angel element, if I may so express myself, into it. [Laughter]. Let there be as little diabolism as possible, but as much of the divinity as you can get. Therefore, Mr. President, I put this as a serious question for the consideration of this body. In the presence of the tendencies of the age and in recognition of this movement, which my honorable friend from Massachusetts is always talking about, and of which he seems to have had premonition long before it came to any of the rest of us—I say in the face of this movement and in recognition of it, I earnestly beg all patriots here to think of this proposition. It is inevitable. How are you to resist when it is made the demand of fifteen million American females for this right, which can be granted and which can be as safely exercised in their hands as it can in the hands of negroes? And I would ask gentlemen while they are bestowing this ballot which has such merit in it, which has such a healing efficacy for all ills, which educates people, and which elevates them above the common level of mankind, and which, above all, protects them, how they will go home and look in the face their sewing women, their laboring women, their single women, their taxed women, their overburdened women, their women who toil till midnight for the barest subsistence, and say to them, "We have it not for you; we could give it to the negro, but we could not give it to you."

How would the honorable Senator from Massachusetts face the recent meeting of the Equal Rights Society in Philadelphia? How would he answer the potent arguments which were offered there and which challenge an answer even from the Senate of the United States, when made by women of the highest intellect, perhaps, on the planet, and women who are determined, knowing their rights, to

maintain them and to secure them? I ask honorable Senators of his faith how they are to answer those ladies there? If this is refused, how are Senators to answer, especially those who recognize the onward force of this movement, who are up to the tendencies of the times, who desire to keep themselves in front of the great army of humanity which is marching forward just as certainly to universal suffrage as to universal manhood suffrage. Therefore, Mr. President, I offer this amendment and ask for the yeas and nays upon it.

The yeas and nays were ordered.

Mr. ANTHONY: I move that the Senate do now adjourn. ["Oh, no!"]

Mr. WILSON: I hope not.

The PRESIDENT *pro tem.*: The motion is not debatable and must be put unless withdrawn.

The motion was agreed to; and the Senate adjourned.

SUFFRAGE IN THE DISTRICT.

IN SENATE, TUESDAY, Dec. 11, 1866.

The PRESIDENT *pro tempore*: If there be no further morning business, and no motion is interposed, the chair, although the morning hour has not expired, will call up the unfinished business, which is the bill (S, No. 1) to regulate the elective franchise in the District of Columbia, the pending question being on the amendment of the Senator from Pennsylvania [Mr. Cowan] to strike out the word "male" before the word "person" in the second line of the first section of the amendment, reported by the Committee on the District of Columbia as a substitute for the original bill.

Mr. ANTHONY: I suppose the Senator from Pennsylvania introduced this amendment rather as a satire upon the bill itself, or if he had any serious intention it was only a mischievous one to injure the bill; but it will not probably have that effect, for I suppose nobody will vote for it except the Senator himself, who can hardly avoid it, and I, who shall vote for it because it accords with a conclusion to which I have been brought by considerable study upon the subject of suffrage. I do not contend for female suffrage on the ground that it is a natural right, because I believe that suffrage is a right derived from society, and that society is competent to impose upon the exercise of that right whatever conditions it chooses. I hold that the suffrage is a delegated trust—a trust delegated to certain designated classes of society—and that the whole body-politic has the same right to withdraw any part of that trust, that we have to withdraw any part of the powers or the trusts that we have imposed upon any executive officer, and that it is no more a punishment to restrict the suffrage, and thereby deprive certain persons of the exercise of that right who have heretofore exercised it, than it is a punishment on the Secretary of the Treasury if we should take from him the appointment of certain persons whose appointment is now vested in him. The power that confers in each case has the right to withdraw.

The true basis of suffrage, of course, is intelligence and virtue; but as we can not define those, as we can not draw the line that shall mark the amount of intelligence and virtue that any individual possesses, we come as near as we can to it by imperfect conditions. It certainly will not be contended that the feminine part of mankind are so much below the masculine in point of intelligence as to disqualify them from exercising the right of suffrage on that account. If it be asserted and conceded that the feminine intellect is less vigorous, it must also be allowed that it is more acute; if it is not so strong to strike, it is quicker to perceive. But at all events, it will not be contended that there is such a difference in the intellectual capacity of the sexes as that that alone should be a disqualification from the exercise of the right of suffrage. Still less will it be contended that the female part of creation is less virtuous than the masculine. On the contrary, it will be conceded by every one that morality and good order, religion, charity, and all good works appertain rather more to the feminine than to the masculine race.

The argument that women do not want to vote is no argument at all, because if the right to vote is conferred upon them they can exercise it or not, as they choose. It is not a compulsory exercise of power on their part. But I think that argument is partly disproved by the Convention to which the Senator from Pennsylvania referred yesterday, whose arguments he said were worthy of consideration even in this Chamber. I think they are, and I think it would be very difficult for any one in this Chamber to disprove them. Nor is it a fair statement of the case to say that the man represents the woman in the exercise of suffrage, because it is an assumption on the part of the man; it is an involuntary representation so far as the woman is concerned. Representation implies a certain delegated power, and a certain responsibility on the part of the representative toward the party represented. A representation to which the represented party does not assent is no representation at all, but is adding insult to injury. When the American Colonies complained that they ought not to be taxed unless they were represented in the British Parliament, it would have been rather a singular answer to tell them that they were represented by Lord North, or even by the Earl of Chatham. The gentlemen on the other side of the Chamber who say that the States lately in rebellion are entitled to immediate representation in this Chamber would hardly be satisfied if we should tell them that my friend from Massachusetts represented South Carolina, and my friend from Michigan represented Alabama. They would hardly be satisfied, I think, with that kind of representation.

Nor have we any more right to assume that the women are satisfied with the representation of the men. Where has been the assembly at which this right of representation was conferred? Where was the compact made? What were the conditions? It is wholly an assumption. A woman is a member of a manufacturing corporation; she is a stockholder in a bank; she is a shareholder in a railroad company; she attends all those meetings in person or by proxy, and she votes, and her vote is received. Suppose a woman offering to vote at a meeting of a railroad corporation should be told by one of the men "we represent you, you can not vote," it would be precisely the argument that is now used—that men represent the women in the exercise of the elective franchise. A woman pays a large tax, and the man who drives her coach, the man who waits upon her table, goes to the polls and

decides how much of her property shall go to support the public expenses, and what shall be done with it. She has no voice in the matter whatever; she is taxed without representation.

[Pg 108]

The exercise of political power by women is by no means an experiment. There is hardly a country in Europe—I do not think there is any one—that has not at some time of its history been governed by a woman, and many of them very well governed too. There have been at least three empresses of Russia since Peter the Great, and two of them were very wise rulers. Elizabeth raised England to the very height of greatness, and the reign of Anne was illustrious in arms and not less illustrious in letters. A female sovereign supplied to Columbus the means of discovering this country. He wandered foot-sore and weary from court to court, from convent to convent, from one potentate to another, but no man on a throne listened to him, until a female sovereign pledged her jewels to fit out the expedition which "gave a new world to the kingdoms of Castile and Leon." Nor need we cite Anne of Austria, who governed France for ten years, or Marie Theresa, whose reign was so great and glorious. We have two modern instances. A woman is now on the throne of Spain, and a woman sits upon the throne of the mightiest empire in the world. A woman is the high admiral of the most powerful fleet that rests upon the seas. Princes and nobles bow to her, not in the mere homage of gallantry, but as the representative of a sovereignty which has descended to her from a long line of sovereigns, some of the most illustrious of them of her own sex. And shall we say that a woman may properly command an army, and yet can not vote for a Common Councilman in the city of Washington? I know very well this discussion is idle and of no effect, and I am not going to pursue it. I should not have introduced this question, but as it has been introduced, and I intend to vote for the amendment, I desire to declare here that I shall vote for it in all seriousness, because I think it is right. The discussion of this subject is not confined to visionary enthusiasts. It is now attracting the attention of some of the best thinkers in the world, both in this country and in Europe, and one of the very best of them all, John Stuart Mill, in a most elaborate and able paper, has declared his conviction of the right and justice of female suffrage. The time has not come for it, but the time is coming. It is coming with the progress of civilization and the general amelioration of the race, and the triumph of truth and justice and equal rights.

Mr. WILLIAMS: Mr. President, to extend the right of suffrage to the negroes in this country I think is necessary for their protection; but to extend the right of suffrage to women, in my judgment, is not necessary for their protection. For that reason, as well as for others, I shall vote against the amendment proposed by the Senator from Pennsylvania, and for the amendment as it was originally introduced by the Senator from Ohio [Mr. Wade]. Negroes in the United States have been enslaved since the formation of the Government. Degradation and ignorance have been their portion; intelligence has been denied to them; they have been proscribed on account of their color; there is a bitter and cruel prejudice against them everywhere, and a large minority of the people of this country to-day, if they had the power, would deprive them of all political and civil rights and reduce them to a state of abject servitude. Women have not been enslaved. Intelligence has not been denied to them; they have not been degraded; there is no prejudice against them on account of their sex; but, on the contrary, if they deserve to be, they are respected, honored, and loved. Wide as the poles apart are the conditions of these two classes of persons. Exceptions I know there are to all rules; but, as a general proposition, it is true that the sons defend and protect the reputation and rights of their mothers; husbands defend and protect the reputation and rights of their wives; brothers defend and protect the reputation and rights of their sisters; and to honor, cherish, and love the women of this country is the pride and the glory of its sons.

[Pg 109]

When women ask Congress to extend to them the right of suffrage it will be proper to consider their claims. Not one in a thousand of them at this time wants any such thing, and would not exercise the power if it were granted to them. Some few who are seeking notoriety make a feeble clamor for the right of suffrage, but they do not represent the sex to which they belong, or I am mistaken as to the modesty and delicacy which constitute the chief attraction of the sex. Do our intelligent and refined women desire to plunge into the vortex of political excitement and agitation? Would that policy in any way conduce to their peace, their purity, and their happiness? Sir, it has been said that "the hand that rocks the cradle rules the world"; and there is truth as well as beauty in that expression. Women in this country, by their elevated social position, can exercise more influence upon public affairs than they could coerce by the use of the ballot. When God married our first parents in the garden, according to that ordinance they were made "bone of one bone and flesh of one flesh"; and the whole theory of government and society proceeds upon the assumption that their interests are one, that their relations are so intimate and tender that whatever is for the benefit of the one is for the benefit of the other; whatever works to the injury of the one works to the injury of the other. I say, sir, that the more identical and inseparable these interests and relations can be made, the better for all concerned; and the woman who undertakes to put her sex in an antagonistic position to man, who undertakes by the use of some independent political power to contend and fight against man, displays a spirit which would, if able, convert all the now harmonious elements of society into a state of war, and make every home a hell upon earth. Women do not bear their proportion and share, they can not bear their proportion and share of the public burdens. Men represent them in the Army and in the Navy; men represent them at the polls and in the affairs of the Government; and though it be true that individual women do own property that is taxed, yet nine-tenths of the property and the business from which the revenues of the Government are derived are in the hands and belong to and are controlled by the men. Sir, when the women of this country come to be sailors and soldiers; when they come to navigate the ocean and to follow the plow; when they love to be jostled and crowded by all sorts of men in the thoroughfares of trade and business; when they love the treachery and the turmoil of politics; when they love the dissoluteness of the camp and the smoke and the thunder and the blood of battle better than they love the enjoyments of home and family, then it will be time to talk about making the women voters; but until that time the question is not fairly before the country.

[Pg 110]

Mr. COWAN: Mr. President, I had not intended to say anything on this subject beyond what I offered to the Senate yesterday evening, and I should not do so if it were not for the suggestion of a friend, and I am glad to say a friend who believes as I do, that it is the general supposition that I am not serious and not in earnest in the amendment which I have moved; and I only rise now for the purpose of disabusing the minds of Senators and others from any impression they may have had of that sort.

I am perfectly free to admit that I have always been opposed to change. I do not know why it is. Whether I have felt myself old or not, I have not ranged myself in the category of "old fogies" as yet. Although I feel an indisposition to exchange the "ills we suffer" for "those we know not of," and am not desirous to launch myself away from that which is ascertained and certain, and adventure myself upon a sea of experiment, at the same time I feel as much of that strength, that elasticity, that vigor, and that desire for the advancement of my race, my countrymen, and my kind as anybody can feel. I yield to no one in that respect. All I have asked, and all I have desired heretofore, is that we go surely. I believe with my fathers and my ancestors that to base suffrage upon the white males of twenty-one years of age and upward was a great stride in the world's affairs; that it would be well for the world if its government could progress, could advance upon that basis, and that all the rest of the world who did not happen to be white males of the age of twenty-one years and upward could very well afford to stand back and witness the effect of our experiment. I was of that opinion, I lived in the light of it, and I rejoiced in its success; and when I saw this Rebellion, when I witnessed the differences of opinion which convulsed this part of the Continent; when I saw the fact that one-half of the United States was upon the one side and the other half upon the other side as to the understanding of the true theory of this Government of ours, simple as it may be to the lawyer, complex as it may be when examined more thoroughly, I was more than ever disinclined to widen the suffrage, to intrust the franchise to a larger number of people. I trembled for the success of the experiment; I hesitated as to where it would end. I may say, Mr. President, that I hesitate yet. The question is by no means settled, the difficulty is by no means ended, the controversy is by no means yet concluded.

But the first step taken, from the very initiative of that step, I have announced my ground and my determination. When a bill was up here before, proposing to enlarge and widen the franchise in this District, I stated that if negroes were to vote I would persist in opening the door to females. I said that if the thing were to be taken away from the feudal realms and from feudal reasons, which went on the idea that the man who bore arms, and he alone, was entitled to the exercise of political power, and if it was to be put upon the ground of logic, and if we were to be asked to give a reason for it, and if we were to be compelled to give that reason, I said then, and I say now, "If I have no reason to offer why a negro man shall not vote, I have no reason to offer why a white woman shall not vote." If the negro man is interested in the Government of the country, if he can not trust to the masses of the people that the Government shall be a fair and just Government and that it shall do right to him, then the woman is also interested that this Government shall be fair to woman and fair to the interests of woman. Why not, Mr. President? Are not these interests equal to those of the negro and of his race? I know it has been said that the woman is represented by her husband, represented by the male; and yet we know how she has been represented by her husband in bygone times; we know how she is represented by her barbarian husband; and let him who wants to know how she is represented by her civilized husband go to her speeches made in the recent Woman's Rights Convention. We know how she has been represented by her barbarian husband in the past and is even at the present. She bears his burdens, she bears his children, she nurses them, she does his work, she chops his wood, and she grinds his corn; while he, forsooth, by virtue of this patent of nobility that he has derived, in consequence of his masculinity, from Heaven, confines himself to the manly occupations of hunting and fishing and war.

[Pg 111]

I should like to hear my honorable friend from Maine [Mr. Morrill], so apt, so pertinent, so eloquent on all questions, discourse upon the title which the male derives in consequence of the fact that he has been a fisher and a hunter and a warrior all the time; and then I should like to know how he would discriminate between that fisher and hunter and warrior, and those Amazons who burnt their right breasts in order that they might the more readily draw the bow and against whose onset no troops of that day were able to stand. I should also like to know from him how it was that the female veterans of the army of Dahomey recently, within the last three or four years, in the face of an escarpment that would have made European veterans, aye, and I might say American veterans tremble, scrambled over that escarpment and carried the city sword in hand.

Now, Mr. President, it is time that we look at these things; and that we look them full in the face. I am always glad and willing to stand upon institutions that have been established in the past; that have been sanctified by time; that have given to men liberty and protection with which they were satisfied. But, sir, when the time comes that we are to make a step forward, then another and different question arises. I am utterly astonished at my honorable friend from Rhode Island who doubted my sincerity in this movement. Why should I not be sincere? Have I not as many interests at stake as he has?

My honorable friend from Oregon [Mr. Williams] thinks this is entirely preposterous. I have no doubt he does, and I give him all credit for honesty and sincerity in the remarks that he has made; but the trouble with him is, and with a great many others—perhaps it is with myself upon some subjects—is that he directs his gaze too long upon a particular point. It is remarkable that when a man who looks long and steadily upon one subject to the exclusion of every other, that subject at last becomes to him the universe itself. I have met fellow-politicians fellow-Senators, and fellow-coworkers in the great battle of life, who really had so long contemplated one subject that it was not within their capacity to see any others.

[Pg 112]

But it unfortunately happens that in this world there are others besides the negro who suffer. When you have told of the injuries and outrages which prevail on the earth in regard to the negro you have not finished. Another, and in my judgment a much more important personage, comes upon the scene; she lifts the curtain and reveals to you a new drama, and she tells you distinctly that you have not only been tyrannizing over your brother, your sable brother, your brother at the other end of the national antipodes, your troublesome antipathic brother; you have not only been drenching the earth from the East to the far West with the blood of savages of a different color from yours; you have not only left your blood-stained marks in Japan, in China, in the East Indies, everywhere, and in the West, where one of your Christian bishops boasted that six million Mexicans at one time had been sacrificed, and what for? To make them Christians; to make the rest Christians after the six millions had gone. I say this new personage who makes her appearance upon the drama of human affairs informs you that you and your religion, under the conduct of the male, generative, fecundative principle of the sex, have filled the world with blood from one end to the other of it.

What for? To give her liberty. She complains to-day; she complains in your most intelligent high places; she complains in your most refined cities; she complains in your halls decorated with a more than Grecian beauty of architecture; she complains where all of past civilization, all of past adornment, and all of past education comes down to satisfy us that we stand upon the very acmé of human progress; she complains that you have been tyrant to her. Mr. President, let me read from the proceedings of the Twenty-ninth Annual Meeting of the Pennsylvania Anti-Slavery Society. I propose to read from the remarks of Mrs. Gage, a woman, a lady, a lady of brain and intellect, of courage and force; and whether I am in earnest or not, whether I may be charged with being serious or not, no man dare charge Mrs. Gage with not being serious. Mrs. Frances D. Gage said: "I have read speeches and heard a great deal said about the right of suffrage for the freedmen." So have we all, Mr. President; and the probability is that we have been even more afflicted if that can be said to be a punishment, and there is very great difficulty now to ascertain what is punishment in this world. If that can be said to be a punishment, I think this Senate can with at least equal propriety with Mrs. Gage, complain of its extraordinary infliction upon them without any previous trial and conviction. [Laughter]. "What does it mean? Does it mean the male freedman only, or does it mean the freedwoman also? I was glad to hear the voice of Miss Anthony in behalf of her sex." I am glad, Mr. President, that we have a male of that name in this body who emulates the virtues of his more humble sister [laughter], and stands up equally here for the broad rights of humanity as she does. "I know it is said that this is bringing in a new issue." Yes, that is what was said about me yesterday evening. Gentlemen said it was a new issue; we had not talked about this thing here before; nobody had thought about it. Why had nobody thought about it? Because nobody was thinking about the actual, real sufferings which human beings were subjected to in this world. Persons thought about such things just in proportion as they reflected themselves upon their future political career. If it became necessary, in order to elect a dozen Senators to this body this winter, that the women should be treated as women ought to be treated, that they should be put upon an equal footing with the men in all respects and enjoy equal rights with men, then I should have great hopes of carrying my amendment, and carrying it in spite of everybody, because then and in that light it would be seen by Senators, and they would be thereby guided. "I know it is said that this is bringing in a new issue. We must bring in new issues."

[Pg 113]

Now, I want to know what the honorable Senator from Massachusetts [Mr. Wilson] will say when he finds me advocating this new issue that must be brought in while he lags behind. My honorable friend from Delaware [Mr. Saulsbury] will have immensely more the advantage of him to-day than he had yesterday if he dares lag, because I put the question to him now distinctly, and I do not leave it to his sense of propriety as to whether he shall speak or not speak on this question; I demand that he do speak. I demand that that voice which has been so potential, that voice which has had so much of solemn, I do not say sepulchral wisdom in it heretofore, shall now be heard on the one side or the other of this important question, which involves the fate, the destiny, the liberty of one-half of the people who inhabit this Continent. I know from the generous upswelling of the bosom, which I almost perceive from here in my brother, that he will respond to this sentiment, and make a response of which his State and her progress, having two negroes in the Legislature now [laughter], will be proud. I feel assured of it, and I feel that when suffering humanity in any shape or form, whether it be male or female, whether it be black or white, red or yellow, appeals to him, the appeal will not be in vain, but that he will come to the rescue, and that he will strike the shield of the foremost knight on the other side and defy him to the combat.

"We must [said Mrs. Gage]^[57] bring in new issues. I sat in the Senate Chamber last winter."

And now I beg pardon of my honorable friend from Massachusetts, the other Senator from Massachusetts [Mr. Sumner], for any offence that I may do to his modesty; but when I come to consider the recent change which has taken place in his life and habits, I am the better assured that he will endure it. At any other time I should not have dared to introduce this quotation: "I sat in the Senate Chamber last winter [said Mrs. Gage. Last winter, remember] "and heard Charles Sumner's grand speech, which the whole country applauded."

And Mr. President, they did, too, and they did it properly. It was a great, a grand, and a glorious speech; it was the ultimate of all speeches in that direction; and I too applauded with the country, although I too might not have agreed with every part of the speech. I might not have agreed with the speech in general, but it was a great, grand, proud, high, and intellectual effort, at which every American might applaud, and I pardon Mrs. Gage for the manner in which she speaks of it. She has not excelled me in the tribute which I offer here to the honorable Senator from Massachusetts, and which I am glad to lay at his feet: "I sat in the Senate Chamber last winter, and heard Charles Sumner's grand speech which the whole country applauded; and I heard him declare that taxation without representation was tyranny to the freedman."

[Pg 114]

That was the ring of that speech; that was its key-note; it was the same key-note which stirred his forefathers in 1776; it was the same bugle-blast which called them to the field of Lexington and Bunker Hill ninety years ago; and it is no wonder that Mrs. Gage picks that out as being the residuum, that which was left upon her ear of substance after the music of the honorable Senator's tones had died away, after the brilliancy of his metaphors had faded, after the light which always encircles him upon this subject had gone away. It is no wonder that all that remained of it was that taxation without representation was tyranny. Let me commend it to the honorable Senator, with his keen eye, his good taste, his appreciation of that which is effective, and that which strikes the American heart to the core; let me commend it to him who desires to be the idol of that heart.

"When"—Now, Mr. President, *sic transit gloria mundi*. "When I afterwards found that he meant only freedom for the male sex, I learned that Charles Sumner fell far short of the great idea of liberty."

All this outpouring, all this magnificent burst of eloquence, all this eclectic combination drawn from all the quarters of the earth, all the sublime talk about the ballot, was merely meant for the question of trousers and petticoats? "Tyranny to the male sex," says Mrs. Gage, and now she goes on, and this right to the point. The proposition here is to give to the male freedman a vote and to ignore the female freedwoman, to be tautological: "I know something of the freedwomen South. Maria—I do not know that she had any other name—when liberated from slavery at Beaufort went to work, and

before the year was out she had laid up \$1,000."

That is a magnificent Maria, that is a practical Maria. She puts Sterne's Maria and all other Marias, except Ave Maria, in the shade. [Laughter].

"I never heard of any southern white making \$1,000 in a year down there. Shall Maria pay a tax and have no voice?" Shall Maria pay a tax and have no voice where the principle is admitted, where the principle is thundered forth, where it is axiomatic, where none dare gainsay it, that taxation without representation is tyranny? "Shall Maria pay a tax and have no voice?" That is the question. That, Mr. President, is the question before the Senate.

"Old Betty"—There is not so much of the classic, not so much of the euphonious, not so much of the *salva rosa* about Betty as about Maria—"Old Betty, while under my charge, cleared more than that amount free from taxation, and I presume is worth \$3,000 to-day."

Think of Betty! "Is she to be taxed in South Carolina to support the aristocracy?" Betty lives in South Carolina, it seems. "Will you be just, or will you be partial to the end of time!"

[Pg 115]

The marriage relation was alluded to by Mrs. Gage.

And here is a most important part, to which I would direct the attention of my brother Senators as fundamental in two respects—fundamental in the testimony it furnishes of the character of those you now propose to invest with the right of suffrage, fundamental in its character as to the use which they will make of it as to one-half of the people who are in this bill presumed to be the objects of your especial care. The marriage relation was alluded to by Mrs. Gage. "When the positive order was sent to me to compel the marriage of the colored people living together, the women came to me with tears, and said, 'We don't want to be married in the church, because when we are married in the church our husbands treat us just as old massa used to, and whip us if they think we deserve it; but when we ain't married in the church they knows if they tyrannize over us we go and leff 'em.'"

That is the class of male, gentlemen, to whom you propose to give suffrage. These poor women who have to be whipped if the males think they deserve it, are the people to whom you deny it. These are the gentlemen who are to fabricate and make your laws of marriage, who are to fix the causes of divorce in these several States. These are the men, in other words, who are to enact, if it so please them, that upon the marriage the husband becomes seized of all his wife's property, of the personality absolute and the realty as tenant by courtesy; or perhaps they will have no courtesy about it—and I should not wonder if they had not—and give it to him in fee.

"And the men"—I beg the Senate to remember that I am reading the testimony of Mrs. Gage; unexceptionable testimony: "And the men came to me and said: 'We want you to compel them to be married, for we can't manage them unless you do.'"

I am not certain whether they can always be managed even after they are married. [Laughter]. But this is worse a great deal than before: "They goes and earns just as much money as we does, and then they goes and spends it, and never asks no questions. Now we wants 'em married in the church, 'cause when they's married in the church we makes em mind.' So in San Domingo establishing the laws of marriage made tyranny for these redeemed slave women."

Mrs. Gage continues: "I would not say one word against marriage, God forbid. It is the noblest institution we have in this country. But let it be a marriage of equality. Let the man and woman stand as equals before the law. Let the freedwoman of the South own the money she earns by her own labor, and give her the right of suffrage; for she knows as much as the freedman. Bring in these elements, and you will achieve a success. But I will stand firmly and determinedly against the oppression that puts the newly emancipated colored woman of South Carolina under subjection to her husband required by the marriage laws of South Carolina. I demand equality on behalf of the freedwoman as well as the freedman."

I might follow Mrs. Gage further; I might detain the Senate here hour after hour reading extracts from the various speeches and essays which have been delivered and made upon this subject within the last few years, and I may again make the challenge which I made yesterday. Let us have a reason why these are not potent to influence our action. Let us be told wherein the object of this argument is defective. Let us be shown why it is, if these things are rights, natural or conventional, that those who have interests are not to participate in them.

[Pg 116]

I listened to the eloquent and ingenious remarks of my honorable friend from Maine [Mr. Morrill]—old, time-worn, belonging to the region of paleontology, far behind the carboniferous era. I would not undertake to go back there and answer them. All I can do with them is to refer them to the next meeting of the Equal Rights Society, which more than likely will meet in Albany or Boston the next time. There they will be attended to, and there they will be answered in such satisfactory phrase, I have no doubt, as would pale any poor effort of mine in the attempt. I have also listened to my honorable friend from Oregon [Mr. Williams], and still there are the same ancient foot-prints, the same old arguments, the same things that satisfied men thousands of years ago, and which never did satisfy any woman that I know of, the same traveling continually of the tracks of the lion into the cave along with his victim, and *nulla retrorsum vestigia*, not a step ever came back. But let me say to my friends that Mrs. Elizabeth Cady Stanton, Mrs. Frances D. Gage, Miss Susan B. Anthony, are upon your heels. They have their banner flung out to the winds; they are after you; and their cry is for justice, and you can not deny it. To deny is to deny the perpetuity of your race.

Now, Mr. President, in regard to this District and this city, here is a fair proposition. It proposes to confer upon all persons above the age of twenty-one years the right to participate in the city government. Is any one afraid of it? Is my honorable friend from Maine afraid of it? He says it shall be confined to the males. He and my friend from Oregon have gone on to tell you that the white males of this city are in a very bad condition; indeed, some of them in such a terrible condition that we are called upon to pass a bill of attainder, or a bill of pains and penalties, and a little *ex post facto* law in order to reach their tergiversations and perverseness. If that be true, why not

incorporate some other element? I do not know much about the female portion of the negroes of this District except what I have seen, and I must confess that although there are a great many respectable persons among the negroes, and many for whom I have considerable regard, yet as a mass they have not impressed me as being a very high style of human development.

When I look along the pavements and about the walks and see them lounging, I am free to say that, without having been previously enlightened on the subject by so much as we have heard upon it recently, I should have had great doubts about conferring on them the right of suffrage. And when I reflect that they have a Freedmen's Bureau to make their contracts for them and to keep them in order, and, it is said, to protect them against the enmity of their white neighbors, even where they have a majority, or nearly a majority, I am not strengthened in my partiality for them by that. And when I reflect that just about this time last year we had great hesitation about adjourning, for fear that the people represented by these males who are now to be invested with the franchise were in an actually starving condition in this District, and that the chief authorities of the District, moved, I have no doubt, by that humanity which ought to characterize them everywhere, investigated the matter and reported to us, we were obliged to appropriate \$25,000 to relieve them in their immediate wants; I do not think that speaks so well for the male portion of the African population of this city.

[Pg 117]

I believe if it were to come to the last resort, that the female Africans of the District of Columbia have more merit, more industry, more of all that which is calculated to make them good and virtuous members of society than the males have. Why should you not throw them in? Why should you throw this batch of males into the ballot-box without any countervailing element which would be efficacious to qualify it and make it better?

To me it is perfectly plain. I have reconciled my mind to negro suffrage, but while I reconcile myself to negro suffrage as inevitable, I hold it to be my bounden duty to insist upon female suffrage at the same time. I am happy to say that in this opinion I am not alone; that while I favor universal suffrage limited by the age of twenty-one years so far, there are others who have been led to this same train of thought with myself. I beg, therefore, to read a letter dated Jefferson, Ohio, November 14, 1866:

"MADAM:—Yours of the 9th instant is received, and I desire to say in reply that I am now and ever have been the advocate of equal and impartial suffrage of all citizens of the United States who have arrived at the age of twenty-one years, who are of sound mind, and who have not disqualified themselves by the commission of any offence, without any distinction on account of race, color, or sex. Every argument that ever has been or ever can be adduced to prove that males should have the right to vote, applies with equal if not greater force to prove that females should possess the same right; and were I a citizen of your State I should labor with whatever of ability I possess to ingraft those principles in its constitution.

Yours, very respectfully,

B. F. WADE.

"To SUSAN B. ANTHONY,
Secretary American Equal Rights Association."

Now, Mr. President, I ask whether this has not an orthodox sanction at least. I should like to know who would question, who would dare to question, the orthodoxy of the honorable Senator from Ohio, and who dares tell me that this is such a novelty that it is not to be introduced here as serious, as in earnest? Sir, I say that I am perfectly in earnest, and I say that if this amendment be incorporated in this bill I shall vote for it with all my heart and soul. I beg to be understood that I would not inaugurate the movement, I would not make the change by my own mere motion, because I would not venture upon the change anywhere. That change must rise out of, spring out of, and come up from society generally. It is that thing which the poet has called the *vox populi*, and which he likens to the *vox Dei*. When the community spontaneously demands this call, when the community spontaneously demands this action, I yield to it. It is so in this instance. While I yield to the demand for negro suffrage, I demand at the same time female suffrage; and when I yield to the question of manhood suffrage, I feel assured I throw along the antidote to all the poison which I suppose would accompany the first proposition.

[Pg 118]

I am not afraid of negro suffrage if you allow female suffrage to go hand in hand with it. I believe that if there is any one influence in the country which will break down this tribal antipathy, which will make the two races one in political harmony and political action, not in actuality as races by amalgamation, but which will induce that harmony and that co-operation which may bring about the highest state, perhaps, of social civilization and development, it is the fact that woman and not man must interfere in order to smooth the pathway for these two races to go along harmoniously together. And it is for that reason that I insist that when you do make this step, this step forward which once made can never be retrieved, you must do that other thing which assures its success after it is made. Let the negro male vote now, and you open the arena of strife and contention; let both sexes vote, and then you close that arena of strife, you bring in that element which subdues all strife, which has made America what she is, which has made the American political meeting, which has made the American political convention, not the scene of strife or angry contention, where armed men met together to settle political differences, as in the Polish Diet, but a convention where all were subjected to reason, influenced, as it might properly be, by eloquence and by that "feast of reason" which is "the flow of the soul" to those who enjoy it. And therefore, Mr. President, I beg to assure everybody, and especially my honorable friend from Rhode Island, who agrees with me, I know, upon this topic, that I am serious and in earnest in urging this amendment; in dead earnest, in good earnest, and why not? I am not so blind as to mistake the signs of the times.

I might have refused to believe long ago, when my honorable friend from Ohio [Mr. Wade] predicted that this was coming. I might have disbelieved when my honorable friend from Massachusetts [Mr. Wilson] predicted this was coming; when he blew his bugle-blast and announced what an army was coming behind to enforce his doctrine and his principles. I might, like Thomas of old, have doubted; but now I have had my fingers in the very wounds of which he spoke. I know of a certainty now that this movement is in progress, and that this movement will go on. I know of a certainty that black men must vote in the District of Columbia. Who can doubt it? Those who are in favor of that measure here are in force sufficient to carry it constitutionally beyond all question. Well, if it is to be

I am reconciled to it, but at the same time I want to throw about it as many safeguards as are possible under the circumstances, and among those safeguards I think that of allowing females suffrage to be not only the best, but the only one which will be efficacious in this behalf. Mr. President, I have trespassed a great deal longer upon the Senate than I intended. I beg to return my thanks for the indulgence they have exhibited in listening to what I had to say.

Mr. MORRILL: Mr. President, the honorable Senator began by saying that he was in earnest, and he concludes by affirming the same thing. Doubtless he had made the impression upon his own mind that after all he had said, there might be a doubt in the minds of the Senate on that point. Does any one who has heard the speech, somewhat extraordinary, of the honorable Senator, suppose that he is at all in earnest or sincere in a single sentiment he has uttered on this subject? I do not imagine he believes that any one here is idle enough for a moment to suppose so. Now, his attempt at being facetious has not been altogether a failure. I think he has succeeded in being amusing; he has evidently amused himself; and if he could afford the sacrifice, I admit he has amused the galleries and probably the most of us; but that he has convinced anybody that he was arguing to enlighten the Senate or the public mind on a question which he says is important, he does not believe and he does not expect anybody else to believe it. If it is true, as he intimates, that he is desirous of becoming a Radical, I am not clear that I should not be willing to accept his service, although there is a good deal to be repented of before he can be taken into full confidence. [Laughter].

[Pg 119]

When a man has seen the error of his ways and confesses it, what more is there to be done except to receive him seventy and seven times? Now if this is an indication that the honorable Senator means to out-radical the Radicals, "Come on, Macduff," nobody will object provided you can show us you are sincere. That is the point. If it is mischief you are at, you will have a hard time to get ahead. While we are radical we mean to be rational. While we intend to give every male citizen of the United States the rights common to all, we do not intend to be forced by our enemies into a position so ridiculous and absurd as to be broken down utterly on that question, and whoever comes here in the guise of a Radical and undertakes to practice that, probably will not make much by the motion. I am not surprised that those of our friends who went out from us and have been feeding on the husks, desire to get in ahead; but I am surprised at the indiscretion and the want of common sense exercised in making so profound a plunge at once! If these gentlemen desire to be taken into companionship and restored to good standing, I am the first man to reach out the hand and say, "Welcome back again, so that you are repentant and regenerated;" but, sir, I am the last man to allow that you shall indorse what you call radicalism for the purpose of breaking down measures which we propose!

So much for the radicalism of my honorable friend. Now, sir, what is the sincerity of this proposition? What is the motive of my honorable friend in introducing it? Is it to perfect this bill? Is it to vindicate a principle in which he believes? Not a bit of it. It is the old device of the enemy—if you want to defeat a measure, make it as hateful and odious and absurd as possible and you have done it. That is the proposition. Does he believe in the absolute right of women to vote? Not a bit of it, for he has said here time and again in the beginning, middle, and end of his discourse that he does not believe a word of it.

Mr. COWAN: And never did.

Mr. MORRILL: He says it is no natural right whatever either to man or woman, and therefore he does not stand here to vindicate a right.

Mr. COWAN: I should like to ask the honorable Senator whether he believes it is a natural right either in man or woman.

[Pg 120]

Mr. MORRILL: I have said distinctly on a former occasion that I did not; and therefore I am not to be put in the attitude of so arguing. The Senator does not believe that; he is not here urging a principle in which he believes. What is he doing? Trying to do mischief; trying to make somebody believe he is sincere. That is labor lost here. It will not succeed, of course. Now, what is his position? "I do not believe in woman suffrage, and do not believe in negro suffrage, but if you will insist upon male negro suffrage I will insist upon woman negro suffrage." That is his position exactly. "If you insist that the male negro shall vote, I insist the female shall." That is his attitude, nothing more nor less. Mr. President, I do not think there is much force in the position. He has not offered an argument on the subject. He has read from a paper. He has introduced here the discourse of some ladies in some section of the country, upon what they esteem to be their own rights, in illustration; that is all; not as argument; he does not offer it as an argument, but to illustrate his theme and to put us in an attitude, as he supposes, of embarrassment on that subject. He has read papers which are altogether foreign from his view of this subject, and which he for a moment will not indorse. He offers these as an illustration with a view of illustrating his side of the question, and particularly with a view of embarrassing this measure.

Mr. COWAN: Well, now, Mr. President, I desire to answer a question of the Senator. He alleges that I am not serious in the amendment I have moved, that I am not in earnest about it. How does he know? By what warrant does he undertake to say that a brother Senator here is not serious, not in earnest. I should like to know by what warrant he undertakes to do that. He says I do not look serious. I have not perhaps been trained in the same vinegar and persimmon school [laughter]; I have not been doctinated into the same solemn nasal twang which may characterize the gentleman, and which may be considered to be the evidence of seriousness and earnestness. I generally speak as a man, and as a good-natured man, I think. I hope I entertain no malice toward anybody. But the honorable gentleman thinks I want to become a radical. Why, sir, common charity ought to have taught the honorable Senator better than that. I think no such imputation, even on the part of the most virulent opponent that I may have, can with any justice be laid to my door. I have never yielded to his radicalism; I have never truckled to it. Whether it be right or wrong, I have never bowed the knee to it. From the very word "go" I have been a conservative; I have endeavored to save all in our institutions that I thought worth saving.

I suppose, in the opinion of the gentleman, I have made sacrifices. I suppose I am in the condition of Dr. Caius: "I have had losses." Certainly if any man has given evidence of the sincerity of his

doctrines, I have done so; I have lost all of that, perhaps, which the Senator from Maine may think valuable; I have lost all the feathers that might have adorned my cap by opposition to radicalism; and now I stand perfectly free and independent upon this floor; free, as I supposed, not only from all imputation of interest, but free from all imputation of dishonor. I am out of the contest. If I had chosen to play the radical; if I had chosen to out-Herod Herod, I could have out-Heroded Herod perhaps as well as the honorable gentleman, and I could have had quite as stern and vigorous a following as he or any other man, more than likely without asserting any very large amount of vanity to myself [Mr. Morrill rose]; but now, when I stand here, as, I think, free, unquestionably free from all imputation either of interest or dishonor, to be told this is—If the Senator wants to say anything I will hear him.

[Pg 121]

Mr. MORRILL: The honorable Senator will allow me to say that I do not think this line of argument is open to him, because to-day once or twice he certainly repeated that this was a race of radicalism, and he did not intend to be outdone. My remark was predicated simply on the assumption of the honorable Senator that he was disposed to enter into the race, and rather in a disposition to welcome than discourage him.

Mr. COWAN: Mr. President, I agree that if you will allow the gentleman to put arguments in my mouth, and to furnish me theories as his fancy paints them, he can demolish them. I will not agree that he is my master in any particular; but I do agree that he can take a pair of old pantaloons out in the country and stuff them, and make a man of straw, and that he can overthrow it and trample upon it and kick it about with the utmost impunity. But I do not choose to allow the honorable Senator to make either my theories or my arguments, nor do I allow him to make quotations from me unless he does it fairly. I gave utterance to no such idea as that which he has just attributed to me. I did not say that in this race of radicalism I was determined to be in front. I said no such thing. I said that there was an onward movement, that I yielded to that movement, and that while I yielded to it against my own better opinion that any change was impolitic, yet that change was inevitable, I wanted it to be as perfect as possible, and I wanted it to be made with all the safeguards possible.

That was my argument. I said so yesterday; I said so to-day; I say so now; and I appeal to my friends here who have talked about this onward movement, this progress of things, this inevitable which was in the future, to stand now upon their theories and upon their doctrines. That was my ground, ground simply stated, and for that I am not to be charged here with a desire to conciliate the honorable gentleman, or his faction, or his party, or any other party in this country. Mr. President, I am not a proud man, I hope; not a vain man, I hope; but I would rather be deprived of the right of suffrage, high punishment as it is, I would rather suffer all the penalties that would be inflicted even by the most malignant lawgiver, than to cower or cringe or yield to anything of mortal mould on this planet, except by duress and by force. No man dare charge me with that. I have endeavored to act here as an honest man feeling his own responsibilities, feeling the responsibilities of the oath upon him when he took it; obliged to interpret the Constitution as he himself understands it; feeling that that Constitution was a restraint upon him, a restraint upon the people, a restraint upon everybody; that we were sent here for the purpose of standing upon it even against the rage of the people, even against their desire to trample it under foot. Feeling all these things, I have stood here, and appeal to my fellow-Senators to know if any one of them can say that at any time I have manifested the smallest disposition to yield in any one particular. I scorn the imputation; I would rather have the approval of my own conscience, I would rather walk in the star-light and look up to them and to the God who made me free and independent, than to seek the highest station upon the earth by truckling to any man or to any set of people, or giving up my free opinions.

[Pg 122]

And yet I propose not to be irrational in this matter. As I said yesterday, and as I said to-day, I have struggled against change; but if it is to be made I wish to direct it properly. I made in my own person, two or three years ago, a motion which passed this body by, I think, a vote of precisely two to one—I believe it was 28 to 14—that the voters of the District of Columbia should be confined to white males; but upon that occasion I stated—and the debates will bear me out, I think—that if the door of the franchise was to be opened, if it was thought that the safety of the country required more people to cast ballots, more people to enjoy this privilege, I would open it to the women of the country sooner than I would open it to the negroes. I say so to-day. You are determined to open it to the negroes. I appeal to you to open it to the women. You say there is no danger in opening it to the negroes. I say there is no danger then in opening it to the women. You say that it is safe in the hands of the negroes. I say it is equally safe in the hands of our sisters, and more safe in the hands of our wives and our mothers. I say more to you. I say you have not demonstrated that it is safe to confer the franchise upon men just emerged from the barbarism of slavery; I say you have not demonstrated that it is safe to give the ballot to men who require a Freedmen's Bureau to take care of them, and who it is not pretended anywhere have that intelligence which is necessary to enable them to comprehend the questions which agitate the people of this nation, and of which the people are supposed to have an intelligent understanding. I say you have not demonstrated all that; but you have expressed your determination. You are determined to do it, and when you are determined to do it I want to put along with that element, that doubtful element, that ignorant element, that debased element, that element just emerged from slavery, I want you to put along with it into the ballot-box, to neutralize its poison if poison there be, to correct its dangers if danger there be, the female element of the country.

That is my position. If you abandon the whole project I have no objection. I am willing to rest the safety of the country where it is and has been so far. I am open to conviction, open to argument, open to reason even upon that subject; but I am willing to leave this question of suffrage where our fathers left it, where the world leaves it to-day, where all wise men leave it. If, however, it is to be opened, if there is to be a new era, if political power is to be distributed *per capita* according to a particular age, then I am for extending it to women as well as men. Let me tell the honorable Senator I am not alone in this opinion; the Senator from Ohio with me is not alone; one of the first intellects of this age, perhaps the first man of the first country of the earth, is of the same opinion. I allude to John Stuart Mill, of Great Britain. He is now agitating for this very thing in England. So that it need not seem surprising that I should be in earnest in this; and I trust that after the explanation I have made of my position and my doctrines. I shall not be charged either with insincerity or with a desire to ingratiate myself with the majority of this body, with the majority of

[Pg 123]

the people, or with any one, because, thank God, I am free from all entanglements of that kind at this present speaking, and if I retain my senses I think I shall keep free.

Mr. WADE: Mr. President, I did not intend to say a word upon this subject, because on the first day of the last session of Congress I introduced the original bill now before the Senate, to which the Committee have proposed several amendments, and that action on my part I supposed demonstrated sufficiently to all who might read the bill what were my views and sentiments upon the question of suffrage; and, sir, they are of no sudden growth. I have always been of the opinion that in a republican government the right of voting ought to be limited only by the years of discretion. I have always believed that when a person arrived at the age when by the laws of the country he was remitted to the rights of citizens, when the laws fixed the age of majority when the person was supposed to be competent to manage his own affairs, then he ought to be suffered to participate in the Government under which he lives. Nor do I believe that any such rule is unsafe. I imagine that safety is entirely on the other side, for just in proportion as you limit the franchise, you create in the same degree an aristocracy, an irresponsible Government; and gentlemen must be a little tinctured with a fear of republican sentiment when they fear the extension of the right of suffrage.

If I believed, as some gentlemen do, that to participate in Government required intellect of the highest character, the greatest perspicacity of mind, the greatest discipline derived from education and experience, I should be convinced that a republican form of government could not live. It is because I believe that all that is essential in government for the welfare of the community is plain, simple, level with the weakest intellects, that I am satisfied this Government ought to stand and will stand forever. Who is it that ought to be protected by these republican governments? Certainly it is the weak and ignorant, who have no other manner of defending their rights except through the ballot-box.

The argument for aristocracies and monarchies has ever been that the masses of the people do not know enough to take care of the high concerns of government. If they do not, the human race is in a miserable condition. If, indeed, the great masses of mankind, who are permitted to transact their own business, are incompetent to participate in government, then farewell to the republican system of government; it can not stand a day; it is a wrong foundation. Our principles of government are radically wrong if gentlemen's fears on this subject are well grounded. Thank God, I know they are not. I know that all the defects and evils of our Government have not come from the ignorant masses; but the frauds and the devices of the higher intellects and the more cultivated minds have brought upon our Government all those scars by which it has been disfigured.

Why, sir, look at the administration of the Southern governments in the seceded States, where their public men were advocates of the doctrine that suffrage should be restricted, and generally that republican governments were wrong. I had a great deal of private conversation with the gentlemen who were formerly in these halls representing those governments, and I hardly ever conversed with a single man of them from that part of the country who believed that a republican government could or ought to stand. Some of them used to say, "How can the mechanic, how can the laboring man understandingly participate in these high and complicated affairs of Government?" Those men at heart were aristocrats or monarchists; they did not believe in your republican Government. I, on the other hand, believe that the safety of our Government depends on unlimited franchise, or, rather, I should say, on franchise limited only by that discretion which fits a man to manage his own concerns. Let a man arrive at the years of majority, when the Government and the experience of the world say that he has attained to such an age and such discretion that it is safe to intrust him with his own affairs, and then if he can not be permitted to participate in the Government, I say again, farewell to republican government; it can not stand.

[Pg 124]

It was for these reasons that, when I introduced the original bill, I put it upon the most liberal principles of franchise except as to females. The question of female suffrage had not then been much agitated, and I knew the community had not thought sufficiently upon it to be ready to introduce it as an element in our political system. While I am aware of that fact, I think it will puzzle any gentleman to draw a line of demarkation between the right of the male and the female on this subject. Both are liable to all the laws you pass; their property, their persons, and their lives are affected by the laws. Why, then, should not the females have a right to participate in their construction as well as the male part of the community? There is no argument that I can conceive or that I have yet heard, that makes any discrimination between the two on the question of right.

Why should there be any restriction? Is it because gentlemen apprehend that the female portion of the community are not as virtuous, that they are not as well-calculated to consider what laws and principles of the Government will conduce to their welfare as men are? The great mass of our educated females understand all these great concerns of government infinitely better than that great mass of ignorant population from other countries which you admit to the polls without hesitation.

But, sir, the right of suffrage, in my judgment, has bearings altogether beyond any rights of persons or property that are to be vindicated by it. I lay it down that in any free community, if any particular class of that community are excluded from this right they can not maintain their dignity; it is a brand of Cain upon their foreheads that will sink them into contempt, even in their own estimation. My judgment is that if this right was accorded to females, you would find that they would be elevated in their minds and in their intellects. The best discipline you can offer them would be to permit and to require them to participate in these great concerns of Government, so that their rights and the rights of their children should depend in a manner upon the way in which they understand these great things.

What would be the effect upon their minds? Would it not be, I ask you, sir, to lead them from that miserable amusement of reading frivolous books and novels and romances that consume two-thirds of their time now, from which they learn nothing, and draw their attention to matters of more moment, more substance, better calculated to well-discipline the mind? In my judgment it would. I believe it would tend to educate them as well as the male part of the population. Take the negroes, who, it is said, are ignorant, the moment you confer the franchise on them it will lead them to

[Pg 125]

struggle to get an understanding of the affairs of Government, so as to be able to participate intelligently in them. They will then understand that they are made responsible for the Government under which they live. In my judgment, this is the reason why the fact exists, which is acknowledged everywhere, that the great mass of our population rise immensely higher in intellect and every quality that should adorn human nature, above the peasantry and working-classes of the Old World. Why is this? I think much of it results from the fact that the people of this country are compelled to serve on juries, to participate in the government of their own localities in various capacities, and finally to take part in all the great concerns of Government. That elevates a man, and makes him feel his own consequence in the community in which he lives.

It is for these reasons as much as any other, that I wish to see the franchise extended to every person of mature age and discretion who has committed no crime. I know very well that prejudices against female voting have descended legitimately to us from the Old World; yea, more than anything else, from that common law which we lawyers have all studied as the first element in jurisprudence. That system of law really sank the female to total contempt and insignificance, almost annihilated her from the face of the earth. It made her responsible for nothing. So far was she removed from participating in anything or being responsible for anything, that if she even committed a crime in the presence of her husband she was not by that old law answerable for it. He was her guardian; he had the right to correct her as the master did his slave in the South. Such was the chivalry of that old common law from which we derive our judicial education. A vast remnant of that old prejudice is still lurking in the minds of our community. It is a mere figment of proscription and nothing else, descended to us, and we have not overcome it. It is not founded in reason; it is not founded in common sense; and it is being done away with very fast too.

I know that those women who have taken these things into consideration, with minds as enlightened and as intelligent as our own, have done immense good to their sex by agitating these great subjects against all the ridicule and all the contempt that has been wielded against them from the time they commenced the agitation. I know that in my own State we had, a few years ago, a great many laws on our statute-book depriving females of a great many rights without the least reason upon earth. Perhaps it was because the question was not agitated, and because it did not particularly concern the males, that they did not turn their attention to it; but when agitated in the Women's Rights Conventions that have been so abused and ridiculed throughout the country, man could no longer shut his eyes to the glaring defects that existed in our system, and our Legislature has corrected many of those abuses, and placed the rights of the female upon infinitely higher grounds than they occupied there thirty years ago; I believe this remark is as applicable to many other States as it is to Ohio. I tell you the agitation of these subjects has been salutary and good; and our male population would no more go back to divest women of the rights they have acquired, than they would go back now to slavery itself, in the advance we have lately made.

[Pg 126]

What do I infer, then, from all this? Seeing that their rights rest upon the same foundation and are only kept down by proscription and prejudice, I think I know that the time will come—not to-day, but the time is approaching—when every female in the country will be made responsible for the just government of our country as much as the male; her right to participate in the Government will be just as unquestioned as that of the male. I know that my opinions on this subject are a little in advance of the great mass, probably, of the community in which I live; but I am advancing a principle. I shall give a vote on this amendment that will be deemed an unpopular vote, but I am not frightened by that. I have been accustomed to give such votes all my life almost, but I believe they have been given in the cause of human liberty and right and in the way of the advancing intelligence of our age; and whenever the landmark has been set up the community have marched up to it. I think I am advocating now the same kind of a principle, and I have no doubt that sooner or later it will become a fixed fact, and the community will think it just as absurd to exclude females from the ballot-box as males.

I do not believe it will have any unfavorable effect upon the female character, if women are permitted to come up to the polls and vote. I believe it would exercise a most humane and civilizing influence upon the roughness and rudeness with which men meet on these occasions, if the polished ladies of the land would come up to the ballot-box clothed with these rights and participate in the exercise of the franchise. It has not been found that association with ladies is apt to make men rude and uncivilized; and I do not think the reflex of it prevents that lady-like character which we all prize so highly. I do not think it has that effect. On the other hand, in my judgment, if it was popular to-day for ladies to go to the polls, no man would regret their presence there, and the districts where their ballots were given would be harmonized, civilized, and rendered more gentlemanly, if I may say so, on the one side and on the other, and it would prevent the rude collisions that are apt to occur at these places, while it would reflect back no uncivilizing or unlady-like influence upon the female part of the community. That is the way I judge it. Of course, as it has never been tried in this country, it is more or less of an experiment; but here in this District is the very place to try your experiment.

I know that the same things were said about the abolition of slavery. I was here. Gentlemen know very well that there was a strong desire entertained by many gentlemen on this floor that emancipation, if it took place, should be very gradual, very conservative, a little at a time. I was the advocate of striking off the shackles at one blow, and I said that the moment you settled on that the community would settle down upon this principle of righteousness, justice, and liberty, and be satisfied with it, but just as long as you kept it in a state of doubt and uncertainty, going only half way, just so long it would be an irritating element in our proceedings. It is just so now with this question. Do not understand that I expect that this amendment will be carried. I do not. I do not know that I would have agitated it now, although it is as clear to me as the sun at noonday, that the time is approaching when females will be admitted to this franchise as much as males, because I can see no reason for the distinction. I agree, however, that there is not the same pressing necessity for allowing females as there is for allowing the colored people to vote, because the ladies of the land are not under the ban of a hostile race grinding them to powder. They are in high fellowship with those who do govern, who, to a great extent, act as their agents, their friends, promoting their interests in every vote they give, and, therefore, communities get along very well without conferring this right upon the female. But when you speak of it as a right, and as a great educational power in

[Pg 127]

the hands of females, and I am called on to vote on the subject, I will vote that which I think under all circumstances is right, just, and proper. I shrink not from the question because I am told by gentlemen that it is unpopular. The question with me is, is it right? Show me that it is wrong, and then I will withhold my vote; but I have heard no argument that convinces me that the thing is not right.

There has been something said about this right of voting, as to whether it is a natural or a conventional right. I do not know that there is much difference between a natural and a conventional right. Right has its hold upon the conscience in the inevitable fitness of things, and whether it springs from nature or from any other cause right is right, and a conventional right is as sacred as a natural right. I can not distinguish them; I know of no difference between them. It certainly does not seem to me that it would be right now if a new community is about to set up a government, for one-third of them to seize upon that government and say they will govern, and the rest shall have nothing to do with it. It seems to me there is a wrong done to those who are shut out from any participation in the Government, and that it is a violation of their rights; and what odds does it make whether you call it a natural, or conventional, or artificial right? I contend that when you set up a Government you shall call every man who has arrived at the years of discretion, who has committed no crime, into your community and ask him to participate in setting up that Government; and if you shut him out without any reason, you do him a wrong, one of the greatest wrongs that you can inflict upon a man. If it is to be done to me or to my posterity, I say to you take their lives, but do not deprive them of the right of standing upon the same foothold, upon the same platform in their political rights with any other man in the community. I will compromise no such principles. I contend before God and man ever, always, that they shall stand upon the same platform in setting up their governments, and in continuing them after they are set up, and I will brand it as a wrong and an injustice in any man to deprive any portion of the population, unless it be for crime or offence, from participating in the Government to the same extent that he participates himself. If they are ignorant, so much the greater necessity that they have this weapon in their hands to guard themselves against the strong. The weaker, the more ignorant, and the more liable they are to be imposed upon, the greater the necessity of having this great weapon of self-defence in their hands.

I know very well that great prejudices have existed against colored people; but my word for it, the moment they are admitted to the ballot-box, especially about the second Tuesday of October in our State, you will find them as genteel a set of men as you know anywhere; as much consideration will be awarded to them; they will be men; they will be courted; their rights will be awarded to them; they will be made to feel, and it will go abroad that they are not the subjects of utter contempt that can be treated as men see fit to treat them; but they will rise in the scale of the community, and finally occupy a platform according to their merits, which they never can obtain; and you will never be able to make anything of any portion of the community black or white, while you exclude them from the ballot-box.

[Pg 128]

These, sir, are the reasons why I introduce this bill, and to vindicate them I have spoken. I know I am not able to set forth anything new on this subject. Every American citizen has reflected upon it until his mind is made up, and the thing itself is so universally approved by our community, that the only wonder is that when we propose to extend this franchise to all the people alike anybody is found in opposition to it.

Mr. YATES: Mr. President, I propose to occupy the time of the Senate for but a few moments by way of explanation of my position on this subject. Honorable Senators seem to think there is some little embarrassment in the position in which we are placed upon this question. There is certainly none whatever to my mind. I must confess, after an examination of this question, that logically there are no reasons in my mind which would not permit women to vote as well as men, according to the theory of our Government—a Government of the people, by the people, and for the people.

But, sir, that question as to whether ladies shall vote or not is not an issue now. That was not the question at the last election. That was not the question that was argued in another part of this Capitol. That was not embraced in the bill now before us for consideration. Questions of a different character engross our attention; and, sir, we have but one straightforward course to pursue in this matter. While I may and do indorse, I believe, substantially all that my honorable friend from Ohio has said, and while I can not state perhaps a good reason why under our form of government all persona, male and female, should not exercise the right of suffrage, yet we have another matter on hand now. We have fought the fight, and our banners blaze victoriously in the sky. The honorable Senator from Pennsylvania stands humbled and overcome at his defeat, and he might just as well bow his head before the wheels of that Juggernaut of which he spoke, which has crushed him to the earth, and say, let the *vox populi*, which is the *vox Dei*, be the rule of this land.

I believe that this issue will come, and if the gentleman proposes to make it in the next elections, I shall be with him perhaps on the question of universal suffrage; for, sir, I am for universal suffrage. I am not for qualified suffrage; I am not for property suffrage; I am not for intelligent suffrage, as it is termed; but I am for universal suffrage. That is my doctrine. But, sir, when it is proposed to crush out the will of the American people by an issue which certainly is not made in sincerity and truth, then I have no difficulty whatever. While I do not commit myself against the progress of human civilization, because I believe that time is coming, in voting "no" on this amendment I only vote to maintain the position for which I have fought, and for which my State has fought. My notions are peculiar on this subject. I confess that I am for universal suffrage, and when the time comes I am for suffrage by females as well as males; but that is not the point before us.

Mr. WILSON: The Senator from Pennsylvania demands that I shall express my concurrence in or my opposition to his amendment. I tell him, without the least hesitation, I shall vote against it. I am opposed to connecting together these two questions, enfranchisement of black men and the enfranchisement of women, and therefore shall vote against his amendment.

[Pg 129]

These ladies in the conventions recently held seem to have made a great impression upon the Senator from Pennsylvania. While I heard him reading their speeches, I could not but regret that the Senator had not read the speeches of some of those ladies and the speeches of some of those gentlemen who attended those recent meetings, before he came into the Senate. If he had read the

speeches of the ladies and gentlemen who have attended these conventions during the past few years, their speeches might have made as great an impression on him at an earlier day as they seem to have done at this; and if they had done so, the Senator might have made a record for liberty, justice, and humanity he would have been proud of after he leaves the Senate. I have, sir, quite the advantage of the honorable Senator. I have been accustomed to attend the meetings of some of these ladies and gentlemen for many years, and read their speeches too. I read these speeches for the freedom of all, and for the enfranchisement of all, woman included. Before I came to the Senate of the United States, I entertained the conviction that it would be better for this country, that our legislation would be more humane, more for liberty, more for a high civilization, if the women of the country were permitted to vote, and every year of my life has confirmed that conviction. I have been more than ever convinced of it since I have read the opinions of one of the foremost men of this or any other age—John Stuart Mill.

But I say to the Senator from Pennsylvania that while these are my opinions, while I will vote now or at any time for woman suffrage, if he or any other Senator will offer it as a distinct, separate measure, I am unalterably opposed to connecting that question with the pending question of negro suffrage. The question of negro suffrage is now an imperative necessity; a necessity that the negro should possess it for his own protection; a necessity that he should possess it that the nation may preserve its power, its strength, and its unity. We have fought that battle, as has been stated by the Senator from Illinois; we have won negro suffrage for the District of Columbia, and I say I believe we have won for all the States; and before the 4th of March, 1869, before this Administration shall close, I hope that the negro in all the loyal States will be clothed with the right of suffrage. That they will be in the ten rebel States I can not doubt, for patriotism, liberty, justice, and humanity demand it.

This bill, embodying pure manhood suffrage, is destined to become the law in spite of all opposition and all lamentations. I am opposed, therefore, to associating with this achieved measure the question of suffrage for women. That question has been discussed for many years by ladies of high intelligence and of stainless character—ladies who have given years of their lives to the cause of liberty, to the cause of the bondman, to the cause of justice and humanity, to the improvement of all and the elevation of all. No one could have heard them or have read their speeches years ago, without feeling that they were in earnest. They have made progress; these women have instructed the country; women, and men too, have been instructed; progress is making in that direction; but the public judgment is not so pronounced in any one State to-day in favor of woman suffrage, as to create any large and general movement for it. Time is required to instruct the public mind and to carry forward and to concentrate the public judgment in favor of woman suffrage. All public men are not in its favor as is the Senator from Ohio, as has already been proved in this debate. I am, therefore, sir, for keeping these questions apart. I am for securing the needed suffrage for the colored race. I am for enfranchising the black man, and then if this other question shall come up in due time, and I have a vote to give, I shall be ready to give my vote for it. But to vote for it now is to couple it with the great measure now pressing upon us, to weaken that measure and to endanger its immediate triumph, and therefore I shall vote against the amendment proposed by the Senator from Pennsylvania, made, it is too apparent, not for the enfranchisement of woman, but against the enfranchisement of the black man.

[Pg 130]

Mr. JOHNSON: The immediate question before the Senate, I understand, is upon the amendment offered by the honorable member from Pennsylvania, which, if I am correctly informed, is to strike out the word "male," so as to give to all persons, independent of sex, the right of voting. It is, therefore, a proposition to admit to the right of suffrage all the females in the District of Columbia who may have the required residence and are of the required age. I am not aware that the right is given to that class anywhere in the United States. I believe for a very short time—my friend from New Jersey will inform me if I am correct—it was more or less extended to the women of New Jersey; but, if that be an exception, it is, as far as I am informed, the only exception; and there are a variety of reasons why, as I suppose, the right has never been extended as now proposed.

Ladies have duties peculiar to themselves which can not be discharged by anybody else; the nurture and education of their children, the demands upon them consequent upon the preservation of their household; and they are supposed to be more or less in their proper vocation when they are attending to those particular duties. But independent of that, I think if it was submitted to the ladies—I mean the ladies in the true acceptation of the term—of the United States, the privilege would not only not be asked for, but would be rejected. I do not think the ladies of the United States would agree to enter into a canvass, and to undergo what is often the degradation of seeking to vote, particularly in the cities, getting up to the polls, crowded out and crowded in. I rather think they would feel it, instead of a privilege, a dishonor. There is another reason why the right should not be extended to them, unless it is the purpose of the honorable member and of the Senate to go a step further. The reason why the males are accorded the privilege, and why it was almost universal in the United States with reference to those of a certain age, is that they may be called upon to defend the country in time of war or in time of insurrection. I do not suppose it is pretended that the ladies should be included in the militia organization or be compelled to take up arms to defend the country. That must be done by the male sex, I hope.

But I rose not so much for the purpose of expressing my own opinion, or reasoning rather upon the opinion, as to refer to a sentence or two in a letter written many years ago, by the elder Adams, to a correspondent in Massachusetts. It was proposed at that time in Massachusetts to alter the suffrage. It was then limited in that State. That limitation, it was suggested, should be taken away in whole or in part, and the correspondent to whom this letter was addressed seems to have been in favor of that change. Mr. Adams, under date of the 26th of May, 1776, writes to his correspondent, Mr. James Sullivan, a name famous in the annals of Massachusetts, and well known to the United States, a long letter, of which I shall read only a sentence or two. It is to be found in the ninth volume of the works of John Adams, beginning at page 375. In that letter Mr. Adams, among other things, says: "But let us first suppose that the whole community, of every age, rank, sex, and condition, has a right to vote. This community is assembled. A motion is made and carried by a majority of one voice. The minority will not agree to this. Whence arises the right of the majority to govern and the obligation of the minority to obey?"

[Pg 131]

"From necessity, you will say, because there can be no other rule. But why exclude women?"

"You will say, because their delicacy renders them unfit for practice and experience in the great businesses of life and the hardy enterprises of war, as well as the arduous cares of state. Besides, their attention is so much engaged with the necessary nurture of their children, that nature has made them fittest for domestic cares. And children have not judgment or will of their own. True."

And he closes the letter by saying: "Society can be governed only by general rules. Government can not accommodate itself to every particular case as it happens, nor to the circumstances of particular persons. It must establish general comprehensive regulations for cases and persons. The only question is, which general rule will accommodate most cases and most persons. Depend upon it, sir, it is dangerous to open so fruitful a source of controversy and altercation as would be opened by attempting to alter the qualifications of voters; there will be no end of it. New claims will arise; women will demand a vote; lads from twelve to twenty-one will think their rights not enough attended to; and every man who has not a farthing will demand an equal voice with any other in all acts of state. It tends to confound and destroy all distinctions, and prostrate all ranks to one common level."

The honorable member from Ohio seems to suppose that the right should be given as a means, if I understood him, of protecting themselves and as a means of elevating them intellectually. I had supposed the theory was that the woman was protected by the man. If she is insulted she is not expected to knock the man who insults her down, or during the days of the duello to send him a challenge. She goes to her male friend, her husband or brother or acquaintance. Nature has not made her for the rough and tumble, so to speak, of life. She is intended to be delicate. She is intended to soften the asperities and roughness of the male sex. She is intended to comfort him in the days of his trial, not to participate herself actively in the contest either in the forum, in the council chamber, or on the battle-field. As to her not being protected, what lady has ever said that her rights were not protected because she had not the right of suffrage? There are women, respectable I have no doubt in point of character, moral and virtuous women no doubt, but they are called, and properly called, the "strong-minded"; they are in the public estimation contradistinguished from the delicate; they are men in women's garb, ready, I have no doubt, such people would be—and I deem it no disparagement to them; I have no doubt they are conscientious—to go upon the battle-field. Such things have happened. They are willing to take an insult, and horse-whip and chastise the man who has extended the rudeness to them; but they are exceptions to the softness which is the charm of the female character. I appeal to my friend from New York [Mr. Morgan]—I can speak for Baltimore—and to the member from Pennsylvania [Mr. Cowan] who I suppose can speak for Philadelphia, would they have their wives and their daughters seeking to get up to the poll on a hotly-contested election, driven with indignation at times from it, insulted, violence used to them, as is often the case, rudeness of speech sure to be indulged in—

[Pg 132]

Mr. WADE: I should like to know if that is the character of your city?

Mr. JOHNSON: Yes.

Mr. WADE: Then it is very different from the community in which I live.

Mr. JOHNSON: I rather think you might make Cincinnati an exception from what I have heard. I am not speaking for the country, though I have seen it pretty rough in the country; and they have been rough occasionally in Ohio. If they were all of the same temper with my honorable friend who interrupts me of course it would be different, and all could have their rights accorded them.

Mr. COWAN: I should like to ask whether the presence of ladies on an occasion of that kind would not tend to suppress everything of that sort? Would it not turn the blackguard into a gentleman, so that we should have nothing but good conduct?

Mr. JOHNSON: No, sir; you can not turn a blackguard into a gentleman.

Mr. COWAN: Except by a lady.

Mr. JOHNSON: No, sir; by no means known to human power. There may be some revulsion that will cause him to cease to be a blackguard for the moment, but as to a lady making a gentleman of a man who insults her it has not happened that I know of anywhere. He may be made somewhat of a gentleman by being cowhided. But the question I put I put in all seriousness. I have seen the elections in Baltimore, where they are just as orderly as they are in other cities; but we all know that in times of high party excitement it is impossible to preserve that order which would be sufficient to protect a delicate female from insult, and no lady would venture to run the hazard of being subjected to the insults that she would be almost certain to receive.

They do not want this privilege. As to protecting themselves, as to taking a part in the Government in order to protect themselves, if they govern those who govern, is not that protection enough? And who does not know that they govern us? Thank God they do. But what more right has a woman, as a mere matter of right independent of all delicacy, to the suffrage than a boy who is just one day short of twenty-one? You put him in your military service when he is eighteen; you may put him in it at a younger age if you think proper; but you will not let him vote. Why? Only upon moral grounds; that is all; not because that boy may not be able to exercise the right, but because, in the language of Mr. Adams, there must be some general rule, which must be observed, because in the absence of such general rule, if you permit excepted cases you might as well abolish all rules, and then where are we, as he properly asks.

I like to learn wisdom from the men of 1776. I know we have had the advantage of living in an age which they did not witness. I have lived a good many years and watched the public men of the day, and I do not think, and I have never been able with all my disposition to think that we are any better than were the men of 1776 and our predecessors on this floor, the men who participated in the deliberations of the Convention which led to the adoption of the Constitution of the United States, the men who were the authors of the State papers which were issued during that period, and which

[Pg 133]

filled the world with admiration and amazement.

From the days of colonization down to the present hour no such proposition as this has received, so far as I am aware, any support, unless it was for a short time in the State of New Jersey. It has nothing to do with the right of negroes to vote. That is perfectly independent. If I desired because I am opposed to that to defeat the bill, I might perhaps, as a mere party scheme, as a measure known to party tactics which govern occasionally some—I do not say that they have not governed me heretofore—vote for this amendment with a view to defeat the bill: but I have lived to be too old and have become too well satisfied of what I think is my duty to the country to give any vote which I do not believe, if it should be supported by the votes of a sufficient number to carry the measure into operation, would redound to the interests and safety and honor of the country.

Mr. WADE: The gentleman seems to suppose that the only reason females should have the right to vote is that they might defend themselves with a cowhide against those who insult them. I do not suppose that giving them the right to vote will add anything to their physical strength or courage. That is the argument of the Senator, and the whole of his argument: but I did not propose that they should vote on such hypothesis or with any view that it should have any such effect. But I do know that as the law stood until very recently in many of the States a husband was not the best guardian for his wife in many cases, and frequently the greatest hardships that I have ever known in the community have arisen from the fact that a good-for-nothing, drunken, miserable man had married a respectable lady with property, and your law turned the whole of it right over to him and left her a pauper at his will. While I was at the bar I was more conversant with the manner in which these domestic affairs were transacted than I am now; and I knew instances of the greatest hardship arising from the fact that the law permitted such things to be done. I have known a drunken, miserable wretch of a husband take possession of a large property of a virtuous, excellent woman, who had a family of small children depending upon her, and turn her out to support her family by sewing and by manual labor; and it is not an uncommon case. The legislators, the males having the law-making power in their hands, especially were not very prompt to correct these evils; they were very slow in doing so. They continued from the old common law, when the memory of man did not run to the contrary, down to a time that is within the recollection of us all; and I do not know but that in some of the States this absurd rule prevails even now. It would not have prevailed if ladies had been permitted to vote for their legislators. They would have instructed them, and would have withheld their votes from every one who would not correct these most glaring evils.

The Senator tells us that the community in which he lives is so barbarous and rude that a lady could not go to the polls to perform a duty which the law permitted without insult and rudeness. That is a state of things that I did not believe existed anywhere. I do not believe that it exists in Baltimore to-day. I do not believe if the ladies of Baltimore should go up to the polls clothed with the legal right to select their own legislators that there is anybody in Baltimore who would insult them on their way in performing that duty. I do not believe that our communities have got to that degree of depravity yet that such kind of rascally prudence is necessary to be exercised in making laws. On the other hand, I have always found wherever I have gone that the rude and the rough in their conduct were civilized and ameliorated by the presence of females; for I do believe, as much as I believe anything else, that, take the world as it is, the female part of it are really more virtuous than the males. I think so; and I think if we were to permit them to have this right, it would tend to a universal reform instead of the reverse; and I do not believe any lady would be insulted in any community that I know anything about while on her way to perform this duty.

[Pg 134]

As I can see no good reason to the contrary, I shall vote for this proposition. I shall vote as I have often voted, as the Senator from Massachusetts has often voted, what he believed to be right; not because he believed a majority were with him, but because he believed the proposition which he was called upon to vote for was right, just, and proper. It is because I can not see that this is not so that I vote for it. It comes from a Senator who does not generally vote with us; it is a proposition unlooked for from his general course of action in this body, being, as he says, on the conservative list, and generally for holding things just as they are. Well, sir, I am for holding them just as they are, when I think they are right, and when I think they are not, I am for changing them and making them right. I do not think it is right to exclude females from the right of suffrage. As I said before, I do not expect that public opinion will be so correct at this time that my vote will be effective; but nevertheless it would be no excuse for me that I did not do my part toward effecting a reform that I think the community requires, because I did not see that the whole world was going with me. I do not wait for that. I am frequently in minorities. I would as lief be there as anywhere else, provided I see that I am right; and I do not wait for the majority to go with me when I think a proposition is right. Therefore I shall vote for this amendment if nobody else votes for it, trusting that if I am right the world will finally see it and come up to the mark where I am; if I am wrong, on further investigation and further thought I shall be left in the lurch. Believing that I am right, and believing that the world will come up to this standard finally, I am ambitious to make my mark upon it right here.

Mr. FRELINGHUYSEN: Mr. President, the Senator from Maryland has made an inquiry as to the law of New Jersey in reference to women voting. There was a period in New Jersey when, in reference to some local matters, and those only, women voted; but that period has long since passed away; and I think I am authorized in saying that the women of New Jersey to-day do not desire to vote. Sir, I confess a little surprise at the remark which has been so frequently made in the Senate, that there is no difference between granting suffrage to colored citizens and extending it to the women of America. The difference, to my mind, is as wide as the earth. As I understand it, we legislate for classes, and the women of America as a class do vote now, though there are exceptions from the peculiar circumstances of individuals. Do not the American people vote in this Senate to-day on this question? Do they not vote in the House of Representatives? So the women of America vote by their faithful and true representatives, their husbands, their brothers, their sons; and no true man will go to the polls and deposit his ballot without remembering that true and loving constituency that he has at home. More than that, sir, ninety-nine out of a hundred, I believe nine hundred and ninety-nine out of a thousand, of the women in America do not want the privilege of voting in any other manner than that which I have stated. In both these regards there is a vast difference between the situation of the colored citizen and the women of America.

[Pg 135]

But Mr. President, besides that, the women of America are not called upon to serve the Government as the men of America are. They do not bear the bayonet, and have not that reason why they should be entitled to the ballot; and it seems to me as if the God of our race has stamped upon them a milder, gentler nature, which not only makes them shrink from, but disqualifies them for the turmoil and battle of public life. They have a higher and a holier mission. It is in retirement, to make the character of the coming men. Their mission is at home, by their blandishments and their love to assuage the passions of men as they come in from the battle of life, and not themselves by joining in the contest to add fuel to the very flames. The learned and eloquent Senator from Pennsylvania said, yesterday, with great beauty, that he wanted to cast the angel element into the suffrage system of America. Sir, it seems to me that it would be ruthlessly tearing the angel element from the homes of America, for the homes of the people of America are infinitely more valuable than any suffrage system. It will be a sorry day for this country when those vestal fires of piety and love are put out. Mr. President, it seems to me that the Christian religion, which has elevated woman to her true position as a peer by the side of man from which she was taken; that religion which is a part of the common law of this land, in its very spirit and declarations recognizes man as the representative of woman. The very structure of that religion which for centuries has been being built recognizes that principle, and it is written on its very door-posts. The woman, it is true, was first tempted; but it was in Adam that we all died. The angel, it is true, appeared to Mary; but it is in the God-man that we are all made alive. I do not see that there is any parity of reasoning between the case of the women of America, entitling them or making it desirable that they should have suffrage, and that of the colored citizens of the United States.

Mr. CONNESS: It does not appear that we can come to a vote to-night upon this proposition, and I therefore rise to propose an adjournment.

Mr. MORRILL: Perhaps we can get a vote on this simple amendment.

Mr. BROWN and others: Oh, no; let us adjourn.

Mr. MORRILL: I doubt whether there is any inclination to talk further on this amendment, and I should be glad to get a vote on it before we adjourn.

Mr. CONNESS: If the Senate will come to a vote, I will not move an adjournment.

Mr. BROWN: Mr. President—

Mr. DOOLITTLE: If the honorable Senator from Missouri will give way, I will renew the motion to adjourn.

Mr. BROWN: I do not care particularly to detain the Senate. I have but a very few remarks to make.

Several SENATORS: Let us adjourn.

Mr. DOOLITTLE: If the honorable Senator will give way, I will renew the motion to adjourn.

[Pg 136]

The PRESIDENT *pro tem.*: Does the Chair understand the Senator from Missouri as yielding the floor?

Mr. BROWN: Yes, sir.

Mr. DOOLITTLE: I move that the Senate do now adjourn.

The motion was agreed to; and the Senate adjourned.

In SENATE, WEDNESDAY, *December 12, 1866.*

Prayer by the Chaplain, Rev. E. H. Gray.

The Journal of yesterday was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tem.*: The Chair has received, and takes this opportunity to lay before the Senate, the memorial of William Boyd, of Washington City, District of Columbia, the substance of which, stated in his own words, is:

I humbly ask your Honorable Body that you make no distinctions in regard to either color or sex if you should think proper to extend the elective franchise in this District, which I beg of your Honorable Body to do immediately; so that hereafter there shall be no distinction of race or sex. I am among those who believe that slavery will never die, until all laws are so constructed as to hold all mankind as equal before the law.

SUFFRAGE IN THE DISTRICT.

The PRESIDENT *pro tem.*: The unfinished business is the bill (S. No. 1) to regulate the elective franchise in the District of Columbia which is now before the Senate as in Committee of the Whole. The pending question is on the motion of the Senator from Pennsylvania [Mr. Cowan], to amend the amendment reported by the Committee on the District of Columbia, by striking out in the second line of its first section the word "male" before "person." Upon this question the Senator from Missouri is entitled to the floor.

Mr. BROWN: Mr. President, I do not believe that the pending amendment to the bill extending the franchise to women in the District of Columbia, offered by the Senator from Pennsylvania, was designed to be carried out into practical legislation at this time or in this connection. I think it was rather intended to elicit an expression of opinion from members of the Senate upon the general proposition involved. If it were to go into practical effect, I am one of those who believe that it would

be necessary to accompany it by a good deal of other legislation to prevent it from degenerating into abuse, and perhaps corrupting many of those it designs to advance in position and influence. But accepting the matter in the light which I have stated, for one I am willing to express an opinion very freely on the subject. I have to say then, sir, here on the floor of the American Senate, I stand for universal suffrage, and as a matter of fundamental principle do not recognize the right of society to limit it on any ground of race, color, or sex. I will go further and say that I recognize the right of franchise as being intrinsically a natural right; and I do not believe that society is authorized to impose any limitation upon it that does not spring out of the necessities of the social state itself. These may seem, Mr. President, extreme views, but they conform to the rigid logic of the question, and I defy any Senator here who abides that logic to escape that conclusion. Sir, I have been shocked, yes, shocked, during the course of this debate at expressions which I have heard so often fall from distinguished Senators, and apparently with so little consideration of what the heresy irresistibly leads to, saying in substance that they recognize in this right of franchise only a conventional or political arrangement that may be abrogated at will and taken from any; that it is simply a privilege yielded to you and me and others by society or the Government which represents society; that it is only a gracious boon from some abstract place and abstract body for which we should be proud and thankful; in other words, that it is not a right in any sense, but only a concession. Mr. President, I do not hold my liberties by any such tenure. On the contrary, I believe that whenever you establish that doctrine, whenever you crystalize that idea in the public mind of this country, you ring the death-knell of American liberties. You take from each, what is perhaps the highest safeguard of all, the conviction that there are rights of men embracing their liberty in society, and substitute a skepticism on all matters of personal freedom and popular liberties which will lay them open to be overthrown whenever society shall become sufficiently corrupted by partyism or whenever constitutional majorities shall become sufficiently exasperated by opposition.

[Pg 137]

Mr. President, so important, yea, so crucial, so to speak, do I deem this position, that I trust I may be pardoned by the Senate if I refer to the abstract grounds, the invincible agreement upon which I deem it to rest. I do this the more readily because in my belief the metaphysical always controls ultimately the practical in all the affairs of life. Now, what are abstract rights? And are there any intrinsic necessary conditions that go to constitute liberty in society? I believe that there are, and that those conditions are as determinable as the liberties they protect. The foundation upon which all free government rests, and out of which all natural rights flow as from a common center, has been well stated by Mr. Herbert Spencer in a late work on "Social Statics," to be "the liberty of each limited by the like liberty of all." As the fundamental truth originating and yet circumscribing the validity of laws and constitutions, it can not be stated in a simpler form. As the rule in conformity with which society must be organized, and which distinguishes where the rightful subordination terminates, and where tyranny, whether of majorities or minorities, begins, it can not be too much commended. "Every man has freedom to do all that he wills, provided he infringes not the equal freedom of any other man," is stated as the law of just social relationships, and in it the rights of individual liberty of thought, of speech, of action, find their complete expression. It will be observed that equality is the essence of it all. In fact, any recognition of an inequality of rights is fatal to liberty.

Observe, furthermore, that those rights inhere in the individual, are part of his existence, and not the gift of any man or aggregation of men. If they were, equality under a despotism might find its justification in the postulate just as well as equality under a republic. Cæsarean Democracy could claim like paternity with American Democracy. The assumption, then, that freedom in any of its forms is a privilege conceded by society is utterly unwarrantable, because society itself is a concession from the individual—the liberty of each limited by the like liberty of all—and such limitation is what society or Government represents. And it is in this sense, and flowing from this axiom, that the rights of franchise originally appertain to all alike; for franchise is in itself nothing more than a mode of participating in the common Government, and represents only the interest each has therein. That limitations may attach thereto, just as they attach to freedom of speech or freedom of action, is perfectly true; but they must be equal limitations, applicable to all alike, growing out of the social relation, and not leveled at the inherent right of any individual or class. Thus the exclusion of criminals from the franchise, the designation of terms of minority as connected with the exercise of political duties, the regulation of the admission to citizenship of persons coming from foreign countries, find their justification in a principle which, so far from recognizing in Government or society a purely arbitrary control of the rights and exercise of self-government or personal liberty, brings it down within rigid and narrow limits of equality and necessity.

[Pg 138]

There are those, and I am sorry some such have arisen in the Senate to-day, who seek to escape this conclusion, and put the blush upon all free government by affirming, as I have said, that the right of franchise is a purely political right, neither inherent nor inalienable, and may be divested by the citizen or the State at will. The consideration mentioned, that the right of franchise is neither more nor less than the right of self-government as exercised through a participation in the common government of all, shows, however, that if it be not a natural right it will be difficult to say in what a natural right consists. Indeed, it is perhaps the most natural of any of our rights, inasmuch as its denial is the denial of all right to personal liberty, for how can such latter right exist when the right to maintain it among men and the societies of men is denied? Again, if the right to share in the joint government is not inherent, from whence does it come? Who can give the right to govern another? and how can any give what he has not got? Society is but the aggregate of individuals, and in its authority represents only the conceded limitations on all, not any reservoir of human rights, otherwise human rights would vary with every changing association. Still again, if the right of a man as regards Government can be divested either by himself or Government at will, then Government has no limit to its rightful tyranny—it may divest not only one man, but a hundred or a thousand; indeed, why not all but the chosen few or the imperial one, thus arriving logically at oligarchic or despotic rule. And if a man may divest himself of this right, what right is sacred from his renunciation? That a man may refuse to exercise any right is true, and that in changing his abode he may sever his political and social relations is equally true; but these facts only prove that his natural rights inhere in his person, go with him in his movement, subject always to be exercised under the conditions and limitations before recited. After all, to demonstrate the utter falsity and pernicious consequence of the idea that the right to share in the common Government (which is only a

[Pg 139]

synonym for the right of franchise) is a privilege to be farmed out by Government at discretion and to whom it chooses, it is only necessary to ask, if that be so, whence comes the right to representation? Wherein is the foundation for any democratic society, predicated on the rights of individuals? That various mixed Governments do undertake to limit the franchise to the few as a privilege coming from the body-corporate, has nothing to do with the question, for I am discussing now rights, not practices; republics, not aristocracies.

Such I believe, Mr. President, to be the principles on which our personal rights, our liberties in society repose. It is true the argument carries us very far, but not farther, I apprehend, than republican government must go whenever it undertakes to conform its practice to its logic. And having examined the general reasoning that controls the whole question of franchise, let me now advert more particularly to the bearing of that argument upon the proposition submitted by the Senator from Pennsylvania. I know that many affirm that the results to which such reasoning as that I have adduced would lead are themselves conclusive against its force. But that is scarcely a fair mode of judging of the strength and invincibility of any argument, far less one touching interests so momentous in character. To give the objection its greatest force it may be said, "If suffrage be the right of all men, why is it not also the right of all women, of all children?" "Are they not equally interested in good government, and are they not equally capable of expressing through a vote their wish in relation to public affairs?" "Do they not come within the category, the equal liberty of each limited by the like liberty of all, and if so, can the infringement of their liberty by disfranchisement be justified!" To such questions, and, in fact, to the whole inquiry, it may be replied that as freedom finds the expression of its limits in the social relation itself, so long as the marital and paternal state remain as they are now, essential parts to that social relation, so long will there be more or less of constraint involved in their expression through governmental forms. And it may be added also that in so far as marriage and paternity establish an identity of interest between husband and wife, or parent and child, so far the participation of the one in the Government is virtually the participation of both, the franchise of one the franchise of both. Such identity is not always true or equable, but it nevertheless approximates truth, and is therefore the more readily accepted as such in practical affairs.

That the rights of women, however, are intrinsically the same with those of men, may not be consistently denied; and that all the advance of modern civilization has been toward according them greater equality of condition is attested by the current history of every nation within its pale. Rights of married women and minors are constantly finding new expression in our laws and new force in our public opinion, which is only law in process of formation. While it will not be necessary, therefore, to go into those deeper and anterior questions of social life involving the substitution of voluntary for compulsory modes which are agitating so profoundly the intellect of this age, it is important to note that of the three great departments of control in human affairs, namely, morals or conscience, manners or society, governments or laws, the two former have been unreservedly conceded to the full and equal participation of women. And furthermore, I venture to affirm with all confidence, that although the social relation, as it embraces a recognition of family dependence, may present obstacles to an equal influence under present forms of government and to the full exercise of citizen rights on the part of women, yet that the purity, the refinement, the instinctive reading of character, the elegant culture of the women of our land, if brought to bear upon the conduct of political affairs, would do much to elevate them in all their aims, and conform them to higher standards of justice.

[Pg 140]

Mr. President, I have listened in vain for the argument on which is predicated the assertion that sex alone affords a rightful ground for exclusion from the rights of franchise. I do not find anything to justify that view, even in the position of those who contend that franchise is a mere political privilege and not founded in any right, for that would apply to men equally as to women, and does not touch the question of relative rights. The position would still remain to be established why the franchise should be given to the one and not to the other. It would remain still to present grounds of principle on which that right as such may be denied to her and not denied to him. I have heard reasons of policy, reasons of sentiment, reasons of precedent advanced to justify this exclusion; but in all frankness, and with no disrespect intended, I must say that those which have been presented during this debate seem to me trivial, illogical, and contradictory of one another.

First, it has been said that if women are entitled to the rights of franchise they would correspondingly come under the obligation to bear arms. But, sir, I do not know that there is any necessary connection between the right of franchise and the requirement of service in your army. On the contrary, I do know that all Governments which have existed among men do now recognize the fact that there is no necessary connection between the two; and I do know that no Government has more distinctly recognized this position than the Government of the United States. Are there not large classes even among men in this country who are exempt from service in our armies for physical incapacity and for other reasons? And if exemptions which appertain to males may be recognized as valid, why not similar exemptions for like reason when applied to females? Does it not prove that there is nothing in the argument so far as it involves the question of right? There are Quakers and other religious sects; there are ministers of the gospel—persons having conscientious scruples; indeed, all men over a certain age who under the laws of many of the States are released from service of that character. Indeed, it is the boast of the republic that ours is a volunteer military establishment. Hence I say there is nothing in the position that because she may not be physically qualified for service in your army, therefore you have the right to deny her the franchise on the score of sex. It might be an inquiry of very great interest and worthy of being pursued much further than I have the time or the ability to pursue it just now, how far, if the ballot should be extended to all the women in this land, it would go to modify existing opinion and action and relationship among States so as to obliterate in a great degree the very necessity for your army and navy. I believe, sir, that a very large majority of the wars that have been waged in this world have been wars that were condemned by the moral sense of the nations on both sides; wars that would have been terminated forthwith if that moral sense could have had its rightful influence in controlling the affairs of Government; and I say it is a question that is worthy of consideration how far such an element introduced into your political control would go to obviate these barbarous resorts to force which you now deem essential and which we all deplore, but which it is a folly, if not a crime, to say constitute a reason woman should be denied any right to which she would be otherwise entitled.

[Pg 141]

Mr. President, a second objection has been taken to any extension of the franchise in this direction, and it is one that perhaps has more seeming force in it than the other. It has been said with a great deal of pathos by the Senator from New Jersey: what, would you have your wives and your daughters mingle in the scenes at the election-booths, go into the riotous demonstrations that attend upon the exercise of the ballot, and become participants in the angry and turbulent strifes that are so characteristic of our political modes. I say with frankness that I would not have wife or daughter mingle in any such scene; I would be loth to have their purity and their virtue exposed to such demoralized surroundings, surroundings that are only too apt to corrupt even the males that mingle in the political arena. But, sir, I contend that that is an argument against the ballot and the hustings and the polling-booths, and not against the rights of woman. It is an argument against those corruptions that you have permitted to grow and fasten upon your political methods and appliances, and not an argument against her rights as contrasted with the rights of man. What! usurp an exclusive control—then degrade the modes of exercising power, and after that say the degradation is reason why the usurpation should continue unchallenged. What profanation of the very powers of thought is that! On the contrary, I am prepared to say that I see no reason, I never have seen any reason, why there might not be changes introduced in your modes of taking the sense of the community, of ascertaining public opinion upon public measures, of making selection even of its individuals for important offices, that would conform them far more to those refinements and those elevations which should characterize and control them, purifications that must render them appropriate for participation in by the most refined of the land, whether male or female. I see no reason why it should not be done. The change has been constant already from the very rudest forms to the forms which we now have, and which I am sorry to say, are sufficiently rude to disgrace the civilization of the age. Why not further amelioration and adaptation? Are we to have no progress in the modes of government among men? Are we and future generations to be ever imprisoned in the uncouth alternative of monarchical or democratic forms as they now obtain? I can not believe it. For five years past we have had revolution enough among us to satisfy even the most conservative that the present is no ultimatum, either of form or substance in political or social affairs. I will go further and venture to say, that there are now seething underneath all the forms of this Government, revolutions still more striking than any one of us have yet witnessed. Beneath all these methods and appliances of administrations and controls among men, I believe there is under our very feet a heaving, unsteady ocean of aroused questioning in which many modes now practiced will sink to rise no more, and out of which other adaptations will emerge that will render far more perfect the reflection of the will of the people; that will perhaps represent minorities as well as majorities; that will disarm corruptions by dispensing with party organizations. It is the very witching hour of change.

[Pg 142]

And, sir, I do not dread change. Why should we? Is not change the primal condition on which all life is permitted to exist? Change is the very essence of all things pure, the sign and token of the divinity that is within us, and conservatism *per se* is infidelity against the ordination of God. When, therefore, we see such change in all things that are around us, in fashions and customs and laws and recognitions and intellectualities, even to the supremest generalizations of science, in all things save the elemental principles of our being and by consequence of our rights, why shall we say that these forms into which we have cast administration and government, shall not obey the great law of development and take upon themselves ameliorations better suited to the changing society of mankind, to the wants of a more truthful representation, to the participation by all in the Government that is over all. Mr. President, I am of those who believe that they will. When I look around on the incongruities and corruptions that surround our present system, when I see what politics and government and administration actually are, if I believed there was to be no progress in that direction I should be bereft of all hope and desolate of faith. On the contrary, methinks I can see in the adown vista of the future the golden apples hanging on the tree of promise. It seems to me that the light of the morning is already streaming in upon us that shall illuminate further advancements in the science of government. And why should not even Republican government take to itself other modes of administration without infraction of its fundamental liberties? Why should not large reductions transpire in those opportunities that invite the most sinister combination for offices and spoils? Is there any reason why the emoluments of place should more than repay the labor it calls for? Is there any reason why large abolitions of executive patronage may not transpire; why Government may not generate through examining commissioners, best agencies of its own for the functional work it is called to perform, leaving appeals to the community to pass rather upon controlling measures and general policies and legislative functionaries? Is there any reason why that should not take place? Sir, already, if I mistake not, in the large cities of this land, which are the local points of your domestic political system, the necessity for such a change is being felt and acted upon, and large branches of executive work and supervision are being necessarily put in commission. Mr. President, I think what I have said sufficiently shows that the argument which is advanced, that the present surroundings are such that woman could not properly participate in your elections, is an argument that does not go to the right of the woman, but does go to the wrong of the man. It is a criticism, perhaps a satire upon the civilization of your political system, not a justification for any exclusions practiced under it.

[Pg 143]

There is one other line of remark that has been indulged in, and only one other so far as I have heard, which calls for any special rejoinder, and that affirms the precedents of the past to be all against any such proposition as that now submitted. It is said that there is no precedent, that it is not customary in any of our governments, that it is not one of the recognitions of our society, that it has never been signified as such in the past. I do not know that such an argument amounts to anything at best, but I do know that the allegation itself has no foundation in fact. I know that in many cases and on many occasions this impassable barrier that is now set forth as dividing the natural rights of man and woman has been broken down and trampled upon, and that, too, without any injury to the society from so doing. Perhaps I can best illustrate this point by what an accomplished lady, who has given much thought and research to the subject, has presented. I read from a contribution she has made to one of our leading public prints. She says:

So long as political power was of an absolute and hereditary character women shared it whenever they happened, by birth, to hold the position to which it was attached. In Hungary, in some of the German States, and in the French Provinces to this day, certain women, holding an inherited right, confer the franchise upon their husbands, and in widowhood empower some

relative or accredited agent to be the legislative protector of their property. In 1858, the authorities of the old university town of Upsal granted the right of suffrage to fifty women owning real estate, and to thirty-one doing business on their own account. The representative that their votes elected was to sit in the House of Burgesses. In Scotland, it is less than a century since, for election purposes, parties were unblushingly married in cases where women conveyed a political franchise, and parted after the election. In Ireland, the court of Queen's Bench, Dublin, restored to women, in January, 1864, the old right of voting for town commissioners. The Justice, Fitzgerald, desired to state that ladies were also entitled to sit as town commissioners, as well as to vote for them, and the chief-justice took pains to make it clear that there was nothing in the act of voting repugnant to their habits.

In November, 1864, the Government of Moravia decided that all women who were tax-payers had the right to vote. In the Government of Pitcairn's Island, women over sixteen have voted ever since its settlement. In Canada, in 1850, a distinct electoral privilege was conferred on women, in the hope that thereby the Protestant might balance the Roman Catholic power in the school system. I lived where I saw this right exercised by female property holders for four years. I never heard the most cultivated man, not even that noble gentleman, the late Lord Elgin, object to its results. In New Jersey, the Constitution adopted in 1776, gave the right of suffrage to all inhabitants, of either sex, who possessed fifty dollars in proclamaion money. In 1790, to make it clearer, the Assembly inserted the words "he or she." Women voted there till 1838, when, the votes of some colored women having decided an election, the prejudice against the negro came to the aid of lordly supremacy, and an act was passed limiting the right of suffrage to "free white male citizens." In 1852, the Kentucky Legislature conferred the right on widows with children in matters relating to the school system. The same right was conferred in Michigan; and full suffrage was given to women in the State constitution submitted to Kansas in 1860.

I think that is a list of illustrations sufficient to dispose of any argument that may arise on such a score. And now, Mr. President, permit me to say, in concluding the remarks I have felt called upon to make here, that I have spoken rather as indicating my assent to the principle than as expecting any present practical results from the motion in question. In the earliest part of my political life, when first called upon to represent a constituency in the General Assembly of Missouri, in looking around, after my arrival at the seat of Government at those matters that seemed to me of most importance in legislation, I was struck with two great classes of injustices, two great departments in which it seemed to me the laws and the constitutions of my State had done signal wrong. Those were one as respects the rights of colored persons; the other as respects the rights of married women, minors, and females; and I there and then determined that whenever and wherever it should be in my power to aid in relieving them of those inequalities and those injustices, I would do so to the extent of my humble ability. Since then I have labored zealously in those two reforms as far and as fast as a public opinion could be created or elicited to enforce them, and I can say from my own observation that each step of advance taken has been fruitful of all good and productive of no evil. Emancipation of the colored race in Missouri has been achieved in a most thorough manner, substantially achieved even before the war; and to-day the community is ripe for the declaration that all are created equal, and that there is no reason to exclude from any right, civil or political, on the ground of race or color. I feel proud to say likewise that Missouri has gone further, and wiped from her statute-book large portions of that unjust and unfair and illiberal legislation which had been leveled at the rights and the property of the women of the State. Believing that that cause which embraces and embodies the cause of civil liberty will go forward still triumphing and to triumph, I will never, so help me God, cast any vote that may be construed as throwing myself in the face of that progress. Even though I recognize, therefore, the impolicy of coupling these two measures in this manner and at this time, I shall yet record my vote in the affirmative as an earnest indication of my belief in the principle and my faith in the future.

[Pg 144]

Mr. DAVIS: Mr. President, our entire population, like that of all other countries, is divided into two great classes, the male and the female. By the census of 1860 the white female population of the United States exceeded thirteen millions, and the aggregate negro population, of both sexes, was below four and a half millions. That great white population, and all its female predecessors, have never had the right of suffrage, or, to use that cant phrase of the day, have never been enfranchised; and such has also been the condition of the negro population. That about one negro in ten thousand in four or five States have been allowed to vote, is too insignificant to be dignified with any consideration as an exception. But now a frenzied party is clamoring to have suffrage given to the negro, while they not only raise no voice for female suffrage, but frown upon and repel every movement and utterance in its favor. Who of the advocates of negro suffrage, in Congress or out of it, dare to stand forth and proclaim to the manhood of America, that the free negroes are fitter and more competent to exercise transcendent political power, the right of suffrage, than their mothers, their wives, their sisters, and their daughters? The great God who created all the races and in every race gave to man woman, never intended that woman should take part in national government among any people, or that the negro, the lowest, should ever have co-ordinate and equal power with the highest, the white race, in any government, national or domestic. To woman in every race He gave correlative, and as high, as necessary, and as essential, but different faculties and attributes, intellectual and moral, as He gave to man in the same race; and to both, those adapted to the equally important but different parts which they were to play in the dramatic destinies of their people. The instincts, the teachings of the distinct and differing, but harmonious organism of each, led man and woman in every race and people and nation and tribe, savage and civilized, in all countries and ages of the world, to choose their natural, appropriate, and peculiar field of labor and effort. Man assumed the direction of government and war, woman of the domestic and family affairs and the care and the training of the child; and each have always acquiesced in this partition and choice. It has been so from the beginning, throughout the whole history of man, and it will continue to be so to the end, because it is in conformity to nature and its laws, and is sustained and confirmed by the experience and reason of six thousand years.

[Pg 145]

I therefore, Mr. President, am decidedly and earnestly opposed to the amendment moved by my friend from Pennsylvania. There is no man more deeply impressed with or more highly appreciates the important offices which woman exercises over the destiny of race than I do. I concede that

woman, by her teachings and influence, is the source of the large mass of the morality and virtue of man and of the world. The benignant and humanizing and important influence which she exercises upon the whole race of man in the proper discharge of her functions and duties can not be overestimated; but that woman should properly perform these great duties, this inappreciably valuable task, it is necessary that she should be kept pure. The domestic altar is a sacred fane where woman is the high and officiating priestess. This priestess should be virtuous, she should be intelligent, she should be competent to the performance of all her high duties. To keep her in that condition of purity, it is necessary that she should be separated from the exercise of suffrage and from all those stern and contaminating and demoralizing duties that devolves upon the harder sex—man.

What is the proposition now before the Senate? To make pure, cultivated, noble woman a partisan, a political hack, to lead her among the rabble that surround and control by blackguardism and brute force so many of the hustings of the United States. Mr. President, if one greater evil or curse could befall the American people than any other, in my judgment it would be to confer upon the women of America the right of suffrage. It would be a great step in the line of mischief and evil, and it would lead to other and equally fatal steps—in the same direction. Sir, if ever in the depths and silence of night I send up my secret orisons to my Maker, one of the most fervent of my prayers would be that the women of my country should be saved and sheltered by man from this great contamination. It is not necessary to the proper influence and to the legitimate power of woman. A cultivated, enlightened, delicate, refined, and virtuous woman at the family altar is the persuasive and at the same time plastic power that sways and fashions the principles and character of her children, and thus makes her impress upon the future men of America, the Phocians, the Timoleons, the Washingtons, who are the honor of the race, and whose destiny it is to elevate and ennoble it. Mr. President, in proportion as man becomes civilized so increases the power and the influence of woman. In the tribes and nations of the lowest ignorance and barbarism this influence is least—it is most potent where there is the greatest intellectual and moral cultivation of man. I want this gentle and holy influence to continue pure and uncontaminated by keeping it within the domestic fane and afar from party politics. But, sir, it has become the fashion, the philosophy, the frenzy of the day to coin catch-words that carry a seemingly attractive principle, but at the same time alluring and mischievous, and among them is this cry for woman's rights and also for negro suffrage and manhood suffrage and universal suffrage. It is all nothing but slang and demagoguery, and is fraught with naught but evil, mischief, and degradation, individually and nationally. For these reasons, sir, one of the last propositions, or if gentlemen choose, principles which have been or may be propounded to the people of America, or as an amendment to the Constitution of the United States, to which I shall ever give my acceptance, is female suffrage.

[Pg 146]

I do not deny that our national family properly and wisely comprehends all of the nationalities of Europe who may come here, according to the terms of our naturalization laws, and their posterity; but I assert that negroes, Indians, Mongolians, Chinese, and Tartars ought not and can not safely be admitted to the powers and privileges of citizenship.

I have no doubt that my honorable friend from Pennsylvania desires that the right of suffrage should be given to women; and if he had the power to transfer all the women of the conservative States into and to become residents of the radical States, who imagines that if that were done the Radicals of this House and of the nation would shout in favor of giving to women the right of suffrage? If the Radicals in Congress and out of Congress knew with the certainty of truth that every vote which they will enfranchise by conferring the right of suffrage on the negro, would be cast against that party, in favor of their late southern masters, in favor of the Democracy, in hostility to the schemes of ambition and spoils which are now animating the heart and mind of the great radical organization, who doubts that this party and every mother's son of them would shout for withholding suffrage from the negro?

Mr. SPRAGUE: I know the Senate is impatient for a vote. I know they are determined to vote favorably. When it is necessary that women shall vote for the support of liberty and equality I shall be ready to cast my vote in their favor. The black man's vote is necessary to this at this time....

Mr. BUCKALEW: I desire to say before the vote is taken on this amendment that I shall vote in favor of it because of the particular position which it occupies. A vote given for this amendment is not a final one. I understand it to pronounce an opinion upon the two propositions which have been undergoing consideration in the Senate, in a comparative manner, if I may use the expression. In voting for this proposition I affirm simply that the principles and the reasonings upon which the bill itself, as reported by the committee, is based, would apply with equal, if not increased force, to the particular proposition contained in the amendment. If that be affirmed, then recurs the question whether it is proper, whether it is expedient at this time to increase, and very extensively increase, suffrage in this country. I do not understand that the general argument on that question is involved in the present motion. I do not understand that it comes up of necessity in considering the proposition covered by the amendment of my colleague which stands simply in contrast with that contained in the bill. I presume there are several gentlemen, members of this body, who will vote with reference to this consideration and who will reserve their opinion, either openly or in their own consciousness, upon the general or indirect question of the extension of suffrage to the females of the United States.

[Pg 147]

But the occasion invites some remarks beyond the mere statement of this point. The debates which have been going on for three days in this Chamber will go out to the country. They will constitute an element in the popular discussions of the times and awaken a large amount of public attention. This is not the last we shall hear of this subject. It will come to us again; and I am persuaded that one reason why it will come again is that the arguments against the proposed extension of suffrage have not been sufficient; they have been inadequate; they have been placed upon grounds which will not endure debate. Those who are in favor of the extension of suffrage to females can answer what has been said in this Chamber, and they can answer it triumphantly; and you will eventually be obliged to take other grounds than those which have been here stated. From the beginning of this debate there has been either an open or an implied concession of the principle upon which the extension of suffrage is asked; and that is, that there is some natural right or propriety in extending it further

than it was extended by those who formed our State and Federal Constitutions; that there is some principle of right or of propriety involved which now appeals powerfully to us in favor of extended and liberal action in behalf of those large classes who have been hitherto disfranchised; upon whom the right of suffrage has not been heretofore conferred.

Having made this concession upon the fundamental ground of the inquiry, or at all events intimated it, the opponents of an extended franchise pass on to particular arguments of inconvenience or inexpediency as constituting the grounds of their opposition.

Now, sir, I venture to say that those who resist the extension of suffrage in this country will be unsuccessful in their opposition; they will be overborne, unless they assume grounds of a more commanding character than those which they have here maintained. This subject of the extension of suffrage must be put upon practical grounds and extricated from the sophisms of theoretical reasoning. Gentlemen must get out of the domain of theory. They must come back again to those principles of action upon which our fathers proceeded in framing our constitutional system. They lodged suffrage in this country simply in those whom they thought most worthy and most fit to exercise it. They did not proceed upon those humanitarian theories which have since obtained and which now seem to have taken a considerable hold on the public mind. They were practical men, and acted with reference to the history and experience of mankind. They were no metaphysicians; they were not reformers in the modern sense of the term; they were men who based their political action upon the experience of mankind, and upon those practical reflections with reference to men and things in which they had indulged in active life. They placed suffrage then upon the broad common-sense principle that it should be lodged in and exercised by those who could use it most wisely and most safely and most efficiently to serve the great ends for which Government was instituted. They had no other ground than this, and their work shows that they proceeded upon it, and not upon any abstract or transcendental notion of human rights which ignored the existing facts of social life.

[Pg 148]

Now, sir, the objection which I have to a large extension of suffrage in this country, whether by Federal or State power, is this: that thereby you will corrupt and degrade elections, and probably lead to their complete abrogation hereafter. By pouring into the ballot-boxes of the country a large mass of ignorant votes, and votes subjected to pecuniary or social influence, you will corrupt and degrade your elections and lay the foundation for their ultimate destruction. That is a conviction of mine, and it is upon that ground that I resist both negro suffrage and female suffrage, and any other proposed form of suffrage which takes humanity in an unduly broad or enlarged sense as the foundation of an arrangement of political power.

Mr. President, I proposed before the debate concluded, before this subject should be submitted to the Senate for its final decision, to protest against some of the reasoning by which this amendment was resisted. I intended to protest against particular arguments which were submitted; but I was glad this morning that that duty which I had proposed to myself was discharged, and well discharged by the Senator from Missouri [Mr. Brown]. For instance, the argument that the right of suffrage ought not to be conferred upon this particular class because they did not or could not bear arms—a consideration totally foreign and irrelevant, in my opinion, to the question which we are discussing.

But, sir, passing this by, I desire to add a few words before I conclude upon another point which was stated or suggested by the Senator from Missouri, and that is the question of reform or improvement in our election system; I mean in the machinery by which or plans upon which those elections proceed. After due reflection given to this subject, my opinion is that our electoral systems in this country are exceedingly defective, and that they require thorough revision, that to them the hand of reform must be strongly applied if republican institutions are to be ultimately successful with us.

I would see much less objection to your extension of the right of suffrage very largely to classes now excluded if you had a different mode of voting, if you did take or could take the sense of these added classes in a different manner from that which now obtains in popular voting. You proceed at present upon the principle or rule that a mere majority of the electoral community shall possess the whole mass of political power; and what are the inevitable results? First, that the community is divided into parties, and into parties not very unequal in their aggregate numbers. What next? That the balance of power between parties is held by a very small number of voters; and in practical action what is the fact? That the struggle is constantly for that balance of power, and in order to obtain it, all the arts and all the evil influences of elections are called into action. It is this struggle for that balance of power that breeds most of the evils of your system of popular elections. Now, is it not possible to have republican institutions and to eliminate or decrease largely this element of evil? Why, sir, take the State of Pennsylvania, whose voice, perhaps, in this Government is to give direction to its legislation at a given time and take a pecuniary interest in the country largely interested in your laws, looking forward upon the eve of a hotly contested election to some particular measures of Government which shall favor it, with what ease can that interest throw into the State a pecuniary contribution competent to turn the voice of that powerful State and change or determine the policy of your Government. And why so? It is only necessary that this corrupt influence should be exerted very slightly indeed within that State from abroad in order to turn the scale, because you are only to exert your pernicious power upon a small number of persons who hold the balance of power between parties therein. Sir, that organization of our system which allows such a state of things to occur must be inherently vicious. Instead of this being a Government of the whole people, which is our fundamental principle, which is our original idea, it is a Government, in the first place, of a majority only of the people; and in the next place, it is in some sort a Government of that small number of persons who give preponderance to one party over another, and who may be influenced by fanaticism, corruption, or passion.

[Pg 149]

This being our political state at present with reference to electoral action, what do you propose? We have a great evil. Electoral corruption is the great danger in our path. It is the evil in our system against which we must constantly struggle. Every patriot and every honest man here and in his own State is bound to lift his voice and to strike boldly against it in all its forms, and it requires for its

repression all the efforts and all the exertion we can put forth. Now what is proposed by the reformers of the present time? We have our majority rule—it is not a principle; it is an abuse of all terms to call it a principle—we have our majority rule in full action, presenting an invitation to corrupt, base, and sinister influences to attach themselves to our system; we have great difficulties with which we now struggle arising from imperfect arrangements, and what do you propose? To reform existing evils and abuses? To correct your system? To study it as patriots, as men of reflection and good sense? No, sir. You propose to introduce into our electoral bodies new elements of enormous magnitude. You propose to take the base of society, excluded now, and build upon it, and upon it alone or mainly, because the introduction of the enormous mass of voters proposed by the reformers will wholly change the foundations upon which you build.

[Pg 150]

Will not these new electors you propose to introduce be more approachable than men who now vote to all corrupt influences? Will they not be more passionate, and therefore more easily influenced by the demagogue? Will they not be more easily caught and enraptured by superficial declamation, because more incapable of profound reflection? Will not their weakness render them subservient to the strong and their ignorance to the artful?

I shall not, however, detain you with an elaborate argument upon this question of suffrage. I only feel myself called upon to say enough to indicate the general direction of my reflections upon the questions before us; to show why it is that I am immovably opposed at this time to extending our system of suffrage in the District of Columbia or elsewhere so as to include large classes of persons who are now excluded; and to state my opinion that reform or change should be concerned with the correction of the existing evils of our electoral system, instead of with the enlargement of its boundaries.

Mr. DOOLITTLE: I move that the Senate do now adjourn.

Several SENATORS: Oh, no; let us have a vote.

The motion was not agreed to.

Mr. DOOLITTLE: Mr. President, this amendment, in my judgment, opens a very grave question; a question graver than it appears at the blush; a question upon which the ablest minds are divided here and elsewhere; a question, however, on which we are called upon to vote, and therefore one upon which I desire very briefly to state the views which control my judgment when I say that I shall vote against the amendment which is now offered.

For myself, sir, after giving some considerable reflection to the subject of suffrage, I have arrived at the conclusion that the true base or foundation upon which to rest suffrage in any republican community is upon the family, the head of the family; because in civilized society the family is the unit, not the individual. What is meant by "man" is man in that relation where he is placed according to nature, reason, and religion. If it were a new question and it were left to me to determine what should be the true qualification of a person to exercise the right of suffrage, I would fix it upon that basis that the head of a family, capable of supporting that family, and who had supported the family, should be permitted to vote, and no other.

While I know that the question is not a new one; while it is impossible for me to treat it as a new question because suffrage everywhere has been extended beyond the heads of families, yet the reason, in my judgment, upon which it has been extended is simply this: if certain men have been permitted to vote who were not the heads of families it was because they were the exceptions to the general rule, and because it was to be presumed that if they were not at the time heads of families they ought to be, and probably would be. I say that according to reason, nature, and religion, the family is the unit of every society. So far as the ballot is concerned, in my judgment, it represents this fundamental element of civilized society, the family. It therefore should be cast by the head of the family, and according to reason, nature, and religion man is the head of the family. In that relation, while every man is king, every woman is queen; but upon him devolves the responsibility of controlling the external relations of this family, and those external relations are controlled by the ballot; for that ballot or vote which he exercises goes to choose the legislators who are to make the laws which are to govern society. Within the family man is supreme; he governs by the law of the family, by the law of reason, nature, religion. Therefore it is that I am not in favor of conferring the right of suffrage upon woman....

[Pg 151]

Mr. President, I have stated very briefly that I shall not be able to vote for the proposition of my honorable friend from Pennsylvania [Mr. Cowan]. I shall not be able to vote for this bill if it be a bill to give universal suffrage to the colored men in this District without any restriction or qualification. I have been informed that some other Senator intends before this bill shall have passed in the Senate to propose an amendment which will attach a qualification, and perhaps, should that meet the views of the Senate, I might give my support to the bill. I shall not detain the Senate further now on this subject.

Mr. POMEROY: I desire to say in just a brief word that I shall vote against the amendment of the Senator from Pennsylvania, simply because I am in favor of this measure, and I do not want to weigh it down with anything else. There are other measures that I would be glad to support in their proper place and time; but this is a great measure of itself. Since I have been a member of the Senate, there was a law in this District authorizing the selling of colored men. To have traveled in six years from the auction-block to the ballot with these people is an immense stride, and if we can carry this measure alone of itself we should be contented for the present. I am for this measure religiously and earnestly, and I would vote down and vote against everything that I thought weakened or that I thought was opposed to it. It is simply with this view, without expressing any opinion in regard to the merits of the amendment, that I shall vote against it and all other amendments.

The PRESIDENT *pro tem.*: The question is on the amendment of the Senator from Pennsylvania [Mr. Cowan], to strike out the word "male" before the word "person," in the second line of the first section of the amendment reported by the Committee on the District of Columbia as a substitute for

the whole bill, and on that question the yeas and nays have been ordered. Yeas, 9. Nays, 37.^[58]

In the House, January 28, 1867, Mr. Noell, of Missouri, introduced a bill to amend the suffrage act of the District of Columbia, which, after the second reading, he moved should be referred to a select committee of five, and on that motion demanded the previous question, and called for the yeas and nays, which resulted in 49 yeas,^[59] 74 nays—68 not voting.

FOOTNOTES:

^[48] FORM OF PETITION.—*To the Senate and House of Representatives*:—The undersigned women of the United States, respectfully ask an amendment of the Constitution that shall prohibit the several States from disfranchising any of their citizens on the ground of sex.

In making our demand for Suffrage, we would call your attention to the fact that we represent fifteen million people—one-half the entire population of the country—intelligent, virtuous, native-born American citizens; and yet stand outside the pale of political recognition. The Constitution classes us as "free people," and counts us *whole* persons in the basis of representation; and yet are we governed without our consent, compelled to pay taxes without appeal, and punished for violations of law without choice of judge or juror. The experience of all ages, the Declarations of the Fathers, the Statute Laws of our own day, and the fearful revolution through which we have just passed, all prove the uncertain tenure of life, liberty, and property so long as the ballot—the only weapon of self-protection—is not in the hand of every citizen.

Therefore, as you are now amending the Constitution, and, in harmony with advancing civilization, placing new safeguards round the individual rights of four millions of emancipated slaves, we ask that you extend the right of Suffrage to Woman—the only remaining class of disfranchised citizens—and thus fulfill your constitutional obligation "to guarantee to every State in the Union a Republican form of Government." As all partial application of Republican principles must ever breed a complicated legislation as well as a discontented people, we would pray your Honorable Body, in order to simplify the machinery of Government and ensure domestic tranquillity, that you legislate hereafter for persons, citizens, tax-payers, and not for class or caste. For justice and equality your petitioners will ever pray.

^[49] JOINT RESOLUTIONS BEFORE CONGRESS AFFECTING WOMEN.

To the Editor of the Standard—Sir:—Mr. Broomall, of Pennsylvania; Mr. Schenck, of Ohio; Mr. Jenckes, of Rhode Island; Mr. Stevens, of Pennsylvania, have each a resolution before Congress to amend the Constitution.

Article 1st, Section 2d, reads thus: "Representatives and direct taxes shall be apportioned among the several States which may be included within this Union according to their respective number."

Mr. Broomall proposes to amend by saying "male electors," Mr. Schenck "male citizens," Mr. Jenckes "male citizens," Mr. Stevens "legal voters." There is no objection to the amendment proposed by Mr. Stevens, as in process of time women may be made "legal voters" in the several States, and would then meet that requirement of the Constitution. But those urged by the other gentlemen, neither time, effort, nor State Constitutions could enable us to meet, unless, by a liberal interpretation of the amendment, a coat of mail to be worn at the polls might be judged all-sufficient. Mr. Jenckes and Mr. Schenck, in their bills, have the grace not to say a word about taxes, remembering perhaps that "taxation without representation is tyranny." But Mr. Broomall, though unwilling to share with us the honors of Government, would fain secure us a place in its burdens; for while he apportions representatives to "male electors" only, he admits "*all the inhabitants*" into the rights, privileges, and immunities of taxation. Magnanimous M. C.!

I would call the attention of the women of the nation to the fact that under the Federal Constitution, as it now exists, there is not one word that limits the right of suffrage to any privileged class. This attempt to turn the wheels of civilization backward, on the part of Republicans claiming to be *the* Liberal party, should rouse every woman in the nation to a prompt exercise of the only right she has in the Government, the right of petition. To this end a committee in New York have sent out thousands of petitions, which should be circulated in every district and sent to its Representative at Washington as soon as possible.

ELIZABETH CADY STANTON.

NEW YORK, *January 2, 1866.*

^[50] Leaving Rochester October 11th, she called on Martha Wright, Auburn; Phebe Jones and Lydia Mott, Albany; Mrs. Rose, Gibbons, Davis, Stanton, New York; Lucy Stone and Antoinette Brown Blackwell, New Jersey; Stephen and Abby Foster, Worcester; Mrs. Severance, Dall, Nowell, Dr. Harriot K. Hunt, Dr. Zakzyewska, Mr. Phillips and Garrison, in Boston, urging them to join in sending protests to Washington against the pending legislation. Mr. Phillips at once consented to vote \$500 from the "Jackson Fund" to commence the work. Miss Anthony and Mrs. Stanton spent all their "Christmas holidays" in writing letters and addressing appeals and petitions to every part of the country, and before the close of the session of 1865-66 ten thousand signatures were poured into Congress.

^[51] "THIS IS THE NEGRO'S HOUR."

To the Editor of the Standard—Sir:—By an amendment of the Constitution, ratified by three-fourths of the loyal States, the black man is declared free. The largest and most

influential political party is demanding suffrage for him throughout the Union, which right in many of the States is already conceded. Although this may remain a question for politicians to wrangle over for five or ten years, the black man is still, in a political point of view, far above the educated women of the country. The representative women of the nation have done their uttermost for the last thirty years to secure freedom for the negro, and so long as he was lowest in the scale of being we were willing to press *his* claims; but now, as the celestial gate to civil rights is slowly moving on its hinges, it becomes a serious question whether we had better stand aside and see "Sambo" walk into the kingdom first. As self-preservation is the first law of nature, would it not be wiser to keep our lamps trimmed and burning, and when the constitutional door is open, avail ourselves of the strong arm and blue uniform of the black soldier to walk in by his side, and thus make the gap so wide that no privileged class could ever again close it against the humblest citizen of the republic?

"This is the negro's hour." Are we sure that he, once entrenched in all his inalienable rights, may not be an added power to hold us at bay? Have not "black male citizens" been heard to say they doubted the wisdom of extending the right of suffrage to women? Why should the African prove more just and generous than his Saxon compeers? If the two millions of Southern black women are not to be secured in their rights of person, property, wages, and children, their emancipation is but another form of slavery. In fact, it is better to be the slave of an educated white man, than of a degraded, ignorant black one. We who know what absolute power the statute laws of most of the States give man, in all his civil, political, and social relations, demand that in changing the status of the four millions of Africans, the women as well as the men shall be secured in all the rights, privileges, and immunities of citizens.

It is all very well for the privileged order to look down complacently and tell us, "This is the negro's hour; do not clog his way; do not embarrass the Republican party with any new issue; be generous and magnanimous; the negro once safe, the woman comes next." Now, if our prayer involved a new set of measures, or a new train of thought, it would be cruel to tax "white male citizens" with even two simple questions at a time; but the disfranchised all make the same demand, and the same logic and justice that secures suffrage to one class gives it to all. The struggle of the last thirty years has not been merely on the black man as such, but on the broader ground of his humanity. Our Fathers, at the end of the first revolution, in their desire for a speedy readjustment of all their difficulties, and in order to present to Great Britain, their common enemy, an united front, accepted the compromise urged on them by South Carolina, and a century of wrong, ending in another revolution, has been the result of their action. This is our opportunity to retrieve the errors of the past and mould anew the elements of Democracy. The nation is ready for a long step in the right direction; party lines are obliterated, and all men are thinking for themselves. If our rulers have the justice to give the black man suffrage, woman should avail herself of that new-born virtue to secure her rights; if not, she should begin with renewed earnestness to educate the people into the idea of universal suffrage.

ELIZABETH CADY STANTON.

NEW YORK, *December 26, 1865.*

[52] From the *New York Evening Express*.

SCENES IN THE HOUSE OF REPRESENTATIVES.—*Negroes are to Vote—Why not Coolies in California—Indians everywhere, and First of all, Fifteen Millions of our Countrywomen.*

The following occurred in the House, Tuesday, upon Thaddeus Stevens' resolution, from the Reconstruction Committee, to deprive the South of representation, unless the South lets the negroes vote there....

MR. CHANDLER, of New York, having the floor for an hour, said: Before proceeding with my remarks, I will yield the floor for ten minutes to my colleague [Mr. Brooks].

MR. BROOKS: Mr. Speaker, I do not rise, of course, to debate this resolution, in the few minutes allowed me by my colleague, nor, in my judgment, does the resolution need any discussion unless it may be for the mere purpose of agitation. I do not suppose that there is an honorable gentleman upon the floor of this House who believes for a moment that any movement of this character is likely to become the fundamental law of the land, and these propositions are, therefore, introduced only for the purpose of agitation. If the honorable gentleman from Pennsylvania [Mr. Stevens] had been quite confident of adopting this amendment, he would at the start have named what are States of this Union. The opinion of the honorable gentleman himself, that there are no States in this Union but those that are now represented upon this floor, I know full well, but he knows as well that the President of the United States recognizes thirty-six States of this Union, and that it is necessary to obtain the consent of three-fourths of those thirty-six States, which number it is not possible to obtain. He knows very well that if his amendment should be adopted by the Legislatures of States enough, in his judgment, to carry it, before it could pass the tribunal of the Executive Chamber it would be obliged to receive the assent of twenty-seven States in order to become an amendment to the Constitution. The whole resolution, therefore, is for the purpose of mere agitation. It is an appeal from this House to the outside constituencies that we know by the name of buncombe. Here it was born, and here, after its agitation in the States, it will die. Hence, I asked the gentleman from Pennsylvania this morning to be consistent in his proposition. In one thing he is consistent, and that is in admitting the whole of the Asiatic immigration, which, by the connection of our steamers with China and Japan and the East Indies, is about to pour forth in mighty masses upon the Pacific coast to the overwhelming even of the white population there.

Mr. STEVENS: I wish to correct the gentleman. I said it excluded Chinese.

Mr. BROOKS: How exclude them, when Chinese are to be included in the basis of representation?

Mr. STEVENS: I say it excludes them.

Mr. BROOKS: How exclude them?

Mr. STEVENS: They are not included in the basis of representation.

Mr. BROOKS: Yes, if the States exclude them from the elective franchise; and the States of California and Oregon and Nevada are to be deprived of representation according to their population upon the floor of this House by this amendment. I asked him, also, if the Indian was not a man and a brother, and I obtained no satisfactory answer from the honorable gentleman. I speak now, in order to make his resolution consistent, for no one hundred thousand coolies or wild savages, but I raise my voice here in behalf of fifteen million of our countrywomen, the fairest, brightest portion of creation, and I ask why they are not permitted to vote for Representatives under this resolution? Why, in organizing a system of liberality and justice, not recognize in the case of free women as well as free negroes the right of representation?

Mr. STEVENS: The gentleman will allow me to say that this bill does not exclude women. It does not say who shall vote.

Mr. BROOKS: I comprehend all that; but the whole object of this amendment is to obtain votes for the negroes. That is its purport, tendency, and meaning; and it punishes those who will not give a vote to the negroes in the Southern States of our Union. That is the object of the resolution, and the ground upon which it is presented to this House and to the country. This is a new era; this is an age of progress. Indians are not only Indians, but men and brothers; and why not, in a resolution like this, include the fair sex too, and give them the right to representation? Will it be said that this sex does not claim a right to representation? Many members here have petitions from these fifteen millions of women, or a large portion of them, for representation, and for the right to vote on equal terms with the stronger sex, who they say are now depriving them of it. To show that such is their wish and desire, I will send to the Clerk's desk to be read certain documents, to which I ask the attention of the honorable gentleman from Pennsylvania [Mr. Stevens], for in one of them he will find he is somewhat interested.

The Clerk read as follows:

STANDARD OFFICE, 48 Beekman Street, New York, Jan. 20, 1866.

Dear Sir:—I send you the inclosed copy of petition and signatures sent to Thaddeus Stevens last week. I then urged Mr. Stevens, if their committee of fifteen could not report favorably on our petitions, they would, at least, not interpose any new barrier against woman's right to the ballot.

Mrs. Stanton has sent you a petition—I trust you will present that at your earliest convenience. The Democrats are now in minority. May they drive the Republicans to do good works—not merely to hold the rebel States in check until negro men shall be guaranteed their right to a voice in their governments, but to hold the party to a logical consistency that shall give every responsible citizen in every State equal right to the ballot. Will you, sir, please send me whatever is said or done with our petitions? Will you also give me the names of members whom you think would present petitions for us?

Respectfully yours,

Susan B. Anthony.

Hon. JAMES BROOKS.

A PETITION FOR UNIVERSAL SUFFRAGE.

To the Senate and House of Representatives:—[The petition here presented has been already in *The Express*. The following are the signatures to the petition sent to Mr. Stevens]: Elizabeth Cady Stanton, New York; Susan B. Anthony, Rochester, N.Y.; Antoinette Brown Blackwell, New York; Lucy Stone, Newark, N.J.; Ernestine L. Rose, New York; Joanna S. Morse, 48 Livingston St., Brooklyn; Elizabeth R. Tilton, 48 Livingston St., Brooklyn; Ellen Hoxie Squier, 34 St. Felix St., Brooklyn; Mary Fowler Gilbert, 294 West 19th St., New York; Mary E. Gilbert, 294 West 19th St., New York; Mattie Griffith, New York.

The SPEAKER: The ten minutes of the gentleman from New York [Mr. Brooks] have expired.

Mr. BROOKS: I will only say that at the proper time I will move to amend—or if I do not I would suggest to some gentleman on the other side to move it—this proposed amendment by inserting the words "or sex" after the word "color," so that it will read:

Provided, That whenever the elective franchise shall be denied or abridged in any State on account of race or color or sex, all persons of such race or color or sex shall be excluded from the basis of representation.

Mr. STEVENS: Is the gentleman from N.Y. [Mr. Brooks] in favor of that amendment?

Mr. BROOKS: I am if negroes are permitted to vote.

Mr. STEVENS: That does not answer my question. Is the gentleman in favor of the

amendment he has indicated?

Mr. BROOKS: I suggested that I would move it at a convenient time.

Mr. STEVENS: Is the gentleman in favor of his own amendment?

Mr. BROOKS: I am in favor of my own color in preference to any other color, and I prefer the white women of my country to the negro. [Applause on the floor and in the galleries promptly checked by the Speaker]. The Speaker said he saw a number of persons clapping in the galleries. He would endeavor, to the best of his ability, whether supported by the House or not, to preserve order. Applause was just as much out of order as manifestations of disapproval, and hisses not more than clapping of hands. Instead of general applause on the floor, gentlemen on the floor should set a good example.

[53] WOMEN POLITICIANS.—Mr. Lane, of Kansas, it is reported, has presented to the Senate the petition of "one hundred and twenty-four beautiful, intelligent, and accomplished ladies of Lawrence," praying for a constitutional amendment that shall prohibit States from disfranchising citizens on account of sex. That trick will not do. We wager a big apple that the ladies referred to are not "beautiful" or accomplished. Nine of every ten of them are undoubtedly *passee*. They have hook-billed noses, crow's-feet under their sunken eyes, and a mellow tinting of the hair. They are connoisseurs in the matter of snuff. They discard hoops, waterfalls, and bandeaux. They hold hen conventions, to discuss and decide, with vociferous expression, the orthodoxy of the minister, the regularity of the doctor, and the morals of the lawyer. They read the *Tribune* with spectacles, and have files of *The Liberator* and Wendell Phillips' orations, bound in sheepskin. Heaven forbid that we should think of any of the number as a married woman, without a fervent aspiration of pity for the weaker vessel who officiates as her spouse. As to rearing children, that is not to be thought of in the connection. Show us a woman who wants to mingle in the exciting and unpurified squabble of politics, and we will show you one who has failed to reach and enjoy that true relation of sovereignty which is held by her "meek and lowly" sisters; who, though destitute of such panting aspirations, hold the scepter of true authority in those high and holy virtues which fascinate while they command in their undisputed empire—the social circle. What iconoclast shall break our idol, by putting the ballot in woman's hand?—*Albany Evening Journal*.

A CRY FROM THE FEMALES.—Mr. Sumner yesterday presented a petition to the Senate from a large number of the women of New England, praying that they may not be debarred from the right of suffrage on account of sex. Our heart warms with pity toward these unfortunate creatures. We fancy that we can see them, deserted of men, and bereft of those rich enjoyments and exalted privileges which belong to women, languishing their unhappy lives away in a mournful singleness, from which they can escape by no art in the construction of waterfalls or the employment of cotton-padding. Talk of a true woman needing the ballot as an accessory of power, when she rules the world by a glance of her eye. There was sound philosophy in the remark of an Eastern monarch, that his wife was sovereign of the Empire, because she ruled his little ones, and his little ones ruled him. The sure panacea for such ills as the Massachusetts petitioners complain of, is a wicker-work cradle and a dimple-cheeked baby.—*The New York Tribune*.

[54] WOMAN SUFFRAGE.—*Editor Commonwealth*:—Enclosed is a letter I sent to the editor of *The Nation*. As I consider his allusion to it insufficient, will you have the kindness to print it, no paper but yours, that I know of, being now open to the subject. All that the editor of *The Nation* has a right to say is, that he has not investigated the statistics. Most of the women who have signed the petitions are women who have not a male relative in the world interested in the matter.

Very truly yours,

Caroline H. Dall.

BOSTON, Jan. 20, 1866.

70 WARREN AVENUE, BOSTON, Jan. 6, 1866.

To the Editor of The Nation:—I saw with surprise in *The Nation*, received to-day, a paragraph on "Universal Suffrage," which contained the following lines:

"We think the women of the United States ought to have the franchise if they desire it, and we think they ought to desire it. But until they do desire it, and show that they do, by a *general* expression of opinion, we are opposed to their being saddled with it on grounds of theoretical fitness, etc."

Surely, it is difficult to explain such a sentence in a professedly far-seeing and deep-thinking journal! That argument will serve as well for the lately enfranchised blacks as for women, for no one will pretend that of the millions set free, a bare majority would of themselves contend for the franchise. That argument might have refused them freedom itself, for a large majority of Southern slaves knew too little of it to desire it, however they may have longed to be rid of a taskmaster and the pangs which slavery brought. During the last four years women have been silent about their "rights" in the several States, because pressed by severe duties. Desirous to establish a reputation for discretion, we have refrained from complicating the perplexities of any Senator; but now that a constitutional amendment is pending we must be careful, even if we gain no franchise, to lose no *opportunity*.

Hitherto the Constitution of the United States has contained no word that would shut women out from future suffrage. Mr. Schenck, of Ohio, and Mr. Jenckes, of Rhode Island, propose to limit a right to "male citizens" which should rest, as it now does, simply on "legal voters." This would oblige women to move to amend the Constitution of the United

States after each separate State was carried. We have no inclination for this unnecessary work, and here, in Boston, we are preparing a petition basing the necessity of our present interference on this fact alone. How much women desire the suffrage, Mr. Editor, you ought to perceive from the conduct of the women of Australia. Carelessly enough, her male legislators omitted the significant adjective from their constitutional amendment, and, without a word of warning, on election day, every woman, properly qualified, was found at the polls. There was no just reason for refusing them the privilege, and *The London Times* says the precedent is to stand.

A very absurd article in *The Evening Post* has lately given us an idea that New York contains some remarkable women. Women born to be looked at!—women who do their whole duty if they blossom like the roses, and like the roses die. Let us hope they fulfill the functions of this type by as short a sojourn on this earth as may be, lingering, as Malherbe would have it, only for "the space of a morning." It may be among them that you find the women who "look persistently to married life as a means of livelihood." Here, in Massachusetts, we do not acknowledge any such. Fashion has her danglers among men and women, but we pity those whose lot has thrown them into intimate relations with such women as you describe. They are not of our sort. We think that if the writer in *The Evening Post* were tested, he would be forced to admire most the hands which could do the best work. It would be small comfort to him, when Bridget and John had simultaneously departed, when the baby was crying and the fire out, that his wife sat lonely, in one corner of the apartment, with serene eyes and unstained hands. Men who talk such nonsense in America, must remember that neither wealth nor gentle blood can *here* protect them from such a dilemma. As to suffrage, we are not now talking of granting it to a distinct race; if we were, they might manifest a "general" desire for it. Women, who love their husbands and brothers, can not *all* submit to bear the reproach which clings to their demand for justice. A few of us must suffer sharply for the sake of that great future which God shows us to be possible, when goodness shall join hands with power. But we do not like our pain. We would gladly be sheltered, and comforted, and cheered, and we warn you, by what passes in our own hearts, that women will never express a "general" desire for suffrage until men have ceased to ridicule and despise them for it; until the representatives of men have been taught to treat their petitions with respect. There would be no difficulty in obtaining this right of suffrage if it depended on a property qualification. It is consistent democracy which bars our way.

CAROLINE HEALEY DALL.

[55] *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:* That, from and after the passage of this act, each and every male person, excepting paupers and persons under guardianship, of the age of twenty-one years and upward, who has not been convicted of any infamous crime or offence, and who is a citizen of the United States, and who shall have resided in the said District for the period of six months previous to any election therein, shall be entitled to the elective franchise, and shall be deemed an elector and entitled to vote at any election in said District, without any distinction on account of color or race.

[56] *The New York Tribune*, Dec. 12, 1866, contains the following editorial comments: The Senate devoted yesterday to a discussion of the right of women to vote—a side question, which Mr. Cowan, of Pennsylvania, interjected into the debate on suffrage for the District of Columbia. Mr. Cowan chooses to represent himself as an ardent champion of the claim of woman to the elective franchise. It is not necessary to question his sincerity, but the occasion which he selects for the exhibition of his new-born zeal, subjects him to the suspicion of being considerably more anxious to embarrass the bill for enfranchising the blacks, than to amend it by conferring upon women the enjoyment of the same right. Mr. Cowan was once a Republican. He abandoned his party, has been repudiated by his State, and may well be casting about for some new issue by which to divert attention from his faithlessness on the old. We have heard that Mr. Cowan affects the classics; we are sure, therefore, that he will thank us for reminding him of that familiar story out of Plutarch respecting Alcibiades. When the dissolute Athenian had cut off the tail of his dog, which was the dog's principal ornament, and all Athens cried out against him for the act, Alcibiades laughed, and said: "Just what I wanted has happened. I wished the Athenians to talk about this that they might not say something worse of me."

We are not to be suspected of indifference to the question whether woman shall vote. At a proper time we mean to urge her claim, but we object to allowing a measure of urgent necessity, and on which the public has made up its mind, to be retarded and imperilled. Nor do we think the Radical majority in the Senate need be beholden to the enemy's camp for suggestions as to their policy. We want to see the ballot put in the hands of the black without one day's delay added to the long postponement of his just claim. When that is done, we shall be ready to take up the next question.

[57] Mrs. Frances Dana Gage, of Ohio.

[58] YEAS—Messrs. Anthony, Brown, Buckalew, Cowan, Foster, Nesmith, Patterson, Riddle, Wade—9. NAYS—Messrs. Cattell, Chandler, Conness, Creswell, Davis, Dixon, Doolittle, Edmunds, Fessenden, Fogg, Frelinghuysen, Grimes, Harris, Henderson, Hendricks, Howard, Howe, Kirkwood, Lane, Morgan, Morrill, Norton, Poland, Pomeroy, Ramsey, Ross, Saulsbury, Sherman, Sprague, Stewart, Sumner, Trumbull, Van Winkle, Willey, Williams, Wilson, Yates—37.

[59] YEAS—Ancona, Baker, Barker, Baxter, Benjamin, Boyer, Broomall, Bundy, Campbell, Cooper, Defrees, Denison, Eldridge, Farnsworth, Ferry, Finck, Garfield, Hale, Hawkins, Hise, Chester D. Hubbard, Edwin N. Hubbell, Humphrey, Julian, Kasson, Kelley, Kelso, Le Blond, Coan, McClurg, McKee, Miller, Newell, Niblock, Noell, Orth, Ritter, Rogers, Ross, Sitgreaves, Starr, Stevens, Strouse, Taber, Nathaniel G. Taylor, Trimble, Andrew

CHAPTER XVIII.

[Pg 152]

NATIONAL CONVENTIONS IN 1866-67.

The first National Woman Suffrage Convention after the war—Speeches by Ernestine L. Rose, Antoinette Brown Blackwell, Henry Ward Beecher, Frances D. Gage, Theodore Tilton, Wendell Phillips—Petitions to Congress and the Constitutional Convention—Mrs. Stanton a candidate to Congress—Anniversary of the Equal Rights Association.

The first Woman's Rights Convention^[60] after the war was held in the Church of the Puritans, New York, May 10th, 1866.

As the same persons were identified with the Anti-slavery and Woman's Rights Societies, and as by the "Proclamation of Emancipation" the colored man was now a freeman, and a citizen; and as bills were pending in Congress to secure him in the right of suffrage, the same right women were demanding, it was proposed to merge the societies into one, under the name of "The American Equal Rights Association," that the same conventions, appeals, and petitions, might include both classes of disfranchised citizens. The proposition was approved by the majority of those present, and the new organization completed at an adjourned session. Though Mr. Garrison, with many other abolitionists, feeling that the Anti-slavery work was finished, had retired, and thus partly disorganized that Society, yet, in its executive session, Wendell Phillips, President, refused to entertain the proposition, on the ground that such action required an amendment to the constitution, which could not be made without three months previous notice. Nevertheless there was a marked division of opinion among the anti-slavery friends present.

[Pg 153]



*Yours Sincerely
Clemence Sophia Lozier, M.D.*

At an early hour Dr. Cheever's church was well filled with an audience chiefly of ladies, who received the officers and speakers^[61] of the Convention with hearty applause. Elizabeth Cady Stanton, President of the "National Woman's Rights Committee," called the Convention to order, and said:

We have assembled to-day to discuss the right and duty of women to claim and use the ballot. Now in the reconstruction is the opportunity, perhaps for the century, to base our government on the broad principle of equal rights to all. The representative women of the nation feel that they have an interest and duty equal with man in the struggles and triumphs of this hour.

[Pg 154]

It may not be known to all of you that, during the past year, thousands of petitions, asking the ballot for woman, have been circulated through the Northern States and sent to Congress. Our thanks are due to the Hon. James Brooks for his kindness in franking our petitions, and his skill in calling to them the attention of the nation. As we have lost this champion in the House, I trust his more fortunate successor will not *dodge* his responsibilities to his countrywomen who are taxed but not represented. This should be a year of great activity among the women of this State. As New York is to have a constitutional convention in '67, it behooves us now to make an earnest demand, by appeals and petitions, to have the word "male" as well as "white" stricken from our Constitution.

5. *Resolved*, That disfranchisement *in a republic* is as great an anomaly, if not cruelty, as slavery itself. It is, therefore, the solemn duty of Congress, in "*guaranteeing a republican form of government to every State of this Union*," to see that there be no abridgment of suffrage among persons responsible to law, on account of color or sex.
6. *Resolved*, That the Joint Resolutions and report of the "Committee of Fifteen," now before Congress, to introduce the word "*male*" into the Federal Constitution, are a desecration of the last will and testament of the Fathers, a violation of the spirit of republicanism, and cruel injustice to the women of the nation.
7. *Resolved*, That while we return our thanks to those members of Congress who, recognizing the sacred right of petition, gave our prayer for the ballot a respectful consideration, we also remind those who, with scornful silence laid them on the table, or with flippant sentimentality pretended to exalt us to the clouds, above man, the ballot and the work of life, that we consider no position more dignified and womanly than on an even platform with man worthy to lay the corner-stone of a republic in equality and justice.
8. *Resolved*, That we recommend to the women of the several States to petition their Legislatures to take the necessary steps to so amend their constitutions as to secure the right of suffrage to every citizen, without distinction of race, color or sex; and especially in those States that are soon to hold their constitutional conventions.

THEODORE TILTON said: According to the programme, it is now my friend Mr. Beecher's turn to speak, but I observe that this gentleman, like some of the rest of the President's friends, occupies a back seat. [Laughter]. While, therefore, he is sitting under the gallery, I will occupy your attention just long enough to give that modest man a chance to muster nerve enough to make his appearance in public. [Laughter]. First of all, I have an account to settle with Mrs. Stanton. In her speech on taking the chair, she said that editors are not good housekeepers—a remark which no editor would think of retorting upon herself. [Laughter]. But, however dingy my editorial office may sometimes be, it is always a cheerful place when Mrs. Stanton visits it. [Applause]. Moreover, I think the place she invited me *out of* is no darker than this place which she invited me *into*! [Laughter]. In fact, I think the press has generally as much illumination as the church. [Applause].

Mrs. President, this convention is called to consider the most beautiful and humane idea which has ever entered into American politics—the right of woman to that ballot which belongs equally to all citizens. What is the chief glory of our democratic institutions? It is, that they appeal equally to the common interest of all classes—to high and low, to rich and poor, to white and black, to male and female. And never, until the political equality of all these classes is fully recognized by our laws, shall we have a government truly democratic. The practical instrument of this equality is the ballot. Now what is the ballot? Mr. Frothingham gave us one definition; Mr. Phillips gave us another. But the ballot is so large a thing that it admits of many definitions. The ballot is what the citizen thinks of the government. The government looks to the ballot to know the popular will. I do not mean to say that the little piece of white paper which we hold in our hand on election day is the only means whereby we can utter an opinion that shall be heard in Washington. We can speak by the pen; we can speak by the voice. A wise government will give heed to the public press, and to the popular voice. But there is no spoken voice, there is no written word, which the government is legally bound to heed except the ballot. When they see the ballot, they know they are served with official notice. When you *talk* to a government, you talk as to a tree; but when you *vote* at it, you scratch your name on the bark. Now, I want to see Rosalind's name cut into the bark of the government. [Applause]. Who ought to possess the ballot? Our President is right—I mean *this* President. [Applause]. She does not claim the ballot for women as women, but for women as citizens. That is the true ground. The ballot belongs not to the white man, not to the black man, not to the woman, but to the citizen. Shall the minister vote? No. Shall the lawyer? No. Shall the merchant? No. Shall the rich man? No. Shall the poor man? No. None of these shall vote. There is only one person who shall vote, and that is the citizen. [Applause]. Now I trust the day is not far distant when our institutions shall practically recognize this idea—when civil prerogative shall be limited not only by no distinction of color, but by no distinction of sex.

[Pg 155]

Are women politically oppressed that they need the ballot for their protection? I leave that question to be answered by women themselves. I demand the ballot for woman, not for woman's sake, but for man's. *She* may demand it for her own sake; but to-day, *I* demand it for *my* sake. We shall never have a government thoroughly permeated with humanity, thoroughly humane, thoroughly noble, thoroughly trustworthy, until both men and women shall unite in forming the public sentiment, and in administering that sentiment through the government. [Applause]. The church needs woman, society needs woman, literature needs woman, science needs woman, the arts need woman, politics need woman. [Applause]. A Frenchman once wrote an essay to prove woman's right to the alphabet. She took the alphabet, entered literature, and drove out Dean Swift. When she takes the ballot, and enters politics, she will drive out Fernando Wood. [Applause]. But, shall we have a woman for President? I would thank God if to-day we had a *man* for President. [Laughter]. Shall women govern the country? Queens have ruled nations from the beginning of time, and woman has governed man from the foundation of the world! [Laughter]. I know that Plato didn't have a good opinion of women; but probably they were not as amiable in his day as in ours. They undoubtedly have wrought their full share of mischief in the world. The chief bone of contention among mankind, from the earliest ages down, has been that rib of Adam out of which God made Eve. [Laughter]. And I believe in holding women to as great a moral accountability as men. [Laughter]. I believe, also, in holding them to the same intellectual accountability. Twenty years ago, when Macaulay sat down to review Lucy Rushton's—no, I mean Lucy Aiken's (laughter) "*Life of Addison*," he was forced to allude to what was a patent fact, that a woman's book was then to be treated with more critical leniency than a man's. But criticism nowadays never thinks of asking whether a book be a woman's or a man's, as a preliminary to administering praise or blame. In the Academy of Design, the critic deals as severely with a picture painted by a woman as with one painted by a man. This is right. Would you have it otherwise? Not at all! We are to stand upon a common level.

[Pg 156]

The signs of the times indicate the progress of woman's cause. Every year helps it forward visibly. The political status of woman was never so seriously pondered as it is now pondered by thoughtful minds in this country. By and by, the principles of Christian democracy will cover the continent—nay, will cover the world, as the equator belts it with summer heat! [Applause]. Until which time, we are called to diligent and earnest work. "Learn to labor and to wait," saith the poet. There will be need of much laboring and of long waiting. Sir William Jones tells us that the Hindoo laws declared that women should have no political independence—and there is many a backward Yankee who don't know any better than to agree with the Hindoos. Salatri, the Italian, drew a design of Patience—a woman chained to a rock by her ankles, while a fountain threw a thin stream of water, drop by drop, upon the iron chain, until the link should be worn away, and the wistful prisoner be set free. In like manner the Christian women of this country are chained to the rock of Burmese prejudice; but God is giving the morning and the evening dew, the early and the latter rain, until the ancient fetters shall be worn away, and a disfranchised sex shall leap at last into political liberty. [Applause]. And now for Mr. Beecher.

MR. BEECHER, on rising, was received with hearty applause,^[62] and spoke for an hour, in a strain of great animation, as follows:

It may be asked why, at such a time as this, when the attention of the whole nation is concentrated upon the reconstruction of our States, we should intrude a new and advanced question. I have been asked "Why not wait for the settlement of the one that now fills the minds of men? Why divert and distract their thoughts?" I answer, because the questions are one and the same. We are not now discussing merely the right of suffrage for the African, or his status as a new-born citizen. Claiming his rights compels us to discuss the whole underlying question of government. This is the case in court. But when the judge shall have given his decision, that decision will cover the whole question of civil society, and the relations of every individual in it as a factor, an agent, an actor....

[Pg 157]

All over the world, the question to-day is, Who has a right to construct and administer law? Russia—gelid, frigid Russia—can not escape the question. Yea, he that sits on the Russian throne has proved himself a better democrat than any of us all, and is giving to-day more evidence of a genuine love of God, and of its partner emotion, love to man, in emancipating thirty million serfs, than many a proud democrat of America has ever given. (Applause.) And the question of emancipation in Russia is only the preface to the next question, which doubtless he as clearly as any of us foresees—namely, the question of citizenship, and of the rights and functions of citizenship. In Italy, the question of who may partake of government has arisen, and there has been an immense widening of popular liberty there. Germany, that freezes at night and thaws out by day only enough to freeze up again at night, has also experienced as much agitation on this subject as the nature of the case will allow. And when all France, all Italy, all Russia, and all Great Britain shall have rounded out into perfect democratic liberty, it is to be hoped that, on the North side of the fence where it freezes first and the ice thaws out last, Germany will herself be thawed out in her turn, and come into the great circle of democratic nations. Strange, that the mother of modern democracy should herself be stricken with such a palsy and with such lethargy! Strange, that in a nation in which was born and in which has inhered all the indomitableness of individualism should be so long unable to understand the secret of personal liberty! But all Europe to-day is being filled and agitated with this great question of the right of every man to citizenship; of the right of every man to make the laws that are to control him; and of the right of every man to administer the laws that are applicable to him. This is the question to-day in Great Britain. The question that is being agitated from the throne down to the Birmingham shop, from the Atlantic to the North Sea, to-day, is this: Shall more than one man in six in Great Britain be allowed to vote? There is only one in six of the full-grown men in that nation that can vote to-day. And everywhere we are moving toward that sound, solid, final ground—namely, that it inheres in the radical notion of manhood that every man has a right which is not given to him by potentate nor by legislator, nor by the consent of the community, but which belongs to his structural idea, and is a divine right, to make the laws that control him, and to elect the magistrates that are to administer those laws. It is universal.

And now, this being the world-tide and tendency, what is there in history, what is there in physiology, what is there in experience, that shall say to this tendency, marking the line of sex, "Thus far shalt thou go, and no farther?" I roll the argument off from my shoulders, and I challenge the man that stands with me, beholding that the world-thought to-day is the emancipation of the citizen's power and the preparation by education of the citizen for that power, and objects to extending the right of citizenship to every human being, to give me the reasons why. (Applause). To-day this nation is exercising its conscience on the subject of suffrage for the African. I have all the time favored that: not because he was an African, but because he was a man; because this right of voting, which is the symbol of everything else in civil power, inheres in every human being. But I ask you, to-day, "Is it safe to bring in a million black men to vote, and not safe to bring in your mother, your wife, and your sister to vote?" (Applause). This ought ye to have done, and to have done quickly, and not to have left the other undone. (Renewed applause).

[Pg 158]

To-day politicians of every party, especially on the eve of an election, are in favor of the briefest and most expeditious citizenizing of the Irishmen. I have great respect for Irishmen—when they do not attempt to carry on war! (Laughter). The Irish Fenian movement is a ludicrous phenomenon past all laughing at. Bombarding England from the shore of America! (Great laughter). Paper pugnation! Oratorical destroying! But when wind-work is the order of the day, commend me to Irishmen! (Renewed laughter). And yet I am in favor of Irishmen voting. Just so soon as they give pledge that they come to America, in good faith, to abide here as citizens, and forswear the old allegiance, and take on the new, I am in favor of their voting. Why? Because they have learned our Constitution? No; but because voting teaches. The vote is a schoolmaster. They will learn our laws, and learn our Constitution, and learn our customs ten times quicker when the responsibility of knowing these things is laid upon them, than when they are permitted to live in carelessness respecting them. And this nation is so strong that it can stand the incidental mischiefs of thus teaching the wild rabble that emigration throws on our shores for our good and upbuilding. We are wise enough, and we have educational force enough, to carry these ignorant foreigners along with us. We have attractions that will draw them a thousand times more toward us than they can draw us toward them. And yet, while I take this broad ground, that no man, even of the Democratic party (I make

the distinction because a man may be a democrat and be ashamed of the party, and a man may be of the party and not know a single principle of democracy), should be debarred from voting, I ask, is an Irishman just landed, unwashed and uncombed, more fit to vote than a woman educated in our common schools? Think of the mothers and daughters of this land, among whom are teachers, writers, artists, and speakers! What a throng could we gather if we should, from all the West, call our women that as educators are carrying civilization there! Thousands upon thousands there are of women that have gone forth from the educational institutions of New England to carry light and knowledge to other parts of our land. Now, place this great army of refined and cultivated women on the one side, and on the other side the rising cloud of emancipated Africans, and in front of them the great emigrant band of the Emerald Isle, and is there force enough in our government to make it safe to give to the African and the Irishman the franchise? There is. We shall give it to them. (Applause). And will our force all fail, having done that? And shall we take the fairest and best part of our society; those to whom we owe it that we ourselves are civilized: our teachers; our companions; those to whom we go for counsel in trouble more than to any others; those to whom we trust everything that is dear to ourselves—our children's welfare, our household, our property, our name and reputation, and that which is deeper, our inward life itself, that no man may mention to more than one—shall we take them and say, "They are not, after all, fit to vote where the Irishman votes, and where the African votes?" I am scandalized when I hear men talk in the way that men do talk—men that do not think.

[Pg 159]

If therefore, you refer to the initial sentence, and ask me why I introduce this subject to-day, when we are already engaged on the subject of suffrage, I say, This is the greatest development of the suffrage question. *It is more important that woman should vote than that the black man should vote.* It is important that he should vote, that the principle may be vindicated, and that humanity may be defended; but it is important that woman should vote, not for her sake. She will derive benefit from voting; but it is not on a selfish ground that I claim the right of suffrage for her. It is God's growing and least disclosed idea of a true human society that man and woman should not be divorced in political affairs any more than they are in religious and social affairs. I claim that women should vote because society will never know its last estate and true glory until you accept God's edict and God's command—long raked over and covered in the dust—until you bring it out, and lift it up, and read this one of God's Ten Commandments, written, if not on stone, yet in the very heart and structure of mankind, *Let those that God joined together not be put asunder.* (Applause.)

When men converse with me on the subject of suffrage, or the vote, it seems to me that the terminology withdraws their minds from the depth and breadth of the case to the mere instruments. Many of the objections that are urged against woman's voting are objections against the mechanical and physical act of suffrage. It is true that all the forces of society, in their final political deliverance, must needs be born through the vote, in our structure of government. In England it is not so. It was one of the things to be learned there that the unvoting population on any question in which they are interested and united are more powerful than all the voting population or legislation. The English Parliament, if they believed to-day that every working man in Great Britain staked his life on the issues of universal suffrage, would not dare a month to deny it. For when a nation's foundations are on a class of men that do not vote, and its throne stands on forces that are coiled up and liable at any time to break forth to its overthrow, it is a question whether it is safe to provoke the exertion of those forces or not. With us, where all men vote, government is safe; because, if a thing is once settled by a fair vote, we will go to war rather than give it up. As when Lincoln was elected, if an election is valid, it must stand. In such a nation as this, an election is equivalent to a divine decree, and irreversible. But in Great Britain an election means, not the will of the people, but the will of rulers and a favored class, and there is always under them a great wronged class, that, if they get stirred up by the thought that they are wronged, will burst out with an explosion that not the throne, nor parliament, nor the army, nor the exchequer can withstand the shock. And they wisely give way to the popular will when they can no longer resist it without running too great a risk. They oppose it as far as it is safe to do so, and then jump on and ride it. And you will see them astride of the vote, if the common people want it. But in America it is not so. The vote with us is so general that there is no danger of insurrection, and there is no danger that the government will be ruined by a wronged class that lies coiled up beneath it. When we speak of the vote here, it is not the representative of a class, as it is in England, worn like a star, or garter, saying, "I have the king's favor or the government's promise of honor." Voting with us is like breathing. It belongs to us as a common blessing. He that does not vote is not a citizen, with us.

[Pg 160]

It is not the vote that I am arguing, except that that is the outlet. What I am arguing, when I urge that woman should vote, is that she should do all things back of that which the vote means and enforces. She should be a nursing mother to human society. It is a plea that I make, that woman should feel herself called to be interested not alone in the household, not alone in the church, not alone in just that neighborhood in which she resides, but in the sum total of that society to which she belongs; and that she should feel that her duties are not discharged until they are commensurate with the definition which our Saviour gave in the parable of the good Samaritan. I argue, not a woman's right to vote: I argue woman's *duty to discharge citizenship.* (Applause.) I say that more and more the great interests of human society in America are such as need the peculiar genius that God has given to woman. The questions that are to fill up our days are not forever to be mere money questions. Those will always constitute a large part of politics; but not so large a portion as hitherto. We are coming to a period when it is not merely to be a scramble of fierce and belluine passions in the strife for power and ambition. Human society is yet to discuss questions of work and the workman. Down below privilege lie the masses of men. More men, a thousand times, feel every night the ground, which is their mother, than feel the stars and the moon far up in the atmosphere of favor. As when Christ came the great mass carpeted the earth, instead of lifting themselves up like trees of Lebanon, so now and here the great mass of men are men that have nothing but their hands, their heads, and their good stalwart hearts, as their capital. The millions that come from abroad come that they may have light and power, and lift their children up out of ignorance, to where they themselves could not reach with the tips of their fingers. And the great question of to-day is, How shall work find leisure, and in leisure knowledge and refinement? And this question is knocking at the door of legislation. And is there a man who does not know, that when questions of justice and humanity are blended, woman's instinct is better than man's judgment? From the moment a woman takes the child into her arms, God makes her the love-

magistrate of the family; and her instincts and moral nature fit her to adjudicate questions of weakness and want. And when society is on the eve of adjudicating such questions as these, it is a monstrous fatuity to exclude from them the very ones that, by nature, and training, and instinct, are best fitted to legislate and to judge.

For the sake, then, of such questions as these, that have come to their birth, I feel it to be woman's *duty* to act in public affairs. I do not stand here to plead for your *rights*. Rights compared with duties, are insignificant—are mere baubles—are as the bow on your bonnet. It seems to me that the voice of God's providence to you to-day is, "Oh messenger of mine, where are the words that I sent you to speak? Whose dull, dead ear has been raised to life by that vocalization of heaven, that was given to you more than to any other one?" Man is sub-base. A thirty-two feet six-inch pipe is he. But what is an organ played with the feet, if all the upper part is left unused? The flute, the hautboy, the finer trumpet stops, all those stops that minister to the intellect, the imagination, and the higher feelings—these must be drawn, and the whole organ played from top to bottom! (Applause.)

More than that, there are now coming up for adjudication public questions of education. And who, by common consent, is the educator of the world? Who has been? Schools are to be of more importance than railroads—not to undervalue railroads. Books and newspapers are to be more vital and powerful than exchequers and banks—not to undervalue exchequers and banks. In other words, as society ripens, it has to ripen in its three departments, in the following order: First, in the animal; second, in the social; and third, in the spiritual and moral. We are entering the last period, in which the questions of politics are to be more and more moral questions. And I invoke those whom God made to be peculiarly conservators of things moral and spiritual to come forward and help us in that work, in which we shall falter and fail without woman. We shall never perfect human society without her offices and her ministration. We shall never round out the government, or public administration, or public policies, or politics itself, until you have mixed the elements that God gave to us in society—namely, the powers of both men and women. (Applause.) I, therefore, charge my countrywomen with this *duty* of taking part in public affairs in the era in which justice, and humanity, and education, and taste, and virtue are to be more and more a part and parcel of public procedure. * *

In such a state of society, then, as the present, I stand, as I have said, on far higher ground in arguing this question than the right of woman. That I believe in; but that is down in the justice's court. I go to the supreme bench and argue it, and argue it on the ground that the nation needs woman, and that woman needs the nation, and that woman can never become what she should be, and the nation can never become what it should be, until there is no distinction made between the sexes as regards the rights and duties of citizenship—until we come to the 28th verse of the third chapter of Galatians. What is it? [turning to Mr. Tilton, who said, "I don't know!"] Don't know? If it was Lucy Rushton, you would! (Great laughter.)

There is neither Jew nor Greek, there is neither bond nor free, there is neither male nor female; for ye are all one in Christ Jesus.

And when that day comes; when the heavenly kingdom is ushered in with its myriad blessed influences; when the sun of righteousness shall fill the world with its beams, as the natural sun coming from the far South fills the earth with glorious colors and beauty, then it will come to pass that there shall be no nationality, no difference of classes, and no difference of sexes. Then all shall be one in Christ Jesus. Hold that a minute, please [handing Mr. Tilton a pocket Testament from which he had read the foregoing passage of Scripture]. Theodore was a most excellent young man when he used to go to my church; but he has escaped from my care lately, and now I don't know what he does. (Laughter.)

I urge, then, that woman should perform the duty of a citizen in voting. You may, perhaps, ask me, before I go any further, "What is the use of preaching to us that we *ought* to do it, when we are not permitted to do it?" That day in which the intelligent, cultivated women of America say, "We have a right to the ballot" will be the day in which they will have it. (Voices—"Yes." "That is so"). There is no power on earth that can keep it from them. [Applause]. The reason you have not voted is because you have not wanted to. [Applause]. It is because you have not felt that it was your duty to vote. You have felt yourselves to be secure and happy enough in your privileges and prerogatives, and have left the great mass of your sisters, that shed tears and bore burdens, to shirk for themselves. You have felt that you had rights more than you wanted now. O yes, it is as if a beauty in Fifth Avenue, hearing one plead that bread might be sent to the hungry and famishing, should say, "What is this talk about bread for? I have as much bread as I want, and plenty of sweetmeats, and I do not want your loaves." Shall one that is glutted with abundance despise the wants of the starving, who are so far below them that they do not hear their cries, not one of which escapes the ear of Almighty God? Because you have wealth and knowledge and loving parents, or a faithful husband, or kind brothers, and you feel no pressure of need, do you feel no inward pressure of humanity for others? Is there no part of God's great work in providence that should lead you to be discontented with your ease and privileges until you are enfranchised? You ought to vote; and when your understanding and intellect are convinced that you ought to do it, you will have the power to do it; and you never will till then.

I. Woman has more interest than man in the promotion of virtue and purity and humanity. Half, shall I say?—Half does not half measure the proportion of those sorrows that come upon woman by reason of her want of influence and power. All the young men that, breaking down, break fathers' and mothers' hearts; all those that struggle near to the grave, weeping piteous tears of blood, it might almost be said, and that at last, under paroxysms of despair, sin against nature, and are swept out of misery into damnation; the spectacles that fill our cities, and afflict and torment villages—what are these but reasons that summon woman to have a part in that regenerating of thought and that regenerating of legislation which shall make vice a crime, and vice-makers criminals? Do you suppose that, if it were to turn on the votes of women to-day whether rum should be sold in every shop in this city, there would be one moment's delay in settling the question? What to the oak lightning is that marks it and descends swiftly upon it, that woman's vote would be to miscreant vices in these great cities. [Applause]. Ah, I speak that which I do know. As a physician speaks from that which he sees in the hospital where he ministers, so I speak from that which I behold in my professional position and place, where I see the undercurrent of life. I hear groans that

come from smiling faces. I witness tears that when others look upon the face are all swept away, as the rain is when one comes after a storm. Not most vocal are our deepest sorrows. Oh, the sufferings of wives for husbands untrue! Oh, the sufferings of mothers for sons led astray! Oh, the sufferings of sisters for sisters gone! Oh, the sufferings of companions for companion-women desecrated! And I hold it to be a shame that they, who have the instinct of purity and of divine remedial mercy more than any other, should withhold their hand from that public legislation by which society may be scourged, and its pests cleared away. And I declare that woman has more interest in legislation than man, because she is the sufferer and the home-staying, ruined victim.

II. The household, about which we hear so much said as being woman's sphere, is safe only as the community around about it is safe. Now and then there may be a Lot that can live in Sodom; but when Lot was called to emigrate, he could not get all his children to go with him. They had been intermarried and corrupted. A Christian woman is said to have all that she needs for her understanding and to task her powers if she will stay at home and mend her husband's clothes, if she has a husband, and take care of her children, if she has children. The welfare of the family, it is said, ought to occupy her time and thoughts. And some ministers, in descanting upon the sphere of woman, are wont to magnify the glory and beauty of a mother teaching some future chief-justice, or some president of the United States. Not one whit of glory would I withdraw from such a canvas as that; but I aver that the power to teach these children largely depends upon the influences that surround the household. So that she that would take the best care of the house must take care of that atmosphere which is around the house as well. And every true and wise Christian woman is bound to have a thought for the village, for the county, for the State, and for the nation. [Applause]. That was not the kind of woman that brought me up—a woman that never thought of anything outside of her own door-yard. My mother's house was as wide as Christ's house; and she taught me to understand the words of Him that said, "The field is the world; and whoever needs is your brother." A woman that is content to wash stockings, and make Johnny-cake, and to look after and bring up her boys faultless to a button, and that never thinks beyond the meal-tub, and whose morality is so small as to be confined to a single house, is an under-grown woman, and will spend the first thousand years after death in coming to that state in which she ought to have been before she died. [Laughter]. Tell me that a woman is fit to give an ideal life to an American citizen, to enlarge his sympathies, to make him wise in judgment, and to establish him in patriotic regard, who has no thought above what to eat and drink, and wherewithal to be clothed. The best housekeepers are they that are the most widely beneficent. "Seek first the kingdom of God and his righteousness, and all these things shall be added unto you." God will take care of the stockings, if you take care of the heads! [Laughter and applause]. Universal beneficence never hinders anybody's usefulness in any particular field of duty. Therefore, woman's sphere should not be limited to the household. The public welfare requires that she should have a thought of affairs outside of the household, and in the whole community.

[Pg 164]

III. Woman brings to public affairs peculiar qualities, aspirations, and affections which society needs. I have had persons say to me, "Would you, now, take your daughter and your wife, and walk down to the polls with them?" If I were to take my daughter and my wife, and walk down to the polls with them, and there was a squirming crowd of bloated, loud-mouthed, blattering men, wrangling like so many maggots on cheese, what would take place, but that, at the moment I appeared with my wife and daughter walking by my side with conscious dignity and veiled modesty, the lane would open, and I should pass through the red sea unharmed? [Great applause]. Where is there a mob such that the announcement that a woman is present does not bring down the loudest of them? Nothing but the sorcery of rum prevents a man from paying unconscious, instant respect to the presence of a woman....

IV. The history of woman's co-operative labors thus far justifies the most sanguine anticipations, such as I have alluded to. Allusion has been made to the purification of literature. The influence of women has been a part of the cause of this, unquestionably; but I would not ascribe such a result to any one cause. God is a great workman, and has a chest full of tools, and never uses one tool, but always many; and in the purification of literature, the elevation of thought, the advancement of the public sentiment of the world in humanity, God has employed more than that which has been wrought in their departments. And that which the family has long ago achieved—that, in more eminence and more wondrous and surprising beauty, the world will achieve for itself in public affairs, when man and woman co-operate there, as now they are co-operating in all other spheres of taste, intellection, and morality....

It is said, a "woman's place is at home." Well, now, since compromises are coming into vogue again, will you compromise with me, and agree that until a woman has a home she may vote? [Laughter]. That is only fair. It is said, "She ought to stay at home, and attend to home duty, and minister to the wants of father, or husband, or brothers." Well, may all orphan women, and unmarried women, and women that have no abiding place of residence vote? If not, where is the argument? But, to look at it seriously, what is the defect of this statement? It is the impression that staying at home is incompatible with going abroad. Never was there a more monstrous fallacy. I light my candle, and it gives me all the light I want, and it gives all the light you want to you, and to you, and to you, and to every other one in the room; and there is not one single ray that you get there which cheats me here; and a woman that is doing her duty right in the family sheds a beneficent influence out upon the village in which she dwells, without taking a moment's more time. My cherry-trees are joyful in all their blossoms, and thousands go by them and see them in their beauty day by day; but I never mourn the happiness that they bestow on passers-by as having been taken from me. I am not cheated by the perfume that goes from my flowers into my neighbor's yard. And the character of a true woman is such that it may shine everywhere without making her any poorer. She is richer in proportion as she gives away.... And it is just because woman is woman that she is fitted, while she takes care of the household, to take care of the village and the community around about her.

[Pg 165]

But it is said, "She ought to act through her father, or husband, or brother, or son." Why ought she? Did you ever frame an argument to show why the girl should use her father to vote for her, and the boy who is younger, and not half so witty, should vote for himself? It does not admit of an argument. If the grandmother, the mother, the wife, and the eldest daughter, are to be voted for by the father, the husband, and the eldest brother, then why are not the children to be voted for in complete

family relation by the patriarchal head? Why not go back to the tribal custom of the desert, and let the patriarch do all the voting? To be sure, it would change the whole form of our government; but, if it is good for the family, it is just as good for classes.

In a frontier settlement is a log-cabin, and it is in a region which is infested by wolves. There are in the family a broken-down patient of a man, a mother, and three daughters. The house is surrounded by a pack of these voracious animals, and the inmates feel that their safety requires that the intruders should be driven away. There are three or four rifles in the house. The man creeps to one of the windows, and to the mother and daughters it is said, "You load the rifles, and hand them to me, and let me fire them." But they can load all the four rifles, and he can not fire half as fast as they can load; and I say to the mother, "Can you shoot?" She says, "Let me try," and she takes a gun, and points it at the wolves, and pulls the trigger, and I see one of them throw his feet up in the air. "Ah!" I say, "I see you can shoot! You keep the rifle, and fire it yourself." And I say to the oldest daughter, "Can you shoot?" "I guess I can," she says. "Well, dare you?" "I dare do anything to save father and the family." And she takes one of the rifles, and pops over another of the pack. And I tell you, if the wolves knew that all the women were firing, they would flee from that cabin instanter. (Laughter). I do not object to a woman loading a man's rifle and letting him shoot; but I say that, if there are two rifles, she ought to load one of them, and shoot herself. And I do not see any use of a woman's influencing a man and loading him with a vote, and letting him go and fire it off at the ballot-box. (Laughter and applause).

It is said, again, "Woman is a creature of such an excitable nature that, if she were to mingle with men in public affairs, it would introduce a kind of vindictive acrimony, and politics would become intolerable." Oh, if I really thought so; if I thought that the purity of politics would be sullied, I would not say another word! (Laughter). I do not want to take anything from the celestial graces of politics! (Renewed laughter). I will admit that woman is an excitable creature, and I will admit that politics needs no more excitement; but sometimes, you know, things are homœopathic. A woman's excitement is apt to put out a man's; and if she should bring her excitability into politics, it is likely that it would neutralize the excitement that is already there, and that there would be a grand peace! (Laughter). But, not to trifle with it, woman is excitable. Woman is yet to be educated. Woman is yet to experience the reactionary influence of being a public legislator and thinker. And let her sphere be extended beyond the family and the school, so that she should be interested in, and actively engaged in, promoting the welfare of the whole community, and in the course of three generations the reaction on her would be such that the excitement that she would bring into public affairs would be almost purely moral inspiration. It would be the excitement of purity and disinterested benevolence.

[Pg 166]

It is said, furthermore, "Woman might vote for herself, and take office." Why not? A woman makes as good a postmistress as a man does a postmaster. Woman has been tried in every office from the throne to the position of the humblest servant; and where has she been found remiss? I believe that multitudes of the offices that are held by men are mere excuses for leading an effeminate life; and that with their superior physical strength it behooves them better to be actors out of doors, where the severity of climate and the elements is to be encountered, and leave indoor offices to women, to whom they more properly belong. But, women, you are not educated for these offices. I hear bad reports of you. It is told me that the trouble in giving places to women is that they will not do their work well; that they do not feel the sense of conscience. They have been flattered so long, they have been called "women" so long, they have had compliments instead of rights so long, that they are spoiled; but when a generation of young women shall have been educated to a stern sense of right and duty, and shall take no compliments at the expense of right, we shall have no such complaints as these. And when a generation of women, working with the love of God and true patriotism in their souls, shall have begun to hold office, meriting it, and being elected to it by those that would rather have a woman than a man in office, then you may depend upon it that education has qualified them for the trusts which are committed to them. We have tried "old women" in office, and I am convinced that it would be better to have *real* women than virile old women in public stations. (Laughter and applause). For my own sake, give me a just, considerate, true, straight-forward, honest-minded, noble-hearted woman, who has been able, in the fear of God, to bring up six boys in the way they should go, and settle them in life. If there is anything harder in this nation than that, tell me what it is. A woman that can bring up a family of strong-brained children, and make good citizens of them, can be President without any difficulty. (Applause).

Let me now close with one single thought in connection with this objection. I protest in the name of my countrywomen against the aspersion which is cast upon them by those who say that woman is not fit to hold office or discharge public trusts. The name of what potentate to-day, if you go round the world, would probably, in every nation on the earth, bring down most enthusiasm and public approbation? If I now, here in your midst, shall mention the name of Queen Victoria, your cheers will be a testimony to your admiration of this noble woman. (Great applause). Though it be in a political meeting, or any other public gathering, no man can mention her name without eliciting enthusiasm and tokens of respect. It is a controversy to-day between woman aristocratic and woman democratic (applause); and I claim that what it is right for an aristocratic woman to do—what it is right for a duchess, or a queen, or an empress to do—it is right for the simplest and plainest of my countrywomen to do, that has no title, and no credentials, except the fact that God made her a woman. All that I claim for the proudest aristocrat I claim for all other women. (Applause). I do not object to a woman's being a queen, or a president, if she has the qualifications which fit her to be one. And I claim that, where there is a woman that has the requisite qualifications for holding any office in the family, in the church, or in the state, there is no reason why she should not be allowed to hold it. And we shall have a perfect crystal idea of the state, with all its contents, only when man understands the injunction, "What God hath joined together let no man put asunder."^[63] (Great applause).

[Pg 167]

SUSAN B. ANTHONY read the following appeal to the Congress of the United States for the enfranchisement of woman:

[Pg 168]

To the Senate and House of Representatives:

We have already appeared many times during the present session before your honorable body, in petitions, asking the enfranchisement of woman; and now, from this National Convention we again make our appeal, and urge you to lay no hand on that "pyramid of rights," the Constitution of the Fathers," unless to add glory to its height and strength to its foundation.

We will not rehearse the oft-repeated arguments on the natural rights of every citizen, pressed as they have been on the nation's conscience for the last thirty years in securing freedom for the black man, and so grandly echoed on the floor of Congress during the past winter. We can not add one line or precept to the inexhaustible speech recently made by Charles Sumner in the Senate, to prove that "no just government can be formed without the consent of the governed;" to prove the dignity, the education, the power, the necessity, the salvation of the ballot in the hand of every man and woman; to prove that a just government and a true church rest alike on the sacred rights of the individual.

As you are familiar with that speech of the session on "EQUAL RIGHTS TO ALL," so convincing in facts, so clear in philosophy, and so elaborate in quotations from the great minds of the past, without reproducing the chain of argument, permit us to call your attention to a few of its unanswerable assertions on the ballot:

I plead now for the ballot, as the great guarantee; and *the only sufficient guarantee*—being in itself peacemaker, reconciler, schoolmaster and protector—to which we are bound by every necessity and every reason; and I speak also for the good of the States lately in rebellion, as well as for the glory and safety of the Republic, that it may be an example to mankind.

Ay, sir, the ballot is the Columbiad of our political life, and every citizen who has it is a full-armed Monitor.

The ballot is *schoolmaster*. Reading and writing are of inestimable value, but the ballot teaches what these can not teach.

Plutarch records that the wise men of Athens charmed the people by saying that *Equality causes no war*, and "both the rich and the poor repeated it."

The ballot is like charity, which never faileth, and without which man is only as sounding brass or a tinkling cymbal. The ballot is the one thing needful, without which rights of testimony and all other rights will be no better than cobwebs, which the master will break through with impunity. To him who has the ballot all other things shall be given—protection, opportunity, education, a homestead. The ballot is like the Horn of Abundance, out of which overflow rights of every kind, with corn, cotton, rice, and all the fruits of the earth. Or, better still, it is like the hand of the body, without which man, who is now only a little lower than the angels, must have continued only a little above the brutes. They are fearfully and wonderfully made; but as is the hand in the work of civilization, so is the ballot in the work of government. "Give me the ballot, and I can move the world."

Do you wish to see harmony truly prevail, so that industry, society, government, civilization, may all prosper, and the Republic may wear a crown of true greatness? Then do not neglect the ballot.

Lamartine said, "Universal Suffrage is the first truth and only basis of every national republic."

In regard to "Taxation without representation," Mr. Sumner quotes from Lord Coke:

The Supreme Power cannot take from any man any part of his property *without consent in person, or by representation*.

Taxes are not to be laid on the people, but by their consent in person, or by representation.

I can see no reason to doubt but that the imposition of taxes, whether on trade, or on land, or houses, or ships, or real or personal, fixed or floating, property in the colonies, is absolutely irreconcilable with the rights of the colonies, as British subjects, *and as men*. I say men, for in a state of nature no man can take any property from me without my consent. *If he does, he deprives me of my liberty and makes me a slave*. The very act of taxing, exercised over those who are not represented, appears to me to deprive them of one of their most essential rights as freemen, and if continued seems to be in effect an entire disfranchisement of every civil right. For what one civil right is worth a rush, after a man's property is subject to be taken from him at pleasure without his consent?

In demanding suffrage for the black man you recognize the fact that as a freedman he is no longer a "part of the family," and that, therefore, his master is no longer his representative; hence, as he will now be liable to taxation, he must also have representation. Woman, on the contrary, has never been such a "part of the family" as to escape taxation. Although there has been no formal proclamation giving her an individual existence, she has always had the right to property and wages, the right to make contracts and do business in her own name. And even married women, by recent legislation, have been secured in these civil rights. Woman now holds a vast amount of the property in the country, and pays her full proportion of taxes, revenue included. On what principle, then, do you deny her representation? By what process of reasoning Charles Sumner was able to stand up in the Senate, a few days after these sublime utterances, and rebuke 15,000,000 disfranchised tax-payers for the exercise of their right of petition merely, is past understanding. If he felt that this was not the time for woman to even mention her right to representation, why did he not take breath in some of his splendid periods, and propose to release the poor shirtmakers, milliners and dressmakers, and all women of property, from the tyranny of taxation?

We propose no new theories. We simply ask that you secure to ALL the practical application of the immutable principles of our government, without distinction of race, color or sex. And we urge our demand *now*, because you have the opportunity and the power to take this onward step in legislation. The nations of the earth stand watching and waiting to see if our Revolutionary idea, "all men are created equal," can be realized in government. Crush not, we pray you, the million hopes that hang on our success. Peril not another bloody war. Men and parties must pass away, but justice is eternal. And they only who work in harmony with its laws are immortal. All who have carefully noted the proceedings of this Congress, and contrasted your speeches with those made under the old *régime* of slavery, must have seen the added power and eloquence that greater freedom gives. But still you propose no action on your grand ideas. Your Joint Resolutions, your Reconstruction Reports, do not reflect your highest thought. The constitution, in basing representation on "respective numbers," covers a broader ground than any you have yet proposed. Is not the only amendment needed to Article 1st, Section 3d, to strike out the exceptions which follow "respective numbers?" And is it not your duty, by securing a republican form of government to every State, to see that these "respective numbers" are made up of enfranchised citizens? Thus bringing your legislation up to the Constitution—not the Constitution down to your party possibilities!! The only tenable ground of representation is UNIVERSAL SUFFRAGE, as it is only through Universal Suffrage that the principle of "Equal Rights to All" can be realized. All prohibitions based on race, color, sex, property, or education, are violations of the republican idea; and the various qualifications now proposed are but so many plausible pretexts to debar new classes from the ballot-box. The limitations of property and intelligence, though unfair, can be met; as with freedom must come the repeal of statute-laws that deny schools and wages to the negro. So time makes him a voter. But color and sex! Neither time nor statutes can make black white, or woman man! You assume to be the representatives of 15,000,000 women—American citizens—who already possess every *attainable* qualification for the ballot. Women read and write, hold many offices under government, pay taxes, and the penalties of crime, and yet are allowed to exercise but the one right of petition.

[Pg 170]

For twenty years we have labored to bring the statute laws of the several States into harmony with the broad principles of the Constitution, and have been so far successful that in many, little remains to be done but to secure the right of suffrage. Hence, our prompt protest against the propositions before Congress to introduce the word "male" into the Federal Constitution, which, if successful, would block all State action in giving the ballot to woman. As the only way disfranchised citizens can appear before you, we availed ourselves of the sacred right of petition. And, as our representatives, it was your duty to give those petitions a respectful reading and a serious consideration. How well a Republican Senate performed that duty, is already inscribed on the page of history. Some tell us it is not judicious to press the claims of women *now*; that this is not the time. Time? When you propose legislation so fatal to the best interests of woman and the nation, shall we be silent till the deed is done? No! As we love republican ideas, we must resist tyranny. As we honor the position of American Senator, we must appeal from the politician to the man.

With man, woman shared the dangers of the Mayflower on a stormy sea, the dreary landing on Plymouth Rock, the rigors of a New England winter, and the privations of a seven years' war. With him she bravely threw off the British yoke, felt every pulsation of his heart for freedom, and inspired the glowing eloquence that maintained it through the century. With you, we have just passed through the agony and death, the resurrection and triumph, of another revolution, doing all in our power to mitigate its horrors and gild its glories. And now, think you we have no souls to fire, no brains to weigh your arguments; that, after education such as this, we can stand silent witnesses while you sell our birthright of liberty, to save from a timely death an effete political organization? No, as we respect womanhood, we must protest against this desecration of the magna charta of American liberties; and with an importunity not to be repelled, our demand must ever be: "No compromise of human rights"—"No admission in the Constitution of inequality of rights, or disfranchisement on account of color or sex."

[Pg 171]

In the oft-repeated experiments of class and caste, who can number the nations that have risen but to fall? Do not imagine you come one line nearer the demand of justice by enfranchising but another shade of *manhood*; for, in denying representation to woman you still cling to the same principle on which all the governments of the past have been wrecked. The right way, the safe way, is so clear, the path of duty is so straight and simple, that we who are equally interested with yourselves in the result, conjure you to act not for the passing hour, not with reference to transient benefits, but to do now the one grand deed that shall mark the progress of the century—proclaim EQUAL RIGHTS TO ALL. We press our demand for the ballot at this time in no narrow, captious or selfish spirit; from no contempt of the black man's claims, nor antagonism with you, who in the progress of civilization are now the privileged order; but from the purest patriotism, for the highest good of every citizen, for the safety of the Republic, and as a spotless example to the nations of the earth.

Mr. Beecher was followed by Wendell Phillips, Frances Dana Gage, Frances Watkins Harper; the Financial Committee^[64] meantime passed through the audience for the material aid to carry forward the work. Miss Anthony presented the following resolution, and moved its adoption, which was seconded by Martha C. Wright:

Whereas, By the act of Emancipation and the Civil Rights bill, the negro and woman now hold the same civil and political *status*, alike needing only the ballot; and whereas the same arguments apply equally to both classes, proving all partial legislation fatal to republican institutions, therefore,

Resolved, That the time has come for an organization that shall demand UNIVERSAL SUFFRAGE, and that hereafter we shall be known as the "AMERICAN EQUAL RIGHTS ASSOCIATION."

Miss ANTHONY said: Our friend Mrs. Mott desires me to explain the object of this change, which she would gladly do but for a severe cold, which prevents her from making herself heard. For twenty years we have pressed the claims of woman to the right of representation in the government. The first National Woman's Rights Convention was held in Worcester, Mass., in 1850, and each successive year conventions were held in different cities of the Free States—Worcester, Syracuse, Cleveland, Philadelphia, Cincinnati, and New York—until the rebellion. Since then, till now, we have

held no conventions. Up to this hour, we have looked to State action only for the recognition of our rights; but now, by the results of the war, the whole question of suffrage reverts back to Congress and the U. S. Constitution. The duty of Congress at this moment is to declare what shall be the basis of representation in a republican form of government. There is, there can be, but one true basis; and that is that taxation must give representation; hence our demand must now go beyond woman—it must extend to the farthest bound of the principle of the "consent of the governed," as the only authorized or just government. We, therefore, wish to broaden our Woman's Rights platform, and make it in *name*—what it ever has been in *spirit*—a Human Rights platform. It has already been stated that we have petitioned Congress the past winter to so amend the Constitution as to prohibit disfranchisement on account of sex. We were roused to this work by the several propositions to prohibit negro disfranchisement in the rebel States, which at the same time put up a new bar against the enfranchisement of women. As women we can no longer *seem* to claim for ourselves what we do not for others—nor can we work in two separate movements to get the ballot for the two disfranchised classes—the negro and woman—since to do so must be at double cost of time, energy, and money.

[Pg 172]

New York is to hold a Constitutional Convention the coming year. We want to make a thorough canvass of the entire State, with lectures, tracts, and petitions, and, if possible, create a public sentiment that shall send genuine Democrats and Republicans to that Convention who shall strike out from our Constitution the two adjectives "*white male*," giving to every citizen, over twenty-one, the right to vote, and thus make the Empire State the first example of a true republican form of government. And what we propose to do in New York, the coming eighteen months, we hope to do in every other State so soon as we can get the men, and the women, and the money, to go forward with the work. Therefore, that we may henceforth concentrate all our forces for the practical application of our one grand, distinctive, national idea—UNIVERSAL SUFFRAGE—I hope we will unanimously adopt the resolution before us, thus resolving this Eleventh National Woman's Rights Convention into the "AMERICAN EQUAL RIGHTS ASSOCIATION."

The Resolution was unanimously adopted.

STEPHEN S. FOSTER said: I wish to suggest that it will be necessary, first, to adopt a form of Constitution, and that it is a very important question. Upon it will depend much of the success of our movement. We have been deeply thrilled by the eloquence of our friend, Mr. Beecher. We have all felt that his utterances were the essential truth of God; and the bright picture he drew before us is a possibility, if we do our duty. But this state of things will never be realized by us, unless it is from a united, persevering effort, giving a new impetus to the Woman's Rights movement. I think it necessary that we should have a more perfect organization than we can prepare this morning, at this late hour, and I therefore move that we adjourn to meet in the vestry this afternoon at four o'clock, to perfect an organization, and take such further measures for the prosecution of our cause as may then and there be deemed expedient. (The motion was carried.)

A large audience assembled in the Lecture-room, at four o'clock. Susan B. Anthony took the Chair and said, the first thing, in order to complete the new organization, would be to fix upon a form of Constitution. Parker Pillsbury, from the Business Committee, reported one which was considered article by article, and adopted. There was an interesting discussion relative to the necessity of a preamble, in which the majority sympathized with LUCRETIA MOTT, who expressed herself specially desirous that there should be one, and that it should state the fact that this new organization was the outgrowth of the Woman's Rights movement. Mrs. Stanton gave her idea of what the preamble should be; and Mrs. Mott moved that Mrs. Stanton write out her thought, and that it be accepted as the preamble of the Constitution.^[65] The motion was adopted. Miss Anthony proposed a list of names as officers^[66] of the Association. Mrs. Stanton thanked the Convention for the honor proposed, to make her President, but said she should prefer to see Lucretia Mott in that office; that thus that office might ever be held sacred in the memory that it had first been filled by one so loved and honored by all. "I shall be happy as Vice-President to relieve my dear friend of the arduous duties of her office, if she will but give us the blessing of her name as President." Mrs. Stanton then moved that Mrs. Mott be the President, which was seconded by many voices, and carried by a unanimous vote.

[Pg 173]

[Pg 174]

Mrs. Mott, escorted to the Chair by Stephen S. Foster, remarked that her age and feebleness unfitted her for any public duties, but she rejoiced in the inauguration of a movement broad enough to cover class, color, and sex, and would be happy to give her name and influence, if thus she might encourage the young and strong to carry on the good work. On motion of Theodore Tilton, Mrs. Stanton was made first Vice-President. The rest of the names were approved.

Mrs. STANTON said, It had been the desire of her heart to see the Anti-Slavery and Woman's Rights organizations merged into an Equal Rights Association, as the two questions were now one. With emancipation, all that the black man asks is the right of suffrage. With the special legislation of the last twenty years, all that woman asks is the right of suffrage. Hence it seems an unnecessary expenditure of force and substance for the same men and women to meet in convention on Tuesday to discuss the right of one class to the ballot, and on Thursday to discuss the right of another class to the same. Has not the time come, Mrs. President, to bury the black man and the woman in the citizen, and our two organizations in the broader work of reconstruction? They who have been trained in the school of anti-slavery; they who, for the last thirty years, have discussed the whole question of human rights, which involves every other question of trade, commerce, finance, political economy, jurisprudence, morals and religion, are the true statesmen for the new republic—the best enunciators of our future policy of justice and equality. Any work short of this is narrow and partial and fails to meet the requirements of the hour. What is so plain to me, may, I trust, be so to all before the lapse of many months, that all who have worked together thus far, may still stand side by side in this crisis of our nation's history.

JAMES MOTT said, he rejoiced that the women had seen fit to re-organize their movement into one for equal rights to all, that he felt the time had come to broaden our work. He felt the highest good of

[Pg 175]

the nation demanded the recognition of woman as a citizen. We could have no true government until all the people gave their consent to the laws that govern them.

STEPHEN S. FOSTER said, Many seemed to think that the one question for this hour was negro suffrage. The question for every man and woman, he thought, was the true basis of the reconstruction of our government, not the rights of woman, or the negro, but the rights of all men and women. Suffrage for woman was even a more vital question than for the negro; for in giving the ballot to the black man, we bring no new element into the national life—simply another class of men. And for one, he could not ask woman to go up and down the length and breadth of the land demanding the political recognition of any class of disfranchised citizens, while her own rights are ignored. Thank God, the human family are so linked together, that no one man can ever enjoy life, liberty, or happiness, so long as the humblest being is crippled in a single right. I have demanded the freedom of the slave the last thirty years, because he was a human being, and I now demand suffrage for the negro because he is a human being, and for the same reason I demand the ballot for woman. Therefore, our demand for this hour is equal suffrage to all disfranchised classes, for the one and the same reason—they are all human beings.

MARTHA C. WRIGHT said: Some one had remarked that we wished to merge ourselves into an Equal Rights Association to get rid of the odious name of Woman's Rights. This she repudiated as unworthy and untrue. Every good cause had been odious some time, even the name Christian has had its odium in all nations. We desire the change, because we feel that at this hour our highest claims are as citizens, and not as women. I for one have always gloried in the name of Woman's Rights, and pitied those of my sex who ignobly declared they had all the rights they wanted. We take the new name for the broader work because we see it is no longer woman's province to be merely a humble petitioner for redress of grievances, but that she must now enter into the fullness of her mission, that of helping to make the laws, and administer justice.

Aaron M. Powell presented the following resolution:

Resolved, That in view of the Constitutional Convention to be held in the State of New York the coming year, it is the duty of this Association to demand such an amendment of the Constitution as shall secure equal rights to all citizens, without distinction of color, sex, or race.

Miss Anthony seconded the resolution, and urged the importance of making a thorough canvass of the State with lectures, tracts, and petitions.^[67] Mr. Powell, Mrs. Gage, and others, advocated the concentration of all the energies of the Association for the coming year on the State of New York; after which the resolution was adopted.

[Pg 176]

PARKER PILLSBURY: Perhaps we ourselves do not appreciate the magnitude of the enterprise we are here to inaugurate. If successful, we close to-day one epoch in human history, and enter on another of results more millennial than have been seen before. We give now a new definition to the word Liberty. We clothe our divinity with new honors. The ancients worshiped in her temple, but to them all, even the devoutest, she was ever an "Unknown God." In all ages, men sing her praises, but know not her law. Our revolutionary fathers were blind as others—blinder than many others. They declared all men free and equal. They fought long and valiantly for their evangel, baptizing it in the blood of many battles, came home triumphant, and then constructed a despotism which their own immortal Jefferson declared was fraught with more woes in one hour, to myriads of its citizens, than would be endured in whole ages of the worst they themselves had ever known! That government they named a Republic. Under it we held millions of slaves, and were providing to hold many millions more, when God sent a thunderbolt and dashed it in pieces before our eyes and gave our slaves their freedom. Now our wise men and counselors, our statesmen and sages, are seeking how the government and Union may be reconstructed. But they are laying again false foundations. Of three immense classes, they proscribe two and provide for one; and that one perhaps a minority of the whole. Half our people are degraded for their sex; one-sixth for the color of their skin. And this is the republican and democratic definition of freedom. The ruling class boasts two qualities, in virtue of which it claims the right to rule all others. It is male, not female—white, not colored. For neither of these surely is it responsible. For being women and colored, the proscribed classes are no more responsible. A more cruel, unrighteous, unjust distinction was never made under heaven. By it we are driven into this new revolution; a revolution which is to eclipse all that have gone before, as far as the glories of Calvary outshone the shadows and terrors of Sinai. Even the Anti-Slavery Society can only demand equality for the *male* half of mankind. And the Woman's Rights movement contemplated only *woman* in its demand. But with us liberty means freedom, equality, and fraternity, irrespective of sex or complexion. It is a gospel that was unknown to the ancients; hidden even from the wise and prudent among our revolutionary fathers. Revolutionary *mothers* we seem never to have had. As in Eden, "Adam was first found, then Eve," so in our revolution; but Eve has come to-day, demanding her portion of the equal inheritance, a mystery, a wonder, a "*new thing under the sun*," the declaration of King Solomon to the contrary notwithstanding. And here and to-day we lay new foundations. For the first time, law and liberty are to be founded in nature and the government of the moral universe. For the first time is it demanded that JUSTICE be made our chief corner-stone. The ancient republics, not thus underpinned, fell. Our old foundations, too, are fallen. In God's wisdom, not in man's foolishness, let us henceforth build. And the work of our hands, feeble as we seem to-day, shall survive all the present kingdoms and dominions of the world.

[Pg 177]

Miss ANTHONY remarked that Theodore Tilton was in the house, and had not yet spoken. She would like to hear his opinion.

Mr. TILTON replied that of course Miss Anthony was speaking in pleasantry when she thus ingeniously pretended not to know his opinion. This pretense was only a piece of strategy to compel him to make a speech. Both she and he had lately been co-workers in a local association for just such a purpose as to-day's enterprise meditated—"The New York Equal Rights Association," of which he had had the honor to be president, and Miss Anthony to be secretary—an association which both its secretary and its president were only too glad to see superseded by a larger and more general movement. The apple tree bears more blossoms which fall off than come to fruit. Our local association was the necessary first blossom which had to be blown away by the wind. No—he

would rather say it was a blossom which had ripened to-day into golden fruit. And now, said he, in this consecrated house, at this sunset hour, amid these falling shadows, with a president in the chair whose well-spent life has been crowned with every virtue, let us make a covenant with each other such as was made by the original members of the American Anti-Slavery Society—a mutual pledge of diligent and earnest labor, not for the abolition of chattel slavery, but for the political rights of all classes, without regard to color or sex. Are we only a handful? We are more than formed the Anti-Slavery Society—which grew into a force that shook the nation. Who knows but that to-night we are laying the corner-stone of an equally grand movement? Let us, therefore, catch at this moment the cheering pretoken of the prophecy that declares, "At evening time there shall be light!"

A motion was made to adjourn, when the President, Lucretia Mott, made a few closing remarks, showing that all great achievements in the progress of the race must be slow, and were ever wrought out by the few, in isolation and ridicule—but, said she, let us remember in our trials and discouragements, that if our lives are true, we walk with angels—the great and good who have gone before us, and God is our Father. As she uttered her few parting words of benediction, the fading sunlight through the stained windows, fell upon her pure face, a celestial glory seemed about her, and a sweet and peaceful influence pervaded every heart. And all responded to Theodore Tilton when he said, "this closing meeting of the Convention was one of the most beautiful, delightful, and memorable which any of its participants ever enjoyed."

[Pg 178]

The Convention adjourned to meet in Boston May 31, 1866, where a large, enthusiastic meeting was held, of which we find the following report by Charles K. Whipple.

From the National Anti-Slavery Standard of June 9, 1866.

The meeting next in interest as in time, among the crowded assemblies of Anniversary week, was that of the Equal Rights Association, called and managed by those intelligent and excellent women who have for years labored in behalf of Woman's Rights. A large portion of the community have been accustomed to sneer at these ladies as self-seeking and fanatical. The new position they have taken shows, on the contrary, the largeness of their views, the breadth of their sympathy, and the practical good sense which govern their operations. Their proceedings show their full appreciation of the fact that the rights of men and the rights of women must stand or fall together.

Mrs. Dall called the meeting to order, and introduced as its president, Martha C. Wright, of Auburn, N. Y., in the absence of Lucretia Mott, the president of the Association. Mrs. Wright made some well-chosen introductory remarks; Miss Susan B. Anthony read letters of friendly greeting from Frederick Douglass and William Lloyd Garrison, and then a very admirable report was read by Mrs. Dall, summing up the advance made in the woman's cause the past year.... The freedom of the platform was an admirable feature of this Convention. Early in the proceedings it was announced that any member of the audience, male or female, was entitled to speak on the topics under debate, and would be made welcome. Among those who addressed the Convention were Parker Pillsbury, Henry C. Wright, Aaron M. Powell, Dr. Sarah Young, Rev. Olympia Brown (minister of a church at Weymouth), Susan B. Anthony, Stephen S. Foster, Mr. Tooker, Ira Stewart, Charles C. Burleigh, Wendell Phillips, Frances Ellen Harper, Anna E. Dickinson. The mention of these names is enough to indicate that there was abundance of good speaking. No time was lost, and the hours of three sessions were pleasantly and profitably filled.

Mr. Pillsbury said the word "male," as a restriction upon the action of women, is unknown to the Federal Constitution, as well as the word "black," and that its introduction into that document should be resisted in the most strenuous manner, since we can never have a true democracy while the work of government is monopolized by a privileged class.... Wendell Phillips, admitting that the suffrage is the great question of the hour, thought, nevertheless, that in view of the peculiar circumstances of the negro's position, his claim to this right might fairly be considered to have precedence.... This hour, then, is preëminently the property of the negro. Nevertheless, said Mr. Phillips, I willingly stand here to plead the woman's cause, because the Republican party are seeking to carry their purpose by newly introducing the word "male" into the Constitution. To prevent such a corruption of the National Constitution, as well as for the general welfare of the community, male and female, I wish to excite interest everywhere in the maintenance of woman's right to vote. This woman's meeting was well conducted, and met with success in every way....

[Pg 179]

FRANCES D. GAGE, in a letter to the *National Anti-Slavery Standard*, May 26, 1866, speaking of her attendance of the anniversary meetings in New York, said: "If the Anti-Slavery work has fallen somewhat behind our hope, that of the Woman's Rights movement has far outstripped our most sanguine expectations. When the war-cry was heard in 1861, the advance-guard of the Woman's Rights party cried 'halt!' And for five years we have stood waiting while the grand drama of the Rebellion was passing. Not as idle spectators, but as the busiest and most unwearied actors on the boards. We have, as our manly men assert, fought half the battle, and helped to win the victory.

"Wendell Phillips said, 'Women made this war!' By the same process of reasoning women may claim that 'they made the peace,' that 'they broke the chains of the slave, and redeemed the land from its most direful curse.' Be this true or otherwise, one fact is patent to every mind—woman to-day is an acknowledged power! And when we met at the Church of the Puritans last week, we found Woman's Rights filling its halls and galleries as never before; with a Beecher and a Tilton to defend our cause, but not one sneerer or opposer to open his or her lips. Who now will dare call us 'infidels,' since Bishop Simpson, Henry Ward Beecher, and Dr. Tyng champion our cause, and proclaim it 'woman's duty to vote for the good of humanity'? Who will now dare sneer while the leading minds of Europe—among them Ruskin, John Stuart Mill, Mazzini, Victor Hugo—must share the odium with those hitherto called 'strong-minded?'

"It was with pain that I heard Wendell Phillips say on our platform, 'Albany can not help you; your throne is the world of fashion!'—meaning women. If we are given over to fashion, frivolity, and vice, does it follow that rights and privileges, duties and responsibilities will not help us? If just governments derive their powers from the consent of the governed, and taxation without

representation is tyranny, then Albany can help us in just so much as a good and just government will help the people who live under its rules and laws. No one would at this day, if a friend to the negro, say to him, 'A vote can not help you!' Then why say it to women?

"Our Woman's Rights Convention has now taken the broad platform of 'Equal Rights,' and upon that will work in time to come. And our meeting in New York seemed proof—if proof was wanting—that all we need now is to ask and receive. Our worst enemy, our greatest hindrance, is woman herself; and her indifference is the legitimate result of long-denied privileges and responsibilities of which she has not learned the necessity. If, as Mr. Beecher asserted, 'to vote is a duty,' then it is the duty of every man and woman to work to secure that right to every human being of adult years.

"Since our meeting, the House of Representatives at Washington has passed, by more than three to one, the amendment of the Reconstruction Committee. If the Senate concurs, then, to save the four million negroes of the South, or rather to save the Republican party (the people agreeing), seventeen millions of women, governed without their own consent, are proclaimed a disfranchised class by the Constitution of the United States, hitherto unpolluted by any such legislation. Let us, then, work for this, too, that seventeen million women shall not be left without the power considered so necessary to the negro for his preservation and protection; the power to help govern himself. Let us never forget his claim, but strengthen it, by not neglecting our own."

[Pg 180]

At the November election of this year, Mrs. Stanton offered herself as a candidate for Congress; in order to test the constitutional right of a woman to run for office. This aroused some discussion on this phase of the question, and many were surprised to learn that while women could not vote, they could hold any office in which their constituents might see fit to place them. Theodore Tilton gives the following graphic description of this event in "The Eminent Women":

In a cabinet of curiosities I have laid away as an interesting relic, a little white ballot, two inches square, and inscribed:

For Representative to Congress,
ELIZABETH CADY STANTON.

Mrs. Stanton is the only woman in the United States who, as yet, has been a candidate for Congress. In conformity with a practice prevalent in some parts of this country, and very prevalent in England, she nominated herself. The public letter in which she proclaimed herself a candidate was as follows:

To the Electors of the Eighth Congressional District:

Although, by the Constitution of the State of New York woman is denied the elective franchise, yet she is eligible to office; therefore, I present myself to you as a candidate for Representative to Congress. Belonging to a disfranchised class, I have no political antecedents to recommend me to your support,—but my creed is *free speech, free press, free men, and free trade*,—the cardinal points of democracy. Viewing all questions from the stand-point of principle rather than expediency, there is a fixed uniform law, as yet unrecognized by either of the leading parties, governing alike the social and political life of men and nations. The Republican party has occasionally a clear vision of personal rights, though in its protective policy it seems wholly blind to the rights of property and interests of commerce; while it recognizes the duty of benevolence between man and man, it teaches the narrowest selfishness in trade between nations. The Democrats, on the contrary, while holding sound and liberal principles on trade and commerce, have ever in their political affiliations maintained the idea of class and caste among men—an idea wholly at variance with the genius of our free institutions and fatal to high civilization. One party fails at one point and one at another.

[Pg 181]

In asking your suffrages—believing alike in free men and free trade—I could not represent either party as now constituted. Nevertheless, as an Independent Candidate, I desire an election at this time, as a rebuke to the dominant party for its retrogressive legislation in so amending the National Constitution as to make invidious distinctions on the ground of sex. That instrument recognizes as persons all citizens who obey the laws and support the State, and if the Constitutions of the several States were brought into harmony with the broad principles of the Federal Constitution, the women of the Nation would no longer be taxed without representation, or governed without their consent. Not one word should be added to that great charter of rights to the insult or injury of the humblest of our citizens. I would gladly have a voice and vote in the Fortieth Congress to demand *universal* suffrage, that thus a republican form of government might be secured to every State in the Union.

If the party now in the ascendancy makes its demand for "Negro Suffrage" in good faith, on the ground of natural right, and because the highest good of the State demands that the republican idea be vindicated, on no principle of justice or safety can the women of the nation be ignored. In view of the fact that the Freedmen of the South and the millions of foreigners now crowding our shores, most of whom represent neither property, education, nor civilization, are all in the progress of events to be enfranchised, the best interests of the nation demand that we outweigh this incoming pauperism, ignorance, and degradation, with the wealth, education, and refinement of the women of the republic. On the high ground of safety to the Nation, and justice to citizens, I ask your support in the coming election.

ELIZABETH CADY STANTON.

New York, Oct. 10, 1866.

The New York *Herald*, though, of course, with no sincerity, since that journal is never sincere in anything—warmly advocated Mrs. Stanton's election. "A lady of fine presence and accomplishments in the House of Representatives," it said (and said truly), "would wield a wholesome influence over the rough and disorderly elements of that body." The *Anti-Slavery Standard*, with genuine commendation, said: "The electors of the Eighth District would honor themselves and do well by the country in giving her a triumphant election." The other candidates in the same district were Mr. James Brooks, Democrat, and Mr. Le Grand B. Cannon, Republican. The result of the election was as follows: Mr. Brooks received 13,816 votes, Mr. Cannon 8,210, and Mrs. Stanton 24. It will be seen

that the number of sensible people in the district was limited! The excellent lady, in looking back upon her successful defeat, regrets only that she did not, before it became too late, procure the photographs of her two dozen unknown friends.[68]

The years of 1866 and '67 were marked by unusual activity among the friends of this movement in both England and America. John Stuart Mill, a member of Parliament, proposed an amendment to the "Household Suffrage Bill," by striking out the word "man," sustained by many able speeches, which finally carried the measure triumphantly there. New York held a Constitutional Convention, Michigan a Commission, and Kansas submitted the proposition of woman suffrage to a vote of her people. Twenty thousand petitions were rolled up and presented in the Constitutional Convention, asking that the word "male" be stricken from Article II, sec. 1, and as many more were poured into Congress and the Legislatures of several of the States. A series of conventions, commencing in Albany, were held in all the chief cities of New York.[69]

[Pg 182]

THE AMERICAN EQUAL RIGHTS ASSOCIATION.

The labors of this year are well rounded out with a grand National Convention,[70] during Anniversary week, in New York, which assembled at the Church of the Puritans, May 9th, 1867, at 10 o'clock A.M. Elizabeth Cady Stanton called the meeting to order and said: "In the absence of our venerable President (Lucretia Mott), Robert Purvis, one of the Vice-Presidents, will take the chair."

[Pg 183]

Mr. PURVIS said: I regret the absence of Mrs. Mott. It is needless to say that no one has higher claims upon the nation's gratitude for what has been accomplished in the glorious work of Anti-Slavery, and for what is now being accomplished in the still greater, because more comprehensive work for freedom contemplated by this Society, than our honored and beloved President, Lucretia Mott. (Applause). It is with no ordinary feelings that I congratulate the friends of this Association on the healthful, hopeful, animating, inspiring signs of the times. Our simple yet imperative demand, founded upon a just conception of the true idea of our republican government, is equality of rights for all, without regard to color, sex, or race; and, inseparable from the citizen, the possession of that power, that protection, that primal element of republican freedom—the ballot.

Lucretia Mott here entered the hall, and, at the request of Mr. Purvis, took the chair, and called for the Secretary's Report.

SUSAN B. ANTHONY said: It is my duty to present to you at this time a written Report of all that has been done during the past year; but those of us who have been active in this movement, have been so occupied in doing the work, that no one has found time to chronicle the progress of events. With but half a dozen live men and women, to canvass the State of New York, to besiege the Legislature and the delegates to the Constitutional Convention with tracts and petitions, to write letters and send documents to every State Legislature that has moved on this question, to urge Congress to its highest duty in the reconstruction, by both public and private appeals, has been a work that has taxed every energy and dollar at our command. Money being the vital power of all movements—the wood and water of the engine—and, as our work through the past winter has been limited only by the want of it, there is no difficulty in reporting on finance. The receipts of our Association, during the year, have amounted to \$4,096.78; the expenditures, for lectures and conventions, for printing and circulating tracts and documents, to \$4,714.11—leaving us in debt \$617.33.

The Secretary then rapidly rehearsed the signs of progress. She spoke of the discussion in the United States Senate on the Suffrage bill, through three entire days, resulting in a vote of nine Senators in favor of extending suffrage to the women as well as black men of the District of Columbia; of the action of the Legislatures of Kansas and Wisconsin to strike the words "white male" from their constitutions; of the discussions and minority votes in the Legislatures of Maine, Massachusetts, New York, Ohio, and Missouri; of the addresses of Elizabeth Cady Stanton and Lucy Stone before the Judiciary Committees of the New York and New Jersey Legislatures; of the demand for household suffrage by the women of England, earnestly maintained by John Stuart Mill in the British Parliament—all showing that the public mind everywhere is awake on this question of equal rights to all. Every mail brings urgent requests from the West for articles for their papers, for lectures and tracts on the question of suffrage. In Kansas they are planning mass conventions, to be held throughout the State through September and October; and they urge us to send out at least a dozen able men and women, with 100,000 tracts, to help them educate the people into the grand idea of universal suffrage, that they may carry the State at the November election.

[Pg 184]

Two of our agents, Lucy Stone and Henry B. Blackwell, are already in Kansas, speaking in all her towns and cities—in churches, school-houses, barns, and the open air; traveling night and day, by railroad, stage, and ox-cart; scaling the rocky divides, and fording the swollen rivers—their hearts all aglow with enthusiasm, greeted everywhere by crowded audiences, brave men and women, ready to work for the same principles for which they have suffered in the past, that Kansas, the young and beautiful hero of the West, may be the first State in the Union to realize a genuine Republic. The earnest, loyal people of Kansas have resolved to teach the nation to-day the true principle of reconstruction, as they taught the nation, twelve years ago, the one and only way in which to escape from the chains of slavery. They ask us to help them. So do Wisconsin, Illinois, Michigan, and New York. But for this vast work, as I have already shown you, we have an empty treasury. We ask you to replenish it. If you will but give your money generously—if you will but oil the machinery—this Association will gladly do the work that shall establish universal suffrage, equal rights to all, in every State in the Union.

The PRESIDENT (Mrs. Mott) said: The report which we have had, although not written, is most interesting. A great deal of it is new to me. There are so many actively engaged in the cause, that it is fitting that some of us older ones should give place to them. That is the natural order, and every natural order is divine and beautiful. Therefore, I feel glad of the privilege—although my filling the office of President has been a mere nominal thing—to withdraw from the chair and to yield the place

to our friend Robert Purvis, one of our Vice-Presidents. The cause is dear to my heart, and has been from my earliest days. Being a native of the island of Nantucket, where women were thought something of, and had some connection with the business arrangements of life, as well as with their homes, I grew up so thoroughly imbued with woman's rights that it was the most important question of my life from a very early day. I hail this more public movement for its advocacy, and have been glad that I had strength enough to co-operate to some extent. I have attended most of the regular meetings, and I now feel almost ashamed, old as I am, to be so ignorant of what has happened during the last year. We need a paper—an organ that shall keep those who can not mingle actively in our public labors better informed. *The Standard* has done much; and I find in many other papers a disposition to do justice, to a great extent, to our cause. It is not ridiculed as it was in the beginning. We do not have the difficulties, the opposition, and the contumely to confront that we had at an early day. I am very glad to find such an audience here to-day; and far be it from me to occupy the time so as to prevent Mr. May, Mr. Burleigh, and others, from having their proper place.

[Pg 185]

Mr. PURVIS resumed the chair, and introduced Mrs. Stanton, who spoke to the following resolutions:

Resolved, That government, of all sciences, is the most exalted and comprehensive, including, as it does, all the political, commercial, religious, educational, and social interests of the race.

Resolved, That to speak of the ballot as an "article of merchandise," and of the science of government as the "muddy pool of politics," is most demoralizing to a nation based on universal suffrage.

In considering the question of suffrage, there are two starting points: one, that this right is a gift of society, in which certain men, having inherited this privilege from some abstract body and abstract place, have now the right to secure it for themselves and their privileged order to the end of time. This principle leads logically to governing races, classes, families; and, in direct antagonism to our idea of self-government, takes us back to monarchies and despotisms, to an experiment that has been tried over and over again, 6,000 years, and uniformly failed.

Ignoring this point of view as untenable and anti-republican, and taking the opposite, that suffrage is a natural right—as necessary to man under government, for the protection of person and property, as are air and motion to life—we hold the talisman by which to show the right of all classes to the ballot, to remove every obstacle, to answer every objection, to point out the tyranny of every qualification to the free exercise of this sacred right. To discuss this question of suffrage for women and negroes, as women and negroes, and not as citizens of a republic, implies that there are some reasons for demanding this right for these classes that do not apply to "white males."

The obstinate persistence with which fallacious and absurd objections are pressed against their enfranchisement—as if they were anomalous beings, outside all human laws and necessities—is most humiliating and insulting to every black man and woman who has one particle of healthy, high-toned self-respect. There are no special claims to propose for women and negroes, no new arguments to make in their behalf. The same already made to extend suffrage to all white men in this country, the same John Bright makes for the working men of England, the same made for the emancipation of 22,000,000 Russian serfs, are all we have to make for black men and women. As the greater includes the less, an argument for universal suffrage covers the whole question, the rights of all citizens. In thus relaying the foundations of government, we settle all these side issues of race, color, and sex, end class legislation, and remove forever the fruitful cause of the jealousies, dissensions, and revolutions of the past. This is the platform of the American Equal Rights Association. "We are masters of the situation." Here black men and women are buried in the citizen. As in the war, freedom was the key-note of victory, so now is universal suffrage the key-note of reconstruction.

[Pg 186]

"Negro suffrage" may answer as a party cry for an effete political organization through another Presidential campaign; but the people of this country have a broader work on hand to-day than to save the Republican party, or, with some abolitionists, to settle the rights of races. The battles of the ages have been fought for races, classes, parties, over and over again, and force always carried the day, and will until we settle the higher, the holier question of individual rights. This is our American idea, and on a wise settlement of this question rests the problem whether our nation shall live or perish.

The principle of inequality in government has been thoroughly tried, and every nation based on that idea that has not already perished, clearly shows the seeds of death in its dissensions and decline. Though it has never been tried, we know an experiment on the basis of equality would be safe; for the laws in the world of morals are as immutable as in the world of matter. As the Astronomer Leverrier discovered the planet that bears his name by a process of reason and calculation through the variations of other planets from known laws, so can the true statesman, through the telescope of justice, see the genuine republic of the future amid the ruins of the mighty nations that have passed away. The opportunity now given us to make the experiment of self-government should be regarded by every American citizen as a solemn and a sacred trust. When we remember that a nation's life and growth and immortality depend on its legislation, can we exalt too highly the dignity and responsibility of the ballot, the science of political economy, the sphere of government? Statesmanship is, of all sciences, the most exalted and comprehensive, for it includes all others. Among men we find those who study the laws of national life more liberal and enlightened on all subjects than those who confine their researches in special directions. When we base nations on justice and equality, we lift government out of the mists of speculation into the dignity of a fixed science. Everything short of this is trick, legerdemain, sleight of hand. Magicians may make nations seem to live, but they do not. The Newtons of our day who should try to make apples stand in the air or men walk on the wall, would be no more puerile in their experiments than are they who build nations outside of law, on the basis of inequality.

What thinking man can talk of *coming down* into the arena of politics? If we need purity, honor, self-sacrifice and devotion anywhere, we need them in those who have in their keeping the life and prosperity of a nation. In the enfranchisement of woman, in lifting her up into this broader sphere, we see for her new honor and dignity, more liberal, exalted and enlightened views of life, its objects,

ends and aims, and an entire revolution in the new world of interest and action where she is soon to play her part. And in saying this, I do not claim that woman is better than man, but that the sexes have a civilizing power on each other. The distinguished historian, Henry Thomas Buckle, says: "The turn of thought of women, their habits of mind, their conversation, invariably extending over the whole surface of society, and frequently penetrating its intimate structure, have, more than all other things put together, tended to raise us into an ideal world, and lift us from the dust into which we are too prone to grovel." And this will be her influence in exalting and purifying the world of politics. When woman understands the momentous interests that depend on the ballot, she will make it her first duty to educate every American boy and girl into the idea that to vote is the most sacred act of citizenship—a religious duty not to be discharged thoughtlessly, selfishly or corruptly; but conscientiously, remembering that, in a republican government, to every citizen is entrusted the interests of the nation. Would you fully estimate the responsibility of the ballot, think of it as the great regulating power of a continent, of all our interests, political, commercial, religious, educational, social and sanitary!

To many minds, this claim for the ballot suggests nothing more than a rough polling-booth where coarse, drunken men, elbowing each other, wade knee-deep in mud to drop a little piece of paper two inches long into a box—simply this and nothing more. The poet Wordsworth, showing the blank materialism of those who see only with their outward eyes, says of his Peter Bell:

"A primrose on the river's brim
A yellow primrose was to him,
And it was nothing more."

So our political Peter Bells see the rough polling-booth in this great right of citizenship, and nothing more. In this act, so lightly esteemed by the mere materialist, behold the realization of that great idea struggled for in the ages and proclaimed by the Fathers, the right of self-government. That little piece of paper dropped into a box is the symbol of equality, of citizenship, of wealth, of virtue, education, self-protection, dignity, independence and power—the mightiest engine yet placed in the hand of man for the uprooting of ignorance, tyranny, superstition, the overturning of thrones, altars, kings, popes, despotisms, monarchies and empires. What phantom can the sons of the Pilgrims be chasing, when they make merchandise of a power like this? Judas Iscariot, selling his Master for thirty pieces of silver, is a fit type of those American citizens who sell their votes, and thus betray the right of self-government. Talk not of the "muddy pool of politics," as if such things must need be. Behold, with the coming of woman into this higher sphere of influence, the dawn of the new day, when politics, so called, are to be lifted into the world of morals and religion; when the polling-booth shall be a beautiful temple, surrounded by fountains and flowers and triumphal arches, through which young men and maidens shall go up in joyful procession to ballot for justice and freedom; and when our election days shall be kept like the holy feasts of the Jews at Jerusalem. Through the trials of this second revolution shall not our nation rise up, with new virtue and strength, to fulfill her mission in leading all the peoples of the earth to the only solid foundation of government, "equal rights to all." ...

Our danger lies, not in the direction of despotism, in the one-man power, in centralization; but in the corruption of the people....

It is in vain to look for a genuine republic in this country until the women are baptized into the idea, until they understand the genius of our institutions, until they study the science of government, until they hold the ballot in their hands and have a direct voice in our legislation. What is the reason, with the argument in favor of the enfranchisement of women all on one side, without an opponent worthy of consideration—while British statesmen, even, are discussing this question—the Northern men are so dumb and dogged, manifesting a studied indifference to what they can neither answer nor prevent? What is the reason that even abolitionists who have fearlessly claimed political, religious and social equality for women for the last twenty years, should now, with bated breath, give her but a passing word in their public speeches and editorial comments—as if her rights constituted but a side issue of this grave question of reconstruction? All must see that this claim for *male* suffrage is but another experiment in class legislation, another violation of the republican idea. With the black man we have no new element in government, but with the education and elevation of women we have a power that is to develop the Saxon race into a higher and nobler life, and thus, by the law of attraction, to lift all races to a more even platform than can ever be reached in the political isolation of the sexes. Why ignore 15,000,000 women in the reconstruction? The philosophy of this silence is plain enough. The black man crowned with the rights of citizenship, there are no political Ishmaelites left but the women. This is the last stronghold of aristocracy in the country. Sydney Smith says: "There always has been, and always will be, a class of men in the world so small that, if women were educated, there would be nothing left below them."

It is a consolation to the "white male," to the popinjays in all our seminaries of learning, to the ignorant foreigner, the boot-black and barber, the idiot—for a "white male" may vote if he be not more than nine-tenths a fool—to look down on women of wealth and education, who write books, make speeches, and discuss principles with the savans of their age. It is a consolation for these classes to be able to say, "well, if woman can do these things, they can't vote after all." I heard some boys discoursing thus not long since. I told them they reminded me of a story I heard of two Irishmen the first time they saw a locomotive with a train of cars. As the majestic fire-horse, with all its grace and polish, moved up to a station, stopped, and snorted, as its mighty power was curbed, then slowly gathered up its forces again and moved swiftly on—"be jabbers," says Pat, "there's muscle for you. What are we beside that giant?" They watched it intently till out of sight, seemingly with real envy, as if oppressed with a feeling of weakness and poverty before this unknown power; but rallying at last, one says to the other: "No matter, Pat; let it snort and dash on—it can't vote, after all."

Poor human nature wants something to look down on. No privileged order ever did see the wrongs of its own victims, and why expect the "white male citizen" to enfranchise woman without a struggle—by a scratch of the pen to place themselves on a dead level with their lowest order? And what a fall would that be, my countrymen. In none of the nations of modern Europe is there a class of women so degraded politically as are the women of these Northern States. In the Old World, where

the government is the aristocracy, where it is considered a mark of nobility to share its offices and powers—there women of rank have certain hereditary rights which raise them above a majority of the men, certain honors and privileges not granted to serfs or peasants. In England woman may be Queen, hold office, and vote on some questions. In the Southern States even the women were not degraded below their working population, they were not humiliated in seeing their coachmen, gardeners, and waiters go to the polls to legislate on their interests; hence there was a pride and dignity in their bearing not found in the women of the North, and pluck in the chivalry before which Northern doughfaceism has ever cowered. But here, where the ruling class, the aristocracy, is "male," no matter whether washed or unwashed, lettered or unlettered, rich or poor, black or white, here in this boasted northern civilization, under the shadow of Bunker Hill and Faneuil Hall, which Mr. Phillips proposes to cram down the throat of South Carolina—here women of wealth and education, who pay taxes and are amenable to law, who may be hung, even though not permitted to choose the judge, the juror, or the sheriff who does the dismal deed, women who are your peers in art, science, and literature—already close upon your heels in the whole world of thought—are thrust outside the pale of political consideration with traitors, idiots, minors, with those guilty of bribery, larceny, and infamous crime. What a category is this in which to place your mothers, wives, and daughters. I ask you, men of the Empire State, where on the footstool do you find such a class of citizens politically so degraded? Now, we ask you, in the coming Constitutional Convention, to so amend the Second Article of our State Constitution as to wipe out this record of our disgrace.

"But," say you, "women themselves do not make the demand." Mr. Phillips said on this platform, a year ago, that "the singularity of this cause is, that it has to be carried on against the wishes and purposes of its victims," and he has been echoed by nearly every man who has spoken, on this subject during the past year. Suppose the assertion true, is it a peculiarity of this reform?... Ignorant classes always resist innovations. Women looked on the sewing-machine as a rival for a long time. Years ago the laboring classes of England asked bread; but the Cobdens, the Brights, the Gladstones, the Mills have taught them there is a power behind bread, and to-day they ask the ballot. But they were taught its power first, and so must woman be. Again, do not those far-seeing philosophers who comprehend the wisdom, the beneficence, the morality of free trade urge this law of nations against the will and wishes of the victims of tariffs and protective duties? If you can prove to us that women do not wish to vote, that is no argument against our demand. There are many duties in life that ignorant, selfish, unthinking women do not desire to do, and this may be one of them.

"But," says Rev. O. B. Frothingham, in a recent sermon on this subject, "they who first assume political responsibilities must necessarily lose something of the feminine element." In the education and elevation of woman we are yet to learn the true manhood and womanhood, the true masculine and feminine elements. Dio Lewis is rapidly changing our ideas of feminine beauty. In the large waists and strong arms of the girls under his training, some dilettante gentleman may mourn a loss of feminine delicacy. So in the wise, virtuous, self-supporting, common-sense women we propose as the mothers of the future republic, the reverend gentleman may see a lack of what he considers the feminine element. In the development of sufficient moral force to entrench herself on principle, need a woman necessarily lose any grace, dignity, or perfection of character? Are not those who have advocated the rights of women in this country for the last twenty years as delicate and refined, as moral, high-toned, educated, just, and generous as any women in the land? I have seen women in many countries and classes, in public and private; but have found none more pure and noble than those I meet on this platform. I have seen our venerable President in converse with the highest of English nobility, and even the Duchess of Sutherland did not eclipse her in grace, dignity, and conversational power. Where are there any women, as wives and mothers, more beautiful in their home life than Lucretia Mott and Lucy Stone, or Antoinette Brown Blackwell? Let the freedmen of the South Sea Islands testify to the faithfulness, the devotion, the patience, and tender mercy of Frances D. Gage, who watched over their interests, teaching them to read and work for two long years. Some on our platform have struggled with hardship and poverty—been slaves even in "the land of the free and the home of the brave," and bear the scars of life's battle. But is a self-made woman less honorable than a self-made man? Answer our arguments. When the Republic is in danger, no matter for our manners. When our soldiers came back from the war, wan, weary, and worn, maimed, halt, blind, wrinkled, and decrepit—their banners torn, their garments stained with blood—who, with a soul to feel, thought of anything but the glorious work they had done? What if their mothers on this platform be angular, old, wrinkled, and gray? They, too, have fought a good fight for freedom, and proudly bear the scars of the battle. We alone have struck the key-note of reconstruction. While man talks of "equal, impartial, manhood suffrage," we give the certain sound, "universal suffrage." While he talks of the rights of races, we exalt the higher, the holier idea proclaimed by the Fathers, and now twice baptized in blood, "individual rights." To woman it is given to save the Republic.

SUSAN B. ANTHONY, on behalf of the Executive Committee, reported several resolutions.^[71]

Rev. SAMUEL J. MAY said: I wish to give my testimony most earnestly and solemnly to the conviction, which has continually increased in my soul since my attention was first called to the subject, that this is a fundamental question. How can we expect that our government will be well conducted when one-half, and that too what we have been accustomed to call the "better half," of its constituency is disfranchised, and unable to influence it as it should? It is now twenty-two years since I delivered my first public discourse on this subject; and when I have insisted, as I have done during that time, that women should be allowed to take part in the government, it has always been thrown in my teeth that women were governing the nation after all through their influence over their husbands, brothers, and sons. I was delighted with the remarks of Mrs. Stanton on this subject. In the first place, women can not influence their husbands, nor educate their sons, as they should do, because they are not properly informed, and have no inducement to become informed. Were they to feel a responsibility, doubtless the better part of them would prepare themselves to discharge their duty; but knowing that they have nothing to do with the government of the country, you can hardly persuade our young women to study the subject. Years ago I insisted that the Constitution of the United States should be introduced into the common schools of the city where I live, to be studied by girls as well as boys. Yet I hardly know half a dozen girls there who have taken the least interest in it. Why? Because, when any allusion is made to women's participation in the

government, it has been met with a sneer, which so many dread more than they do a bullet; and this has doubtless deterred them from it.

I was glad, too, to hear the reply so successfully made to the objection that women do not demand this right. That is no reason why they should not be required to exercise it. It is their right because it is their duty. It is their duty because it is their right. We have the most glorious inheritance that God ever gave to a nation, the privilege of governing ourselves. Where does self-government begin? Where does it reside? In the individual. No individual that can not govern himself can contribute in the least toward the government of the country in which he lives. He becomes a burden, if not a curse. Knowing that women have the same moral powers as men, the same intellectual powers, the same affections, that they are governed by the same laws, and amenable to the same government, who can doubt that if they were made sensible of their responsibilities in the government of the country, and that they can not contribute in the least to the well-being of the community unless they can contribute those virtues and graces which constitute the true government of one's self; this would have the most inspiring and elevating influence upon them? Think you they would continue to be the servants of mere fashion, as too many of them now are? By our refusal to act in accordance with the eternal principles of righteousness set forth in the Declaration of Independence and in the preamble of the Constitution of the country, we have been brought into a terrible civil war, which has resulted in a disorganized condition requiring reconstruction. Why should we not see to it that our country as a whole, and that each individual State of the country, shall be reconstructed on this true basis, so that, if possible, nothing may be left to be done hereafter to improve the foundations on which this nation rests?

[Pg 192]

Many say, "One thing at a time. You have been struggling for the abolition of slavery and obtained that; and now claim the political rights of the colored men, and will undoubtedly get them. Why can't you be satisfied?" Because that would leave a tremendous wrong at the foundation of our country. What will be the consequence, God only knows, should we dare to go on with such a fatal mistake in the basis of our institutions. It is presumption to suppose that we can do this without incurring, sooner or later, awful consequences. We can not predict what they will be; but that they will be great our past experiences should teach us. It was thought a very little matter to leave our Constitution indefinite as to the rights of colored men. Our fathers in the meetings held to ratify the Constitution, said they had done all that could be expected, said that the death-blow was struck at the institution of slavery, that it would soon die a natural death; and thus they quieted those who were distrustful because slavery was not explicitly abolished in the Constitution. The people, engaged in their various pursuits, ambitious for office, eager for wealth, let this seed of wrong become a mighty upas tree that covered our republic all over, and scattered everywhere its poisonous fruits. Shall we dare to go on for another period of our national existence knowing that at the foundation of our government there is a tremendous wrong?

What should the government of a nation be? Ought it not to be as much as possible like the government of a well-ordered family? Can you think of any model so good as the divine model set before us in the family? What would the family be with a father and without a mother? To whom do you owe the most—your father or your mother? Who controlled the family most effectually? Some thirty years ago, being chairman of the Board of Education in my district, I proposed to put a woman into a school where the male teachers had been set at nought year after year. It stood the lowest in rank when she took it; but in less than a month its character was obviously changed, and at the end of the term it stood number three in point of character as well as in scholarship. Men are not governed by the fear of punishment. They are governed by a strong, persistent manifestation of the consciousness of a right to govern them; and that is pressed upon them more effectually by the influence of a mother or a sister than of a father or a brother. Just so it will be in the government of our country, when women shall educate and prepare themselves to take part in that government, with their almost instinctive perception of the right, the true, and the good.

[Pg 193]

And if our fathers and mothers were what they might and should be, the children would be so well trained that they would govern themselves, and there would be very little need of the instrumentality of a political organization. If women understood that it was not only their right, but their duty, to educate themselves to be citizens of the State, we should have, instead of the trifling topics which now occupy their attention in our domestic circles, the consideration of great questions; and doubtless their finer perceptions often would help to settle great questions aright; and they who should go forth from that family circle into the various relations of life, would go prepared to advocate the right, to illustrate the truth, and at the ballot-box to give their votes for the true and the right. It is my first conviction respecting the future well-being of our country, that it is to be measured exactly by our treatment of the colored man. My second conviction is that the well-being of our country never will be effectually provided for until the better half of humanity is educated and instructed, and required to take part in the enactment of the laws and in their administration.

Mrs. Mott then introduced the venerable Sojourner Truth, who was greeted with loud cheers, after which she said:

My friends, I am rejoiced that you are glad, but I don't know how you will feel when I get through. I come from another field—the country of the slave. They have got their liberty—so much good luck to have slavery partly destroyed; not entirely. I want it root and branch destroyed. Then we will all be free indeed. I feel that if I have to answer for the deeds done in my body just as much as a man, I have a right to have just as much as a man. There is a great stir about colored men getting their rights, but not a word about the colored women; and if colored men get their rights, and not colored women theirs, you see the colored men will be masters over the women, and it will be just as bad as it was before. So I am for keeping the thing going while things are stirring; because if we wait till it is still, it will take a great while to get it going again. White women are a great deal smarter, and know more than colored women, while colored women do not know scarcely anything. They go out washing, which is about as high as a colored woman gets, and their men go about idle, strutting up and down; and when the women come home, they ask for their money and take it all, and then scold because there is no food. I want you to consider on that, chil'n. I call you chil'n; you are somebody's chil'n, and I am old enough to be mother of all that is here. I want women to have their rights. In the

courts women have no right, no voice; nobody speaks for them. I wish woman to have her voice there among the pettifoggers. If it is not a fit place for women, it is unfit for men to be there.

I am above eighty years old; it is about time for me to be going. I have been forty years a slave and forty years free, and would be here forty years more to have equal rights for all. I suppose I am kept here because something remains for me to do; I suppose I am yet to help to break the chain. I have done a great deal of work; as much as a man, but did not get so much pay. I used to work in the field and bind grain, keeping up with the cradler; but men doing no more, got twice as much pay; so with the German women. They work in the field and do as much work, but do not get the pay. We do as much, we eat as much, we want as much. I suppose I am about the only colored woman that goes about to speak for the rights of the colored women. I want to keep the thing stirring, now that the ice is cracked. What we want is a little money. You men know that you get as much again as women when you write, or for what you do. When we get our rights we shall not have to come to you for money, for then we shall have money enough in our own pockets; and may be you will ask us for money. But help us now until we get it. It is a good consolation to know that when we have got this battle once fought we shall not be coming to you any more. You have been having our rights so long, that you think, like a slave-holder, that you own us. I know that it is hard for one who has held the reins for so long to give up; it cuts like a knife. It will feel all the better when it closes up again. I have been in Washington about three years, seeing about these colored people. Now colored men have the right to vote. There ought to be equal rights now more than ever, since colored people have got their freedom. I am going to talk several times while I am here; so now I will do a little singing. I have not heard any singing since I came here.

[Pg 194]

Accordingly, suiting the action to the word, Sojourner sang, "We are going home." "There, children," said she, "in heaven we shall rest from all our labors; first do all we have to do here. There I am determined to go, not to stop short of that beautiful place, and I do not mean to stop till I get there, and meet you there, too."

CHARLES C. BURLEIGH said: I consider it among the good omens with which the Society enters upon its new year of labor, that its workers have been so busy, as appears from the informal report of the Secretary this morning, that really they have not had time to let the left hand know what the right hand was doing. It shows an earnestness, a determination, a vigor, an industry, which can not co-exist with a cause of righteousness like the one before us without hopeful results. There is no narrow question here. We are not contending for Woman's Suffrage or Negro Suffrage, but for a broad principle of right applicable to the whole race. Those in opposition to us have really nothing to stand upon. While we may fairly assume that the burden of proof lies upon those who urge objections, that ours is the affirmative case, and all that we are bound to do is to answer objections; yet in this reform, as in others which have preceded it, its enemies not being willing to take the burden of proof, we have undertaken to do their work as well as our own. We are willing, therefore, for the sake of meeting every cavil, for the sake of fighting every shadow of objection, to take the laboring oar which the other side should take, and to prove the objections unfounded which they have not yet attempted to prove well-founded.

We are told sometimes that women ought not to share with men in the rights we claim for humanity, because of the difference of sex; that there is a sex of soul as well as of body. This is an objection practically cutting its own throat; because if it is true that there is a diversity of sex in soul which ought to be recognized in political institutions as well as in social arrangements, how can you rightly determine woman's proper place in society by the standard of a man's intellect? How can man's intellect determine what kind of legislation suits the condition of woman? The very fact, then, of the diversity of the masculine understanding and masculine spirit, proves the necessity of assigning to woman a share in the work which is to be done affecting woman. Manifestly one of these two things must be true: Either there is no such essential difference worthy to be taken into account, in which case woman has the same rights as man, and there is no necessity for making a distinction; or there is an essential difference, in which case man is not competent to do the work of legislating for the whole of society without the aid of woman. We might just as well let one effigy stand in the tailor's shop, as the standard of measurement of every garment the tailor is to make, and also of every garment the dressmaker is to make as to found the legislation for all upon one standard. If you recognize a difference, let your legislation proceed from both elements of the body politic which your legislation is to affect.

[Pg 195]

It is said also, that if you allow women to vote, the logic of your argument will go further and require that women shall be voted for and they may chance to receive votes enough for election; and they may even go to the State Legislature or to Congress. Suppose such a thing should happen, would a city which is represented in the Congress of the United States by John Morrissey and Fernando Wood, have reason to blush if by some singular good fortune she should chance to be represented by Elizabeth Cady Stanton? (Applause.) Would the halls of Congress suffer any loss of dignity, or any loss of efficiency, even if John Morrissey's place should be vacated to make room for Mrs. Stanton, or if some Pennsylvania Democrat should be allowed to remain at home while Lucretia Mott occupied his chair? (Applause.) Is it so terrible that women who can utter sentiments as noble and elevating as those to which you have listened, who can sustain them by logic as clear, and who can expose with such delicate wit the ridiculous absurdity of the opposite side, should have a voice in the counsels of the nation? Somebody says that "the child is father to the man." You know who govern the children. Who governed you when you were children? Is it not as safe that woman should govern in the halls of national legislation as in the family and in the school? You will find in hundreds of schools, governed a few years ago by men, only women for teachers to-day. I remember that in a building which contained some three hundred pupils, the last man employed as a teacher was an assistant teacher under the supervision of a woman as principal; a woman who has vindicated her right to the place by her admirable administration, and her admirable adaptation to the business of teaching, so that she has become, as it were, a fixture in that schoolhouse. And that is only one case among many. And if woman excels in government in those spheres in which she has had an opportunity to prove her ability, it is at least safe to try the experiment further.

[Pg 196]

We have just seen one folly, one absurdity refuted by the simple process of trying an experiment. The time was when it was deemed altogether unwomanly, and repugnant to female delicacy and

refinement, for a woman to ink the ends of her fingers in handling a pen; for a woman to be what was derisively called a "blue-stocking," or a literary woman. It was thought that nothing but pedantry, nothing but slatternly habits and neglected housekeeping, could come of it. But who would be willing to banish from the literary world to-day such names as Browning, Hemans, Stowe, and Gage? And if I were to fill out the catalogue of names, I might close my speech at the end of it, having tired you all with the length of the recital. So it was said that women should not appear on the public platform. But who now would banish the women who have delighted such vast congregations, and who have drawn such applause from all classes and conditions of men? Who, to-day, considers it improper for Lucy Stone, Anna Dickinson, Mrs. Stanton, Mrs. Gage, to appear upon a public platform? Who is willing to shut the pulpit against Mrs. Mott, when she has filled it with such acceptance, in so many places, and on so many occasions? Step by step, woman has advanced toward her right position. Step by step, as she advanced, she has proved her right, to the satisfaction of caviling skepticism itself...

She would now go a step further. She demands the rights, not of womanhood, but of humanity. And I feel just as confident that what she demands will be conceded, in reference to her political rights, as that it has been conceded with regard to these other rights, which are now settled in the estimation of thinking and reasoning people. The tide sets that way, clearly and strongly. Kansas is not to go alone, in granting this right to woman. The agitation is to go on; and the more you resist the current of events, the more earnestly will the agitation be continued until reason shall be convinced; until prejudice shall be overcome by the power of conviction; until men are constrained, from very shame, to withdraw from a position which no argument, no experience can justify, which no consideration of decency will palliate.

One objection to our claim is, that the right of voting should not belong to human beings as individuals, but rather to households of human beings. This is not a denial of equality in all respects, but an allegation that the right belongs neither to the man nor to the woman, but to the household; and that for the household, as its representative, the man casts the ballot. Suppose I concede that, what then? Why should the head of the household, or rather the *hand* of the household, be masculine rather than feminine? We have heard the argument over and over again that woman should leave to man the counting-house, the work-bench, and all the duties supposed peculiarly to appertain to masculine humanity, and should attend to "household" matters. If, then, suffrage is a household matter, why should not woman attend to it, in her feminine capacity, as peculiarly within her domestic province, and relieve man from the interruption of his appropriate duties?

Rev. Mr. RAY inquired what was the basis for the right of suffrage, if suffrage was not, as Mr. Burleigh had said yesterday in another place, a natural right. If it does not belong to the individual whence does it come? The Sultan of Turkey may claim that the right belongs to him, and that he may delegate that right to whomsoever he will to assist him in the government of the people. But in a Republic the right must be in the individual; and if so, it belongs to woman as well as to man, to black as well as to white persons. If the right of suffrage is not a natural right, why has not the Constitutional Convention about to meet the right to limit the suffrage, if they think it will secure the best interest of the State?

[Pg 197]

FRANCES D. GAGE said: I have but little to say because it is almost two o'clock, and hungry and weary people are not good listeners to speeches. I shall confine my remarks therefore to one special point brought up this morning and not fully discussed. Sojourner Truth gave us the whole truth in about fifteen words: "If I am responsible for the deeds done in my body, the same as the white male citizen is, I have a right to all the rights he has to help him through the world." I shall speak for the slave woman at the South. I have always lifted my voice for her when I have spoken at all. I will not give up the slave woman into the hands of man, to do with her as he pleases hereafter. I know the plea that was made to me in South Carolina, and down in the Mississippi valley. They said, "You give us a nominal freedom, but you leave us under the heel of our husbands, who are tyrants almost equal to our masters." The former slave man of the South has learned his lesson of oppression and wrong of his old master; and they think the wife has no right to her earnings. I was often asked, "Why don't the Government pay my wife's earnings to me?" When acting for the Freedman's Aid Society, the orders came to us to compel marriage, or to separate families. I issued the order as I was bound to do, as General Superintendent of the Fourth Division under General Saxton. The men came to me and wanted to be married, because they said if they were married in the church, they could manage the women, and take care of their money, but if they were not married in the church the women took their own wages and did just as they had a mind to. But the women came to me and said, "We don't want to be married in the church, because if we are our husbands will whip the children and whip us if they want to; they are no better than old masters." The biggest quarrel I had with the colored people down there, was with a plantation man because I would not furnish a nurse for his child. "No, Nero," said I, "I can not hire a nurse for your child while Nancy works in the cotton field." "But what is we to do? I'se a poor miserable man and can't work half the time, and Nancy is a good strong hand; and we must have a nurse." He went away in utter disgust, and declared to the people outside that I had got the miserablest notion he had ever heard, to spoil a good field hand like his Nancy to nurse her own baby.

We were told the other day by Wendell Phillips, upon the Anti-Slavery platform, that it takes people forty years to outgrow an old idea. The slave population of the South is not yet removed a hundred years from the barbarism of Africa, where women have no rights, no privileges, but are trampled under foot in all the savageism of the past. And the slave man has looked on to see his master will everything as he willed, and he has learned the lesson from his master. Mr. Higginson told us that the slave-master never understood the slave. I know that to be the fact. Neither does man understand woman to-day, because she has always been held subservient to him. Now it is proposed to give manhood the suffrage in all these Southern States, and to leave the poor slave woman bound under the ban of the direst curse of slavery to him who is the father of her children. It is decreed upon all the statute books of slavery, that the child shall follow the condition of the mother. That has been the decree from the beginning of this awful slave system; that the whitest woman, the child of a slave mother, whose hair curled down to her waist, and whose blue eyes of beauty were a lure to the statesmen of the South, should be a slave, though the Governor of the State were her father. Are you to leave her there yet, and desecrate marriage, by making it such a bond of slavery that the

[Pg 198]

woman shall say, "I do not want to be married, to suffer oppression!" Are you to force prostitution and wrong upon those people by these unjust laws? Are you to compel wickedness and crime? Are you going to let it stand upon the statute books of the Southern States that the only woman free to work for her own child shall be the mother of illegitimate children? That is the consequence of what you are doing to the people who in all time past, since they have lived upon this continent, have been denied the right of sacred marriage; and who must have, as Wendell Phillips tells us, forty years to outgrow the past, or to educate them.

We are told by Mr. Phillips to flood the South with spelling-books. Who is to carry them there? Who, to-day, is teaching the Southern people;—for I am talking now in behalf of the colored woman of the South, forgetting my own degradation. Who have carried the spelling-book to the South? The women of the North, gathering up their strength, have been sent down by all these great societies to teach. The colored men of the South are to vote, while they deny the ballot to their teacher! It is said that women do not want to vote in this country. I tell you, it is a libel upon womanhood. I care not who says it. I am in earnest. They do want to vote. Fifty-two thousand pulpits in this country have been teaching women the lesson that has been taught them for centuries, that they must not think about voting. But when 52,000 pulpits, or 52,000 politicians, at the beginning of this war, lifted up their voices and asked of women, "Come out and help us," did they stand back? In every hamlet, in every village, in every cabin, and every palace, in every home in the whole United States, they rose up and went to work. They worked for the Government; they worked for the nation; they worked for their sons, their husbands, their fathers, their brothers, their friends. They worked night and day. Who found women to stand back when this great public opinion that had been crushing them so long and forbidding them to work, at last lifted itself up and said, "You may work"? (Applause).

I have been traveling all winter long, with a few intervals of rest, talking not upon Equal Rights, but upon the subject of Temperance; and whenever I said to my crowded audiences that we must give to woman the right to vote that she may purify the nation of this great sin, there went up shouts and clapping of hands of men and women. They are ready for this work. What we want is to crystallize the public opinion of all ranks of society in its favor. There is great fear that if woman is allowed to vote, she will lose something of her high and excellent character. If it is right for woman to have the suffrage, it is not right to talk of expediency. If giving woman the ballot will cause her to lose her prestige, it is because she ought to lose it. If she gains physical strength and loses that effeminate delicacy that provides for nothing and cares for nothing but its own selfish, quiet enjoyment, I shall rejoice with joy unspeakable. My strong hands have tilled the fields; and in my early childhood have harnessed the horse, and brought the wood to the door; have led him to the blacksmith's shop to be shod. These are things I do not often tell in public. I have braved public opinion; I have tilled my garden; I have brought myself up from fainting weakness occasioned by accident and broken bones. I have taken care of myself, supported myself, and asked nothing from the world; I find my womanhood not one bit degraded. (Applause). A thousand times in the last years, in this struggle for bread, have I been asked, "Why don't you let your sons support you?" My answer is, "My six sons have their own duties. My six boys have their own labors. God gives me strength to earn my own bread, and I will do it as long as I can." (Applause). That is what I want to teach the womanhood of the country. I did not mean to talk so long; but I assure you I talk in earnest. If I sometimes, by a slip of the tongue, make some little mistake—for I have not been educated in the schools, (a log cabin schoolhouse in the wilderness gave me all I have)—you will excuse me, for I mean no injustice to any one. And if to-night it will not crowd some better woman or man from the platform, I shall be glad to speak to you again.

[Pg 199]

Mrs. MOTT.—The argument that has been made that women do not want to vote is like that which we had to meet in the early days of the Anti-Slavery enterprise, that the slaves did not want to be free. I remember that in one of our earliest Woman's Rights Conventions, in Syracuse, a resolution was offered to the effect that as the assertion that the slave did not want his freedom, and would not take it if offered to him, only proved the depth of his degradation, so the assertion that woman had all the rights she wanted only gave evidence how far the influence of the law and customs, and the perverted application of the Scriptures, had encircled and crushed her. This was fifteen or twenty years ago. Times are altered since. In the temperance reformation, and in the great reformatory movements of our age, woman's powers have been called into action. They are beginning to see that another state of things is possible for them, and they are beginning to demand their rights. Why should this church be granted for such a meeting as this, but for the progress of the cause? Why are so many women present, ready to respond to the most ultra and most radical sentiments here, but that woman has grown and is able to assume her rights?

In many of the States the laws have been so modified that the wife now stands in a very different position as regards the right of property and other rights, from that which she occupied fifteen or twenty years ago. You see the same advance in the literary world. I remember when Maria Edgeworth and her sister first published their works, that they were afraid to publish their own name, and borrowed the name of their father. So Frances Power Cobbe was not able to write over her own name, and she issued her "Intuitive Morals" without a name; and her father was so much pleased with the work, without knowing it was his daughter's, that it led to an acknowledgment after a while.

[Pg 200]

STEPHEN S. FOSTER: Will you give us the evidence that the statement that the women of this country do not want the ballot is not true? I should be glad to believe that; but in my experience the worst opposition to the progress of Woman's Rights has come from woman herself. The greatest indifference to the cause is to be found among women, and not among men. I wish it were not so. I hope I am mistaken. But I believe nine out of every ten of our public speakers will tell you that they find more help, more sympathy from men than from women.

Rev. S. J. MAY: I should like to have that question settled, so far as the women present are concerned. Will as many of you as *will vote* when the right is awarded to you, please to manifest it by rising.

Nearly the whole of the ladies present immediately arose. Indeed, those on the platform, could

not see a single woman who retained her seat.

Mrs. GAGE: During the last fifteen years, with the utmost industry I could use in ascertaining the public opinion in this country, I have never found one solitary instance of a woman, whom I could meet alone by her fireside, where there was no fear of public opinion, or the minister, or the law-maker, or her father, or her husband, who did not tell me she would like to vote. [Applause]. I never found a slave in my life, who, removed from the eye of the people about him, would not tell me he wanted liberty—never one. I have been in the slave States for years. I have been in the slave-pens, and upon the plantations, and have stood beside the slave as he worked in the sugar cane and the cotton-field; and I never found one who dared in the presence of white men to say he wanted freedom. When women and young girls are asked if they want to vote, they are almost always in just that situation where they are afraid to speak what they think; and no wonder they so often say they do not want to vote.

EVENING SESSION.

The meeting was called to order by the President, Mrs. Mott, who introduced as the first speaker Col. Charles E. Moss, of Missouri.

Mr. Moss said: This is a subject upon which I have thought for a number of years; and I have become fully convinced that no reason can be assigned for extending the right of suffrage to any of the male sex, that does not equally apply to the female.

When our fathers formed the national Constitution, they made it their duty to secure to every State a republican form of government. No government can be republican in form, unless it is so in substance and in fact; based upon the consent of the governed. After the troublesome war we have just passed through, we are called upon not only to reconstruct the ten unrepresented States of the nation, but to purify the republicanism of our government in the Northern States and make it more consistent with our professions. It is a fit time, then, to take up the subject of suffrage, and to base it upon a well-established principle. Some say that the right of suffrage is a privilege, to be given or withheld at pleasure. That does not seem to me a very safe foundation for so important a right. It is either a privilege or a natural right. If we recognize it as a natural right we have a peaceable, safe, legal mode of resistance against the disfranchisement of the people. If we admit it to be a privilege to be granted or withheld, no man and no woman has any legal right to interpose any objection to his own disfranchisement. But I see that our friend has come in who was expected first to address you, and I will not take up more of your time.

[Pg 201]

PARKER PILLSBURY was next introduced and said: The resolutions just read refer to the comparative longevity of nations and of individual men, and of their respective performance, while existence lasts.

Among nations have arisen Franklins and Washingtons, Humboldts and Howards; but what individual nation of any period has been the Plato or Pythagoras, the Howard or the Humboldt of all the rest? or has achieved proportionally, so long a life? or expired at last in sunsets of serenity and glory, and been embalmed and enshrined in the tears and gratitude of mankind? It is often said that the life of a nation is as the life of an individual; with beginning, progress, decay, and dissolution. But the resemblance holds only in part. Consciousness comes to an individual, and self-respect; and from that hour growth and greatness (it may be) begin. But with nations it is not so. The world has not made the same demand of nations as of individuals, and so nothing is expected of them. Nations, hitherto, were badly brought up. In the light of a thousand years hence, the eighteenth and nineteenth centuries will be "darker ages" than the eighth and ninth are to-day. Accepting three-score and ten as the common life of an individual, a degree at least of honorable manhood is often achieved, both in personal virtues, and in noble performance.

The canticles of the Almanac used to run:

At ten, a child; at twenty, wild;
At thirty, strong, if ever;
At forty, wise; at fifty, rich;
At sixty, good, or never.

But at what age has any nation of any period or place become wise, rich, or even strong; to say nothing of good?

The Roman Catholic Church is older than any civilized government on the globe. Lord Macaulay says:

It is the only institution left standing which carries the mind back to the time when the smoke of sacrifice rose from the Pantheon, and when tigers and camel leopards bounded in the Flavian Amphitheatre. The proudest royal houses are but of yesterday, compared with the line of the supreme Pontiffs, traced back in unbroken series, from the Pope who crowned Napoleon in the nineteenth century, to the Pope who crowned Pepin in the eighth; and far beyond stretches the august dynasty, until it fades into the twilight of fable! She saw the commencement of all the governments on the globe, and of all the ecclesiastical establishments now existing; and there is no assurance that she is not destined to see the end of them all!"

The world has an accepted chronology of six thousand years. Its history and experience in government reach back forty centuries. It would be an interesting inquiry with what results governments have existed so long, especially in the later periods and among the most enlightened of the nations. Charles the Fifth boasted that his empire saw no setting sun. It included Spain and all her vast American provinces, over large part of which to-day wave our own Stars and Stripes. The national escutcheon bore two globes; and the coin, the two Pillars of Hercules, the then acknowledged boundary of the Eastern world, with the motto "More beyond." Spain, under Philip Second, dictated law, learning, religion, especially religion, to unknown millions, not alone in

[Pg 202]

Europe, but in North and South America, Africa and all the Indies. And now in the remote south-western corner of Europe is all that remains of this mighty power of the sixteenth century.

France in the eighth century under Charlemagne, was another mistress of the globe. And Charlemagne was crowned by the Pope, "Sovereign of the New Empire of the West." And yet, in less than fifty years all that mountain of magnificence exploded; and many rival nations sprang from its lava streams of blood and ashes! A remnant, too, of France was preserved; and its history for almost eight hundred years, "may be traced, like the tracks of a wounded man through a crowd, by the blood;" until it culminated in the French Revolution ("suicide of the eighteenth century," as Carlyle calls that terrible phenomenon) and Napoleon Bonaparte! And he also summoned to his coronation the Roman Pontiff, like his great predecessor of a thousand years before. And beneath the solemn arches and arcades of Notre Dame, was crowned by Pope Pius the Seventh—"The high and mighty Napoleon, the first Emperor of the French!" Plunging remorselessly into the most desolating wars, he soon astonished the civilized world with his successes. He made himself master of almost half the globe. The reign of Napoleon was an earthquake which, for fifteen years, shook the sea and the land, carrying down innumerable human lives in the general cataclysm. But he sunk at last! He aspired to the very heaven of heavens in his ambitions; and his conquests were the wonder and terror of mankind. But he left France smaller, weaker, poorer, and more debased and depraved than he found her.

Just eight hundred years ago last September, William the Norman landed in Britain and commenced its subjugation. Since that period, the history of Great Britain has not differed materially from that of other European nations. As the sun is said never to set on the British domain, so the thunder of its war-guns has reverberated almost continually in some corner of the globe. To trace her history, however rapidly, even had we time, could give no pleasure to this audience, and would add nothing to my present argument. It is sufficient to say that, with real estate almost immeasurable, with personal property incalculable, with a wealth of material resources of every conceivable description, absolutely unknown and unknowable, she yet contrives to support her costly establishment by a system of oppressive taxation almost unparalleled in the annals of the human race. Some of you must remember the graphic but not exaggerated description of British taxation given by Sidney Smith in the *Edinburgh Review*. It was almost fifty years ago; but no less revenue must be raised in some way, still. He said:

We have taxes upon everything which enters into the mouth, or covers the back, or is placed under the feet; taxes upon everything which it is pleasant to see, hear, feel, smell, or taste; taxes upon warmth, light, and locomotion; taxes on everything on earth, and in the waters under the earth; taxes on everything that comes from abroad, or is grown at home; taxes on the raw material, taxes on every fresh value added to it by the industry of man; taxes on the sauces which pamper man's appetite, and the drugs that restore him to health; taxes on the ermine which decorates the judge, and on the rope which hangs the criminal; on the poor man's salt and the rich man's spice; on the ribbons of the bride, on the shroud of the corpse, and the brass nails of the coffin. The school-boy whips his taxed top; the beardless youth rides his taxed horse, with a taxed saddle and bridle, on a taxed road; and the dying Englishman, pouring his medicine, which has paid seven per cent., into a spoon that has paid fifteen per cent., flings himself back upon his chintz-bed, which has paid twenty-two per cent., and expires in the arms of an apothecary who has paid a license of a hundred pounds for the privilege of putting him to death. His whole property is then taxed from two to ten per cent. Besides the probate, large fees are demanded for burying him in the chancel. His virtues are then handed down to posterity on taxed marble, and he is gathered to his fathers, to be taxed no more!

[Pg 203]

And we are told, what is doubtless true, that the enormous debt of Great Britain is the chain that binds its many parts together, and preserves its nationality. No nation, then, ever maintained a more precarious existence. Chartism in Scotland, Repeal in Ireland, Trades Strikes everywhere, East India Wars, Irish Famines, Fenianism, Reform Leagues, Reform Riots, Bread Riots—all these attest how volcanic is its under stratum, and what dangers impend above. In some of the gloomy gorges of the Alps, there are seasons of the year when no traveler passes but at the expense of life, on account of the terrible "*thunderbolts of snow*" that hang suspended on the sides or summits of the mountains. None can know their hour; but descend they must, by all the laws of gravitation, with resistless energy, sweeping all before them. At such times, all who pass creep along with trembling caution. They move in single file, at a distance from each other, hurrying fast as possible, with velvet step, avoiding all noise, even whispers—the guides meanwhile muffling the bells of the mules, lest the slightest vibration communicated to the air should untie the tremulous mass overhead and entomb them forever. Great Britain, with her frightful debt, her terrible taxation, her dissatisfied, restless, beggared myriads of the lower working classes, her remorseless aristocracy, her bloated spirit of caste, her enforced but heartless religion, has hung a more terrible avalanche over her head than ever leaped down the heights of the Tyrol.

Such are examples of success or failure in attempts at government, among the proudest and most prosperous nations of the Old World, in modern and what are called enlightened times. If seventy years be the life of a man, what should be the life of a nation? Half the children born die under five years old. But proportionably a greater mortality prevails among nations and governments. Not one nation has ever yet attained an honorable manhood. There is something rotten in the state of every Denmark.

Will you tell me Democracy, Republicanism, consecrated by Christianity, is the remedy for all these ills? Let us look, then, at the best example. Our own nation is not yet a hundred years old, but it had behind it in the beginning, the chronicles of forty or sixty centuries, written mostly in tears and blood. At the end of an eight years' revolutionary war, our new governmental columns were reared, not, like some pagan temples, on human skulls, but on the imbruted bodies and extinguished souls of five hundred thousand chattel slaves. We had our Declaration of Independence, our war of Revolution, and a new Constitution and code of laws. We had a Washington for our first President, a John Jay for Chief Justice of the Supreme Court, and a constellation of senators, statesmen, and sages who challenged the respect and admiration of mankind. We closed that dispensation with James Buchanan as Chief Magistrate, and Roger B. Taney as Chief Justice, with his diabolical Dred

[Pg 204]

Scott Decision, and with a war of Treason and Rebellion which deluged the land in the blood of more than half a million of men. We had multiplied our slaves to four millions, with new cruelties and horrors added to the system, and at least ten generations of them were lost in unknown graves. The new Republican President pledged his official word and honor to the rebels already in arms, that, would they but return to their allegiance, he would favor amendments to the Constitution that should not only render slave property more secure than ever before, but also make all its old guarantees and safeguards, *Fugitive Slave law and all*, forever "*irrevocable*" by any act or decree of Congress! So were we endeavoring to bulwark and balustrade our slave-system about, in the name of a Christian Republicanism, when it was struck by the lightnings of a righteous retribution, and the world is rid of it forever. And our old nationality went down in the ruin. Now we are divided, distracted, deranged in currency, commerce, diplomacy, with State and Federal liabilities resting on the people, amounting to not less than six thousand millions of dollars, not to speak of current expenditures which are also appalling; with a President whose weakness finds no parallel but in his wickedness, with a Secretary of State who has become his full counterpart in both, and a Senate too cowardly, or too corrupt, to impeach the one or to seek the removal of the other!

For more than two years we have been attempting to restore the fragments of our once boasted Union. With the history and experience of forty centuries shining back upon us, so far we have failed. And under any existing or proposed policy we shall fail. By all the claims of justice and righteousness, we deserve to fail; for we are still defying those claims. The son of Priam, a priest of Apollo, was commissioned to offer a sacrifice to propitiate the god of the sea. But the offering not being acceptable, there came up two enormous serpents from the deep and attacked the priest and his two sons who stood with him at the altar. The father attempted to defend his sons; but the serpents falling upon him, enfolded him and them in their complicated coils, and strangled them to a terrible death. Let this government beware. The very union proposed will only bind and hold us together as in the deadly folds of a serpent more fearful than all the fabled monsters of the past! And so, hitherto, republics are no exception to the general law. Rickets in infancy, convulsions in childhood, or premature rheumatisms, have brought the nations of history to untimely deaths. Material interests may flourish, and nations grow great and powerful, make wars and conquests, and rule the world. The ancients did all this, but where are those haughty omnipotences now? Charlemagne did but little less, and in half a century his magnificence was brought to nought. Spain survived a little longer in its glory and grandeur; but now the scanty blood-splash on the map describes it well. The United States, young among the nations, the mother earth six thousand years old at their birth, wet-nursed by forty centuries of history, and schooled by all the experience of the ages, with almost half a globe for their inheritance, with Christianity faith and Republicanism their form of government, they survived a precocious childhood and then fell a victim to their own vices and crimes. To-day they are in the hands of many physicians, though of doubtful reputation, who seem far less desirous to cure the patient than to divide and share the estate.

[Pg 205]

My main point is this—we have had enough of the past in government. It is time to change. Literally almost, more than metaphorically, the "times are rotten ripe." We come to-day to demand—first an extension of the right of suffrage to every American citizen, of whatever race, complexion or sex. Manhood or *male*-hood suffrage is not a remedy for evils such as we wish removed. The Anti-Slavery Society demands that; and so, too, do large numbers of both the political parties. Even Andrew Johnson at first recommended it, in the reconstruction of the rebel States, for three classes of colored men. The New York *Herald*, in the exuberance of its religious zeal, demanded that "members of Christian Churches" be added as a fourth estate to the three designated by the President. The Woman's Rights Society contemplated suffrage only for woman. But we, as an EQUAL RIGHTS Association, recognize no distinctions based on sex, complexion or race. The Ten Commandments know nothing of any such distinctions. No more do we. The right of suffrage is as old, as sacred and as universal as the right to life, liberty and the pursuit of happiness. It is indeed the complement and safeguard of these and all civil and political rights to every citizen. The right to life would be nothing without the right to acquire and possess the means of its support. So it were mockery to talk of liberty and the pursuit of happiness, until the ballot in the hand of every citizen seals and secures it. The right of the black man to a voice in the government was not earned at Olustee or Port Hudson. It was his when life began, not when life was paid for it under the battle-axe of war. It was his with Washington and Jefferson, James Buchanan and Abraham Lincoln. Not one of them could ever produce a higher, holier claim. Nor can any of us. We are prating about *giving* the right of suffrage to black *male* citizens, as complacently as we once gave our compassion and corn to famishing Ireland. But this famine of freedom and justice exists because we have produced it. Had our fleets and armies robbed Ireland of its last loaf, and left its myriads of inhabitants lean, ghastly skeletons, our charity would not have been more a mockery when we sent them bread to preserve them alive, than it is now when we talk of *giving* the ballot to those whom God created free and equal with ourselves.

And in the plenitude of our generosity, we even propose to extend the *gift* to woman also. It is proposed to make educated, cultivated, refined, loyal, tax-paying, government-obeying woman equal to the servants who groom her horses, and scour the pots and pans of her kitchen. Our Maria Mitchells, our Harriet Hosmers, Harriet Beecher Stowes, Lydia Maria Childs, and Lucretia Motts, with millions of the mothers and matrons of quiet homes, where they preside with queenly dignity and grace, are begging of besotted, debauched white male citizens, legal voters, soaked in whisky, simmered in tobacco, and parboiled in every shameless vice and sin, to recognize them also as human, and graciously accord to them the rights of intelligent beings!

And, singularly enough, in some of the States, it is proposed to grant the prayer. But the wisest and best men have no idea that they are only restoring what they have so long held by force, based on fraud and falsehood. They only propose to *give* woman the boon which they claim was theirs by heavenly inheritance. But they are too late with their sublime generosity. For God gave that when he gave life and breath, passions, emotions, conscience, and will. Give gold, give lands, give honors, give office, give title of nobility, if you must: but talk not of giving natural, inalienable and heaven-derived endowments. God alone bestows these. He alone has them to give. Our trade in the right of suffrage is contraband. It is bold buccaneering on the commerce of the moral universe. If we have our neighbor's right of suffrage and citizenship in our keeping, no matter of what color, or race, or sex, then we have stolen goods in our possession—and God's search-warrant will pursue us forever,

[Pg 206]

if those goods be not restored. And then we impudently assert that "all just governments derive their powers, from the consent of the governed." But when was the consent of woman ever asked to one single act on all the statute books? We talk of "trial by jury of our peers!" In this country of ours, women have been fined, imprisoned, scourged, branded with red hot irons and hung; but when, or where, or for what crime or offense, was ever woman tried by a jury of her peers?

Suffrage was never in the hands of tyrants or of governments, but by usurpation. It was never given by them to any of us. We brought it; not bought it; nor conquered it; nor begged it; nor earned it; nor inherited it. It was man's inalienable, irrevocable, inextinguishable right from the beginning. It is so still; the same yesterday, to-day, and while earthly governments last. It came with the right to see and hear; to breathe and speak; to think and feel; to love and hate; to choose and refuse; or it did not come at all. The right to see came with the eye and the light: did it not? and the right to breathe, with the lungs and the air; and all these from the same infinite source. And has not also the moral and spiritual nature its inalienable rights? Have the mere bodily organs, which are but the larder of worms, born of the dust, and dust their destiny—have they power and prerogative that are denied to the reason, the understanding, the conscience, the will, those attributes which constitute responsibility, accountability, and immortality? Or shall God give the power to choose, or refuse obedience to his law and reign, leaving the human will free as his own; and must mortal man, the mushroom of yesterday and perished to-morrow, usurp a higher and more dreadful prerogative, and compel support of and submission to laws in which the subject has no voice in making, executing, or even consenting, on pain of perpetual imprisonment, banishment, or death?

Must a brave soldier fight and bleed for the government, and, pruned of limbs, plucked of eyes, and scarred all over with the lead and iron hail of war—must he now hobble on his crutches up to a Republican, Democratic, yea, and a Christian throne, and beg the boon of a ballot in that government, in defense of which he periled all, and lost all but bare life and breath, only because an African instead of a more indulgent sun looked upon him or his ancestors in their allotment of life? And then, when the claim of immortal manhood is superadded, the inalienable rights of the soul, in and of themselves, the rights of the reason, the understanding, the conscience, the will—what desperation is that which treads down all these claims, and rushes into seats of higher authority than were ever claimed by the eternal God, and denies him that right altogether! No white male citizen was ever born with three ballots in his hand, one his own by birthright, and to be used without restraint, the others to be granted, given to women and to colored men at his pleasure or convenience! Such an idea should never have outraged our common humanity. And any bill or proposal for what is called "manhood suffrage," while it ignores womanhood suffrage, whether coming from the President or the Republican party and sanctioned by the Anti-Slavery Society, should be repudiated as at war with the whole spirit and genius of a true Democracy, and a deadly stab into the very heart of justice itself.

[Pg 207]

I have referred to the age of the Roman Catholic Church. Lord Macaulay, in accounting for her astonishing longevity as compared with other institutions, turns with felicitous insight to female influence as one of the principal causes. In her system, he says, she assigns to devout women spiritual functions, dignities, and even magistracies. In England, if a pious and devout woman enter the cells of a prison to pray with the most unhappy and degraded of her sex, she does so without any authority from the Church. Indeed, the Protestant Church places the ban of its reprobation on any such irregularity. "At Rome, the Countess of Huntingdon would have a place in the calendar as St. Selina, and Mrs. Fry would be Foundress and First Superior of the Blessed Order of Sisters of the Jails." But even Macaulay overlooks another element of power and permanence in the economy of the Catholic Church. God, as Father, and as Son, and as Holy Ghost, might inspire reverence and dread only in hearts that, at the shrine of the ever blessed Mary, Mother of God, would kindle into humble, holy and lasting love. Frances Power Cobbe, though deprecating the doctrine of "Mariolatry," as she terms the worship of the Virgin, yet says of it, "The Catholic world has found a great truth, that love, motherly tenderness and pity is a divine and holy thing, worthy of adoration.... What does this wide-spread sentiment regarding this new divinity indicate? It can surely only point to the fact that there was something lacking in the elder creed, which, as time went on, became a more and more sensible deficiency, till at last the instinct of the multitude filled it up in this amazing manner." When Theodore Parker, in his morning prayer on a beautiful summer Sunday, addressed the All-loving as "Our Father and our Mother," he struck a chord which will one day vibrate through the heart of universal humanity. It was a thought worth infinitely more than all the creeds of Christendom.

What if woman should even abuse the use of the ballot at first? Man has been known to fail at first in a new pursuit. A maker of microscopes told me that, in a new attempt on a different kind of object-glass, he failed forty-nine times, but the fiftieth was a complete success. The poet of Scotland intimates that even Creative Nature herself improved at a second trial;

"Her 'prentice hand she tried on man;
And then she made the lasses, o!"

Must we be told that woman herself does not ask the ballot? Then I submit to such, if such there be, the question is not one of privilege, but of duty—of solemn responsibility. If woman does not desire the ballot, demand it, take it, she sins against her own nature and all the holiest instincts of humanity, and can not too soon repent. After all, the question of suffrage is one of justice and right. Unless human government be in itself an unnatural and impious usurpation, whoever renders it support and submission has a natural right to an equal voice in enacting and executing the laws. Nor can one man, or millions on millions of men acquire or possess the power to withhold that right from the humblest human being of sane mind, but by usurpation, and by rebellion against the constitution of the moral universe. It would be robbery, though the giving of the right should induce all the predicted and dreaded evils of tyrants, cowards and white male citizens. Be justice done though the heavens fall and the hells arise! Nay, it is only justice, reared as a lightning-rod, that can shield any governmental fabric when the very heavens are falling in righteous retribution.

[Pg 208]

The past mortality must last among nations, so long as they set at nought the Divine economy and purpose in their formation. The human body may yield to decay and die, though the soul be imperishable and eternal. But nations, like souls, need not die. Streams of new life flow into them,

like rivers into the sea; and why should not the sea and the nations on its shores, roll on together with the ages? When governments shall learn to lay their foundations in righteousness, with eternal justice the chief corner-stone; when equal and impartial liberty shall be the acknowledged birthright of all, then will national life begin to be prolonged; and the death of a nation, were it possible, should be as though more than a Pleiad had expired. No more would nation then lift up sword against nation; and the New Jerusalem would indeed descend from God out of heaven and dwell among men.

SUSAN B. ANTHONY made an appeal for contributions to the funds of the Association, to enable it to carry on its work, especially in Kansas.

Mrs ROSE said: After all, we come down to the root of all evil—to money. It is rather humiliating, after the discourse that we have just heard, that told us of the rise, and progress, and destruction of nations, of empires, and of republics, that we have to come down to dollars and cents. We live in an entirely practical age. I can show you in a few words that if we only had sufficient of that root of all evil in our hands, there would be no need of holding these meetings. We could obtain the elective franchise without making a single speech. Give us \$1,000,000, and we will have the elective franchise at the very next session of our Legislature. (Laughter and applause). But as we have not the \$1,000,000 we want 1,000,000 voices. There are always two ways of obtaining an object. If we had had the money, we could have bought the Legislature and the elective franchise long before now. But as we have not, we must create a public opinion, and for that we must have voices.

I have always thought I was convinced not only of the necessity but of the great importance of obtaining the elective franchise for woman; but recently I have become satisfied that I never felt sufficiently that importance until now. Just read your public papers and see how our Senators and our members of the House are running round through the Southern States to hold meetings, and to deliver public addresses. To whom? To the freedmen. And why now, and why not ten, fifteen, or twenty years ago? Why do they get up meetings for the colored men, and call them fellow-men, brothers, and gentlemen? Because the freedman has that talisman in his hands which the politician is looking after? Don't you perceive, then, the importance of the elective franchise? Perhaps when we have the elective franchise in our hands, these great senators will condescend to inform us too of the importance of obtaining our rights.

[Pg 209]

You need not be afraid that when woman has the franchise, men will ever disturb her. I presume there are present, as there always are such people, those of timid minds, chicken-hearted, who so admire and respect woman that they are dreadfully afraid lest, when she comes to the ballot-box, rude, uncouth, and vulgar men will say something to disturb her. You may set your hearts all at rest. If we once have the elective franchise, upon the first indication that any man will endeavor to disturb a woman in her duty at the polls, Congress will enact another Freedman's Bureau—I beg pardon, a Freedwoman's Bureau—to protect women against men, and to guard the purity of the ballot-box at the same time. I have sometimes been asked, even by sensible men, "If woman had the elective franchise, would she go to the polls to mix with rude men?" Well, would I go to the church to mix with rude men? And should not the ballot-box be as respectable, and as respected, and as sacred as the church? Aye, infinitely more so, because it is of greater importance. Men can pray in secret, but must vote in public. (Applause). Hence the ballot-box, of the two, ought to be the most respected; and it would be if women were once there; but it never will be until they are there.

Our rights are as old as humanity itself. Yet we are obliged to ask man to give us the ballot, because he has it in his own hand. It is ours, and at the same time we ask for it; and have sent our petitions to Congress. We have been told that the Republic is not destroyed; it has been destroyed root and branch, because, if it were not, there would be no need to reconstruct it. And we have asked Congress, in the reconstruction, to place it upon a sound foundation. Why have all former republics vanished out of existence? Simply because they were built upon the sand. In the erection of a building, in proportion to the height of the walls must be the depth and soundness of the foundation. If the foundation is shallow or unsound, the higher you raise your superstructure the surer its downfall. That is the reason a republic has not existed as long as a monarchy, because it embraced principles of human rights in its superstructure which it denied in its foundation. Hence, before this Republic could count a hundred years, it has had one of the mightiest revolutions that ever occurred in any country or in any period of human existence. Its foundation was laid wrong. It made a republic for white men alone. It discriminated against color; it discriminated against sex; and at the same time it pronounced that all men are created free and equal, and endowed with certain inalienable rights, among which are life, liberty, and the pursuit of happiness. It raised its superstructure to the clouds; and it has fallen as low as any empire could fall. It is divided. A house divided against itself can not stand. A wrong always operates against itself and falls back on the wrong-doer. We have proclaimed to the world universal suffrage; but it is universal suffrage excluding the negro and the woman, who are by far the largest number in this country. It is not the majority that rules here, but the minority. White men are in the minority in this nation. White women, black men, and black women compose the large majority of the nation. Yet in spite of this fact, in spite of common sense, in spite of justice, while our members of Congress can prate so long about justice, and human rights, and the rights of the negro, they have not the moral courage to say anything for the rights of woman.

[Pg 210]

In proportion to power is responsibility. Our Republican senators and members of Congress have taken upon themselves great power. They have made great professions. There is a very good maxim, "Of him to whom much is given, much shall be required." In proportion to their claims to be friends of human freedom, lovers of human rights, do we demand of them our rights and justice.

It is a shame to talk about licensing a social evil. It is a shame to this Republic. It is a violation of woman's nature. It is an insult to womanhood; and if woman has one drop of pure blood stirring in her heart, she must revolt against it. At the same time, I say to the Legislature that, if you enact laws against social evils, whatever those laws are, let them be alike for man and for woman. (Applause.) If you want to derive a revenue from the corruption of the community, let it be drawn alike from both sexes. The social evil belongs to both; the social remedy must belong to both. Do not degrade woman any more than she is already degraded. Perchance she is driven, through your

injustice, to that step to maintain her wretched existence, because every office of emolument is barred against her. Let woman have the franchise; let all the avenues of society be thrown open before her, according to her powers and her capacities, and there will be no need to talk about social evils.

Major JAMES HAGGERTY said: It is no new thing for me to be found among Anti-Slavery people. I believe it was among Anti-Slavery people that I received my American culture. I see the old faces here upon this platform and in this house—some that I first met when I landed in this country, in 1856—Parker Pillsbury, as remorseless as ever; Mrs. Stanton, as bold and strong for the truth as ever. I see the same uncompromising people here, and I feel that I have been as uncompromising as any of them; for, although I have been and am identified with the Republican party in politics, no man ever heard me, on any platform, compromise the rights of another. Woman's Rights is an idea against which my prejudices array themselves, but my logic says, if you would be a true man, you must raise your voice for equal rights. (Applause.) I have seen the effect of the suffrage. In the District of Columbia, during the election, I saw men who had been called doughfaces walk up to the black man and profess to be so much more Anti-Slavery than the best Anti-Slavery men, that I have got the idea that it will not be five years before the northern Democrat will be swearing to the black men that he has negro blood in his veins: (Laughter.) ...

I come upon this platform to-night to identify myself with this new effort. I hope you may prosper; and so far as a dollar of mine, or my voice may go, you shall have it. I confess candidly that it is logic that drives me here, in spite of my prejudices. It is the discourses of Mrs. Stanton, of Mrs. Mott, of others that have spoken and written; and it is coming in contact with strong womanly mind. If we accept the convictions that come to us, we shall be all right; and I will do as the lady who has just spoken said that she would do—not be governed by mere party, but by the moral bearings of the questions that arise, and vote upon the side of God and justice. (Applause.)

[Pg 211]

FRANCES D. GAGE said: *Mrs. President*—It seems to be my fate to come in at the eleventh hour. We have been talking about the right to the ballot. Why do we want it? What does it confer? We closed our argument at three o'clock to-day by a discussion whether the women of this country and the colored men of this country wanted the ballot. I said it was a libel on woman to say she did not want it; and I repeat that assertion.... Last evening I attended the meeting of the National Temperance Association at Cooper Institute. A great audience was assembled there to listen to the arguments against the most gigantic evil that now pervades the American Republic. Men took the position that only a prohibitory law could put an end to the great evil of intemperance. New York has its two hundred millions of invested capital to sell death and destruction to the men of this country who are weak enough to purchase. There are eight thousand licensed liquor establishments in this city, to drag down humanity. It was asserted there by Wendell Phillips that intemperance had its root in our Saxon blood, that demanded a stimulus; and he argued from that standpoint. If intemperance has its root in the Saxon blood, that demands a stimulus, why is it that the womanhood of this nation is not at the grog-shops to-day? Are women not Saxons? It was asserted, both by Mr. Phillips and President Hopkins, of Union College, that the liquor traffic must be regulated by law. A man may do what he likes in his own house, said they; he may burn his furniture; he may take poison; he may light his cigar with his greenbacks; but if he carries his evil outside of his own house, if he increases my taxes, if he makes it dangerous for me or for my children to walk the streets, then it may be prohibited by law. I was at Harrisburgh, a few days ago, at the State Temperance Convention. Horace Greeley asserted that there was progress upon the subject of temperance; and he went back to the time when ardent spirits were drank in the household, when every table had its decanter, and the wife, children, and husband drank together. Now, said he, it is a rare thing to find the dram-bottle in the home. It has been put out. But what put the dram-bottle out of the home? It was put out because the education and refinement and power of woman became so strong in the home, that she said, "It must go out; we can't have it here." (Applause.) Then the voters of the United States, the white male citizens, went to work and licensed these nuisances that could not be in the home, at all the corners of the streets. I demand the ballot for woman to-day, that she may vote down these nuisances, the dram-shops, there also, as she drove them out of the home. (Applause.)

What privilege does the vote give to the "white male citizen" of the United States? Did you ever analyze a voter—hold him up and see what he was? Shall I give you a picture of him? Not as my friend Parker Pillsbury has drawn the picture to-night will I draw it. What is the "white male citizen"—the voter in the Republic of the United States? More than any potentate or any king in all Europe. Louis Napoleon dares not walk the streets of his own city without his body-guard around him with their bayonets. The Czar of Russia is afraid for his own life among his people. Kings and potentates are always afraid; but the "free white male citizen" of the United States, with the ballot in his hand, goes where he lists, does what he pleases. He owns himself, his earnings, his genius, his talent, his eloquence, his power, all there is of him. All that God has given him is his, to do with as he pleases, subject to no power but such laws as have an equal bearing upon every other man in like circumstances, and responsible to no power but his own conscience and his God. He builds colleges; he lifts up humanity or he casts it down. He is the lawgiver, the maker as it were of the nation. His single vote may turn the destiny of the whole Republic for good or ill. There is no link in the chain of human possibilities that can add one single power to the "white male citizen" of America.

[Pg 212]

Now we ask that you shall put into the hands of every human being this same power to go forward and do good works wherever it can. The country has rung within the last few days because one colored girl, with a little black blood in her veins, has been cast out of the Pittsburgh Methodist College. It ought to ring until such a thing shall be impossible. But when Cambridge and Yale and Union and all the other institutions of the country, West Point included, aided by national patronage, shut out every woman in the land, who has anything to say? There is not a single college instituted by the original government patronage of lands to public schools and colleges, that allows a woman to set her foot inside of its walls as a student. Is this no injustice? Is it no wrong? When men stand upon the public platform and deliver elaborate essays on women and their right of suffrage, they talk about their weakness, their devotion to fashion and idleness. What else have they given women to do? Almost every profession in the land is filled by men; every college sends forth the men to fill the highest places. When the law said that no married woman should do business in her own name, sue or be sued, own property, own herself or her earnings, what had she to do? That

laid the foundation for precisely the state of things you see to-day. But I deny that, as a class, the women of America, black or white, are idle. We are always busy. What have we done? Look over this audience, go out upon your streets, go through the world where you will, and every human soul you meet is the work of woman. She has given it life; she has educated it, whether for good or evil, because God gave her the holiest mission ever laid upon the heart of a human soul—the mission of the mother.

We are told that home is woman's sphere. So it is, and man's sphere, too, for I tell you that that is a poor home which has not in it a man to feel that it is the most sacred place he knows. If duty requires him to go out into the world and fight its battles, who blames him, or puts a ban upon him? Men complain that woman does not love home now; that she is not satisfied with her mission. I answer that this discontent arises out of the one fact, that you have attempted to mould seventeen millions of human souls in one shape, and make them all do one thing. Take away your restrictions, open all doors, leave women at liberty to go where they will. The caged bird forgets how to build its nest. The wing of the eagle is as strong to soar to the sun as that of her mate, who never says to her, "back, feeble one, to your nest, and there brood in dull inactivity until I give you permission to leave!" But when her duties called her there, who ever found her unfaithful to her trust? The foot of the wild roe is as strong and swift in the race as that of her antlered companion. She goes by his side, she feeds in the same pasture, drinks from the same running brook, but is ever true also to her maternal duties and cares. If we are a nation of imbeciles, if womanhood is weak, it is the laws and customs of society which have made us what we are. If you want health, strength, energy, force, temperance, purity, honesty, deal justly with the mothers of this country: then they will give you nobler and stronger men than higgling politicians, or the grog-shop emissaries that buy up the votes of your manhood. It has been charged upon woman that she does nothing well. What have you given us to do well? What freedom have you given us to act independently and earnestly? When I was in San Domingo, I found a little colony of American colored people that went over there in 1825. They retained their American customs, and especially their little American church, outside of the Catholic, which overspread the whole country. In an obscure room in an old ruin they sung the old hymns, and lived the old life of the United States. I asked how this thing was, and they answered that among those that went over so long ago were a few from Chester County, Pennsylvania, who were brought up among the Quakers, and had learned to read. Wherever a mother had learned to read, she had educated all her children so that they could read; but wherever there was a mother that could not read, that family had lapsed off from the old customs of the past....

[Pg 213]

A friend of mine, writing from Charleston the other day, just after the ballot went down there, says that he was told by a colored man, "I met my old master, and he bowed so low to me I didn't hardly know which was the negro and which was the white man." When we hold the ballot, we shall stand just there. Men will forget to tell us that politics are degrading. They will bow low, and actually respect the women to whom they now talk platitudes, and silly flatteries; sparkling eyes, rosy cheeks, pearly teeth, ruby lips, the soft and delicate hands of refinement and beauty, will not be the burden of their song; but the strength, the power, the energy, the force, the intellect, and the nerve, which the womanhood of this country will bring to bear, and which will infuse itself through all the ranks of society, must make all its men and women wiser and better. [Applause].

The Association then adjourned until Friday morning, 10½ o'clock.

SECOND DAY.

FRIDAY MORNING, *May 10, 1867.*

The meeting was called to order by the President, and the Secretary read some additional resolutions.^[72]

[Pg 214]

CHARLES L. REMOND objected to the last of the resolution, and desired that the word "colored" might be stricken out. It might be that colored men would obtain their rights before women; but if so, he was confident they would heartily acquiesce in admitting women also to the right of suffrage.

The PRESIDENT (Mrs. Mott) said that woman had a right to be a little jealous of the addition of so large a number of men to the voting class, for the colored men would naturally throw all their strength upon the side of those opposed to woman's enfranchisement.

GEORGE T. DOWNING wished to know whether he had rightly understood that Mrs. Stanton and Mrs. Mott were opposed to the enfranchisement of the colored man, unless the ballot should also be accorded to woman at the same time.

Mrs. STANTON said: All history proves that despotisms, whether of one man or millions, can not stand, and there is no use of wasting centuries of men and means in trying that experiment again. Hence I have no faith or interest in any reconstruction on that old basis. To say that politicians always do one thing at a time is no reason why philosophers should not enunciate the broad principles that underlie that one thing and a dozen others. We do not take the right step for this hour in demanding suffrage for any class; as a matter of principle I claim it for all. But in a narrow view of the question as a matter of feeling between classes, when Mr. Downing puts the question to me, are you willing to have the colored man enfranchised before the woman, I say, no; I would not trust him with all my rights; degraded, oppressed himself, he would be more despotic with the governing power than even our Saxon rulers are. I desire that we go into the kingdom together, for individual and national safety demand that not another man be enfranchised without the woman by his side.

STEPHEN S. FOSTER, basing the demand for the ballot upon the natural right of the citizen, felt bound to aid in conferring it upon any citizen deprived of it irrespective of its being granted or denied to others. Even, therefore, if the enfranchisement of the colored man would probably retard the enfranchisement of woman, we had no right for that reason to deprive him of his right. The right of each should be accorded at the earliest possible moment, neither being denied for any supposed benefit to the other.

[Pg 215]

CHARLES L. REMOND said that if he were to lose sight of expediency, he must side with Mrs. Stanton, although to do so was extremely trying; for he could not conceive of a more unhappy position than that occupied by millions of American men bearing the name of freedmen while the rights and privileges *free* men are still denied them.

Mrs. STANTON said: That is equaled only by the condition of the women by their side. There is a depth of degradation known to the slave women that man can never feel. To give the ballot to the black man is no security to the woman. Saxon men have the ballot, yet look at their women, crowded into a few half-paid employments. Look at the starving, degraded class in our 10,000 dens of infamy and vice if you would know how wisely and generously man legislates for woman.

Rev. SAMUEL J. MAY, in reply to Mr. Remond's objection to the resolution, said that the word "colored" was necessary to convey the meaning, since there is no demand now made for the enfranchisement of men, as a class. His amendment would take all the color out of the resolution. No man in this country had made such sacrifices for the cause of liberty as Wendell Phillips; and if just at this moment, when the great question for which he has struggled thirty years seemed about to be settled, he was unwilling that anything should be added to it which might in any way prejudice the success about to crown his efforts, it was not to be wondered at. He was himself of the opinion, on the contrary, that by asking for the rights of all, we should be much more likely to obtain the rights of the colored man, than by making that a special question. He would rejoice at the enfranchisement of colored men, and believed that Mrs. Stanton would, though that were all we could get at the time. Yet, if we rest there, and allow the reconstruction to be completed, leaving out the better half of humanity, we must expect further trouble; and it might be a more awful and sanguinary civil war than that which we have just experienced.

GEORGE T. DOWNING desired that the Convention should express its opinion upon the point he had raised; and, therefore, offered the following resolution:

Resolved, That while we regret that the right sentiment, which would secure to women the ballot, is not as general as we would have it, nevertheless we wish it distinctly understood that we rejoice at the increasing sentiment which favors the enfranchisement of the colored man.

Mr. DOWNING understood Mrs. Stanton to refuse to rejoice at a *part* of the good results to be accomplished, if she could not achieve the whole, and he wished to ask if she was unwilling the colored man should have the vote until the women could have it also? He said we had no right to refuse an act of justice upon the assumption that it would be followed by an act of injustice.

Mrs. STANTON replied she demanded the ballot for all. She asked for reconstruction on the basis of self-government; but if we are to have further class legislation, she thought the wisest order of enfranchisement was to take the educated classes first. If women are still to be represented by men, then I say let only the highest type of manhood stand at the helm of State. But if all men are to vote, black and white, lettered and unlettered, washed and unwashed, the safety of the nation as well as the interests of woman demand that we outweigh this incoming tide of ignorance, poverty, and vice, with the virtue, wealth, and education of the women of the country. With the black man you have no new force in government—it is manhood still; but with the enfranchisement of woman, you have a new and essential element of life and power. Would Horace Greeley, Wendell Phillips, Gerrit Smith, or Theodore Tilton be willing to stand aside and trust their individual interests, and the whole welfare of the nation, to the lowest strata of manhood? If not, why ask educated women, who love their country, who desire to mould its institutions on the highest idea of justice and equality, who feel that their enfranchisement is of vital importance to this end, why ask them to stand aside while 2,000,000 ignorant men are ushered into the halls of legislation?

[Pg 216]

EDWARD M. DAVIS asked what had been done with Mr. Burleigh's amendment.

The CHAIR—No action was taken upon it, as no one seconded it.

ABBY KELLY FOSTER said: I am in New York for medical treatment, not for speech-making; yet I must say a few words in relation to a remark recently made on this platform—that "The negro should not enter the kingdom of politics before woman, because he would be an additional weight against her enfranchisement." Were the negro and woman in the same civil, social, and religious status to-day, I should respond aye, with all my heart, to this sentiment. What are the facts? You say the negro has the civil rights bill, also the military reconstruction bill granting him suffrage. It has been well said, "he has the title deed to liberty, but is not yet in the possession of liberty." He is treated as a slave to-day in the several districts of the South. Without wages, without family rights, whipped and beaten by thousands, given up to the most horrible outrages, without that protection which his value as property formerly gave him. Again, he is liable without farther guarantees, to be plunged into peonage, serfdom or even into chattel slavery. Have we any true sense of justice, are we not dead to the sentiment of humanity if we shall wish to postpone his security against present woes and future enslavement till woman shall obtain political rights?

Rev. HENRY WARD BEECHER said: It seems that my modesty in not lending my name has been a matter of some grief. I will try hereafter to be less modest. When I get my growth I hope to overcome that. I certainly should not have been present to-day, except that a friend said to me that some who were expected had not come. When a cause is well launched and is prospering, I never feel specially called to help it. When a cause that I believe to be just is in the minority, and is struggling for a hearing, then I should always be glad to be counted among those who were laboring for it in the days when it lacked friends. I come to bear testimony, not as if I had not already done it, but again, as confirmed by all that I have read, whether of things written in England or spoken in America, in the belief that this movement is not the mere progeny of a fitful and feverish *ism*—that it is not a mere frothing eddy whose spirit is but the chafing of the water upon the rock—but that it is a part of that great tide which follows the drawing of heaven itself. I believe it to be so. I trust that it will not be invidious if I say, therefore, I hope the friends of this cause will not fall out by the way. If the division of opinion amounts merely to this, that you have two blades, and therefore can cut, I have no objection to it; but if there is such a division of opinion in respect to mere details, how important those details are, among friends that are one at the bottom where principles are, that there is to be

[Pg 217]

a falling out there, I shall exceedingly regret it; I shall regret that our strength is weakened, when we need it to be augmented most, or concentrated.

All my lifetime the great trouble has been that in merely speculative things theologians have been such furious logicians, have picked up their premises, and rushed with them with race-horse speed to such remote conclusions, that in the region of ideas our logical minds have become accustomed to draw results as remote as the very eternities from any premises given. My difficulty on the other hand, has been that in practical matters, owing to the existence of this great mephitic swamp of slavery, men have been utterly unwilling to draw conclusions at all; and that the most familiar principles of political economy or politics have been enunciated, and then always docked off short. Men would not allow them to go to their natural results, in the class of questions in society. We have had raised up before us the necessity of maintaining the Union by denying conclusions. The most dear and sacred and animating principles of religion have been restrained, because they would have such a bearing upon slavery, and men felt bound to hold their peace. Our most profound and broadly acknowledged principles of liberty have been enunciated and passed over, without carrying them out and applying them to society, because it would interrupt the peace of the nation. That time is passed away; and as the result of it has come in a joy and a perfect appetite on the part of the public.

I have been a careful observer for more than thirty-five years, for I came into public life, I believe, about the same time with the lady who has just sat down (Mrs. Foster), although I am not so much worn by my labors as she seems to have been. For thirty-five years I have observed in society its impetus checked, and a kind of lethargy and deadness in practical ethics, arising from fear of this prejudicial effect upon public economy. I have noticed that in the last five years there has been a revolution as perfect as if it had been God's resurrection in the graveyard. The dead men are living, and the live men are thrice alive. I can scarcely express my sense of the leap the public mind and the public moral sense have taken within this time. The barrier is out of the way. That which made the American mind untrue logically to itself is smitten down by the hand of God; and there is just at this time an immense tendency in the public mind to carry out all principles to their legitimate conclusions, go where they will. There never was a time when men were so practical, and so ready to learn. I am not a farmer, but I know that the spring comes but once in the year. When the furrow is open is the time to put in your seed, if you would gather a harvest in its season. Now, when the red-hot plowshare of war has opened a furrow in this nation, is the time to put in the seed. If any man says to me, "Why will you agitate the woman's question, when it is the hour for the black man?" I answer, it is the hour for every man, black or white. (Applause.) The bees go out in the morning to gather the honey from the morning-glories. They take it when they are open, for by ten o'clock they are shut, and they never open again until the next crop comes. When the public mind is open, if you have anything to say, say it. If you have any radical principles to urge, any organizing wisdom to make known, don't wait until quiet times come. Don't wait until the public mind shuts up altogether.

[Pg 218]

War has opened the way for impulse to extend itself. But progress goes by periods, by jumps and spurts. We are in the favored hour; and if you have great principles to make known, this is the time to advance those principles. If you can organize them into institutions, this is the time to organize them. I therefore say, whatever truth is to be known for the next fifty years in this nation let it be spoken now—let it be enforced now. The truth that I have to urge is not that women have the right of suffrage—not that Chinamen or Irishmen have the right of suffrage—not that native born Yankees have the right of suffrage—but that suffrage is the inherent right of mankind. I say that man has the right of suffrage as I say that man has the right to himself. For although it may not be true under the Russian government, where the government does not rest on the people, and although under our own government a man has not a right to himself, except in accordance with the spirit and action of our own institutions, yet our institutions make the government depend on the people, and make the people depend on the government; and no man is a full citizen, or fully competent to take care of himself, or to defend himself, who has not all those rights that belong to his fellows. I therefore advocate no sectional rights, no class rights, no sex rights, but the most universal form of right for all that live and breathe on the continent. I do not put back the black man's emancipation; nor do I put back for a single day or for an hour his admission. I ask not that he should wait. I demand that this work shall be done, not upon the ground that it is politically expedient now to enfranchise black men; but I propose that you take expediency out of the way, and that you put a principle that is more enduring than expediency in the place of it—manhood and womanhood suffrage for all. That is the question. You may just as well meet it now as at any other time. You never will have so favorable an occasion, so sympathetic a heart, never a public reason so willing to be convinced as to-day. If anything is to be done for the black man, or the black woman, or for the disfranchised classes among the whites, let it be done, in the name of God, while his Providence says, "Come; come all, and come welcome."

But I take wisdom from some with whom I have not always trained. If you would get ten steps, has been the practical philosophy of some who are not here to-day, demand twenty, and then you will get ten. Now, even if I were to confine—as I by no means do—my expectation to gaining the vote for the black man, I think we should be much more likely to gain that by demanding the vote for everybody. I remember that when I was a boy Dr. Spurzheim came to this country to advocate phrenology, but everybody held up both hands—"Phrenology! You must be running mad to have the idea that phrenology can be true!" It was not long after that, mesmerism came along; and then the people said, "Mesmerism! We can go phrenology; there is some sense in that; but as for mesmerism—!" Very soon spiritualism made its appearance, and then the same people began to say, "Spiritualism! Why it is nothing but mesmerism; we can believe in that; but as for spiritualism—!" (Laughter.) The way to get a man to take a position is to take one in advance of it, and then he will drop into the one you want him to take. So that if, being crafty, I desire to catch men with guile, and desire them to adopt suffrage for colored men, as good a trap as I know of is to claim it for women also. Bait your trap with the white woman, and I think you will catch the black man. (Laughter.) I would not, certainly, have it understood that we are standing here to advocate this universal application of the principle merely to secure the enfranchisement of the colored citizen. We do it in good faith. I believe it is just as easy to carry the enfranchisement of all as the enfranchisement of any class, and easier to carry it than carry the enfranchisement of class after class—class after class. (Applause.)

[Pg 219]

I make this demand because I have the deepest sense of what is before us. We have entered upon an era such as never before has come to any nation. We are at a point in the history of the world where we need a prophet, and have none to describe to us those events rising in the horizon thick and fast. Sometimes it seems to me that that Latter Day glory which the prophets dimly saw, and which saints have ever since, with faintness of heart, longed for and prayed for with wavering faith, is just before us. I see the fountains of the great deep broken up. I think we are to have a nation born in a day among us, greater in power of thought, greater in power of conscience, greater therefore in self-government, greater still in the power of material development. Such thrift, such skill, such enterprise, such power of self-sustentation I think is about to be developed, to say nothing of the advance already made before the nations, as will surprise even the most sanguine and far-sighted. Nevertheless, while so much is promised, there are all the attendant evils. It is a serious thing to bring unwashed, uncombed, untutored men, scarcely redeemed from savagery, to the ballot-box. It is a dangerous thing to bring the foreigner, whose whole secular education was under the throne of the tyrant, and put his hand upon the helm of affairs in this free nation. It is a dangerous thing to bring men without property, or the expectation of it, into the legislative halls to legislate upon property. It is a dangerous thing to bring woman, unaccustomed to and undrilled in the art of government, suddenly into the field to vote. These are dangerous things; I admit it. But I think God says to us, "By that danger I put every man of you under the solemn responsibility of preparing these persons effectually for their citizenship." Are you a rich man, afraid of your money? By that fear you are called to educate the men who you are afraid will vote against you. We are in a time of danger. I say to the top of society, just as sure as you despise the bottom, you shall be left like the oak tree that rebelled against its own roots—better that it be struck with lightning. Take a man from the top of society or the bottom, and if you will but give himself to himself, give him his reason, his moral nature, and his affections; take him with all his passions and his appetites, and develop him, and you will find he has the same instinct for self-government that you have. God made a man just as much to govern himself as a pyramid to stand on its own bottom. Self-government is a boon intended for all. This is shown in the very organization of the human mind, with its counterbalances and checks.... We are underpinning and undergirding society. Let us put under it no political expediency, but the great principle of manhood and womanhood, not merely cheating ourselves by a partial measure, but carrying the nation forward to its great and illustrious future, in which it will enjoy more safety, more dignity, more sublime proportions, and a health that will know no death. (Applause.)

[Pg 220]

HENRY C. WRIGHT said that circumstances had made Wendell Phillips and others, leaders in the Anti-Slavery movement, as they had made Mrs. Stanton and others leaders in this; and while they all desired the enfranchisement of both classes, it was no more than right that each should devote his energies to his own movement. There need not be, and should not be any antagonism between the two.

Miss ANTHONY said—The question is not, is this or that person right, but what are the principles under discussion. As I understand the difference between Abolitionists, some think this is harvest time for the black man, and seed-sowing time for woman. Others, with whom I agree, think we have been sowing the seed of individual rights, the foundation idea of a republic for the last century, and that this is the harvest time for all citizens who pay taxes, obey the laws and are loyal to the government. (Applause.)

Mr. REMOND said: In an hour like this I repudiate the idea of expediency. All I ask for myself I claim for my wife and sister. Let our action be based upon the rock of everlasting principle. No class of citizens in this country can be deprived of the ballot without injuring every other class. I see how equality of suffrage in the State of New York is necessary to maintain emancipation in South Carolina. Do not moral principles, like water, seek a common level? Slavery in the Southern States crushed the right of free speech in Massachusetts and made slaves of Saxon men and women, just as the \$250 qualification in the Constitution of this State degrades and enslaves black men all over the Union.

Mr. PILLSBURY protested against the use of the few last moments of this meeting in these discussions. We should be now only "a committee of ways and means," and future work should be the business in hand. Mr. Downing presented an unnecessary issue. Government will never ask us which should enter into citizenship first, the woman or the colored man, or whether we prefer one to the other. Indeed government has given the colored man the ballot already. We are demanding suffrage equally, not unequally. Mrs. Stanton's private opinion, be it what it may, has nothing to do with the general question. The white voters are mostly opposed to woman's suffrage. So will the colored men be, probably; at least so she believes, as Mrs. Mott also suggested very strongly, and a million or more of them added to the present opposition and indifference, are not a slight consideration. Mrs. Stanton does not believe in loving her neighbor *better* than herself. Justice to one class does not mean injustice to another. Woman has as good a right to the ballot as the black man—no better. Were I a colored man, and had reason to believe that should woman obtain her rights she would use them to the prejudice of mine, how could I labor very zealously in her behalf? It should be enough for Mr. Downing and all who stand with him that Mrs. Stanton does not demand one thing for herself as to rights, or time of obtaining them, which she does not cheerfully, earnestly demand for all others, regardless of color or sex.

Miss ANTHONY read the following telegram from Lucy Stone:

[Pg 221]

"ATCHISON, KANSAS, May 10, 1867.

"Impartial Suffrage, *without regard to color or sex*, will succeed by overwhelming majorities.
Kansas leads the world!

LUCY STONE."

Miss ANTHONY also read a hopeful and interesting letter from Hon. S. N. Wood, of Kansas, showing his plans for the canvass of that State.

JOSEPHINE GRIFFING said: I am well satisfied that this Convention ought not to adjourn until a similar plan is laid out for all the States in the Union, and especially for the District of Columbia. This being

a national convention, it seems peculiarly appropriate that it should begin its work at the District of Columbia. The proposition has already been made there, and the parties have discussed its merits. The question of the franchise arose from the great fact that at the South there were four millions of people unrepresented. The fact of woman's being also unrepresented is now becoming slowly understood. It is easier now to talk and act upon that subject in the District of Columbia than ever before, or than it will be again. Even the President has said that if woman in the District of Columbia shall intelligently ask for the right of franchise, he shall by no means veto it. To my mind the enfranchisement of woman is a settled fact. We can not reconstruct this government until the franchise shall be given not merely to the four millions but to the fifteen millions. We can not successfully reconstruct our government unless we go to the foundation. Let us apply all the force we can to the lever, for we have a great body to lift. No matter how ready the public is, we can accomplish nothing unless we have some plan, and unless we have workers. I presume none of us are aware how many laws there are upon the statute books disabling our rights. When the Judges in the District of Columbia were to decide who were to vote and who were not to vote, the question arose who could be appointed officers of the city; and it was found that there was a law that no one could be appointed a judge of elections who had not paid a tax upon real estate in the District of Columbia, a law which almost defeats all the work which has been done during the canvass of the last eight weeks in that District. There is work yet to be done there, and so we shall find it at every step. I am thankful with all my heart and soul that the people have at last consented to the enfranchisement of two millions of black men. I recognize that, as the load is raised one inch, we must work by degrees, accepting every inch, every hair's breadth gained toward the right. I welcome the enfranchisement of the negro as a step toward the enfranchisement of woman.

Miss ANTHONY said we seem to be blessed with telegrams, with cheering news from Kansas, and read the following from S. N. Wood:

ATCHISON, KANSAS, May 10, 1867.

"With the help of God and Lucy Stone, we shall carry Kansas! The world moves!

SAM WOOD."

These telegrams were received with much applause. The resolutions were then put to vote, and unanimously carried, and officers were elected for the ensuing year.^[73]

[Pg 222]

SOJOURNER TRUTH was called for and said: I am glad to see that men are getting their rights, but I want women to get theirs, and while the water is stirring I will step into the pool. Now that there is a great stir about colored men's getting their rights is the time for women to step in and have theirs. I am sometimes told that "Women aint fit to vote. Why, don't you know that a woman had seven devils in her: and do you suppose a woman is fit to rule the nation?" Seven devils aint no account; a man had a legion in him. [Great laughter]. The devils didn't know where to go; and so they asked that they might go into the swine. They thought that was as good a place as they came out from. [Renewed laughter]. They didn't ask to go into sheep—no, into the hog; that was the selfishest beast; and man is so selfish that he has got women's rights and his own too, and yet he won't give women their rights. He keeps them all to himself. If a woman did have seven devils, see how lovely she was when they were cast out, how much she loved Jesus, how she followed Him. When the devils were gone out of the man, he wanted to follow Jesus, too, but Jesus told him to go home, and didn't seem to want to have him round. And when the men went to look for Jesus at the sepulchre they didn't stop long enough to find out whether he was there or not; but Mary stood there and waited, and said to Him, thinking it was the gardener, "Tell me where they have laid Him and I will carry Him away." See what a spirit there is. Just so let women be true to this object, and the truth will reign triumphant.

ALFRED H. LOVE (President of the Universal Peace Society) said: Your President paid the Universal Peace Society two visits; and some of us, in turn, are here to reciprocate. The Universal Peace Society, knowing that we must have purity before we can have peace, knowing that we need our mothers, wives, and daughters with us, knowing that we need the morality, the courage, and the patience of the colored man with us, adopted as our first resolution that the ballot is a peacemaker, and that with equality there can be no war; and in another resolution we have said that women and colored men are entitled to the ballot. Therefore, you have us upon the same platform, working for you in the best way we can. We mean no cowardly peace; we mean such a peace as demands justice and equality, and world-wide philanthropy. I put the ballot of to-day under my foot, and say I can not use it until the mother that reared me can have the same privilege; until the colored man, who is my equal, can have it.

E. H. HEYWOOD of Boston, said he could hardly see what business men had upon this platform, considering how largely responsible they are for the conditions against which women struggle, except to confess their sins. Men had usurped the government, and shut up women in the kitchen. It was a sad fact that woman did not speak for herself. It was because she was crowded so low that she could not speak. Woman wanted not merely the right to vote, but the right to labor. The average life of the factory girl in Lowell was only four years, as shown by a legislative investigation. New avenues for labor must be opened. It is said that the women on this platform are coquetting with the Democrats. Why shouldn't they? The Democrats say, "Talk of negro suffrage, and then refuse women the right to vote. All I have to say is, when the negroes of Connecticut go to the polls, my wife and daughter will go, too."

[Pg 223]

EVENING SESSION.

The meeting was called to order by Mrs. Stanton.

Miss Anthony read another letter from Hon. S. N. Wood, of Kansas, received since the Morning Session.

FRANCES D. GAGE was then introduced: It is not to-day as it was before the war. It is not to-day as it was before woman took her destiny in her hand and went out upon the battle-fields, and into the

camp, and endured hunger and cold for the sake of her country. The whole country has been vitalized by this war. What if woman did not carry the bayonet on the battle-field? She carried that which gave more strength and energy. Traveling through Illinois, I saw the women bind the sheaf, bring in the harvest and plow the fields, that men might fight the battles. When such women come up now and ask for the right of suffrage, who will deny their request? In the winter of 1860, the law was passed in New York giving to married women the right to their own earnings. It was said frequently then that women did not want the right to their own earnings. We were asked if we wanted to create separation in families. But did any revolution or any special trouble grow out of this recognition of woman's right? You see women everywhere to-day earnestly striving to find a place to earn their bread. Madame Demorest has become a leader of fashion, teaching women to make up what Stewart imports; and she has a branch establishment in every large city in the Union clear to Montana. I do not know but some of those ladies cutting out garments, and setting the fashions of the day, might aspire to the Presidential chair; and perhaps they would be quite as capable as the present incumbent—a tailor. [Applause].

Three years ago I found myself without the means of life. I wanted a home. I had read about the beauties of a home, and woman's appropriate sphere; and so I got a little home, and went into it, and tried to get work. My old eyes would not see to sew nicely, I was too feeble to wash, and so I tended the garden. After a year had gone by I found that staying in this beautiful home, and placing myself in woman's sphere had not brought me a dollar to pay my bills. So setting all these theories at defiance, I said I will go and lecture; and I went out into the lecturing field. I have money to pay my bills to-day; but I could not have it were I to cling to the sphere of home. If a woman is doing the work of a good man's home, she is doing her part, and she will not desire to go out from it for any ordinary cause. But if she can make two dollars to his one, allowing him to carry out his part of the appointments of life, why should not she do it? When we can be allowed to do the thousand things that womanly hands can do as well as those of men, we shall make our lives useful. But take my word for it, as an old mother, with her grandchildren gathered about her, you will not find woman deserting the highest instincts of her nature, or leaving the home of her husband and children.

[Pg 224]

Why do you scold us, poor weak women, for being fashionable and dressy, when snares are set at every corner to tempt us? What would become of your dry-goods merchants and your commerce if we did not wear handsome dresses—if the women of this country were to become thus sensible to-day? Your great stores on Broadway would be closed, and your stalwart six-foot men would have to find something else to do besides measuring tapes and ribbons. The whole country would undergo a transformation. But it would be better for the country. It would not take five years to pay the national debt, interest and all, if you will apply the money spent by men for tobacco and whisky—if men will learn to be decent. I think it is a great deal better to wear a pretty flower or ribbon than to smoke cigars. It is a great deal better, and less damaging to the conscience, to wear a handsome silk dress, than for a man to put "an enemy into his mouth to steal away his brains."

I honestly and conscientiously believe that we ought to make the rights of humanity equal for all classes of the community of adult years and of sound mind. I do not ask that the girl should vote at eighteen, but at twenty-one—the same age with the boy; and having raised both boys and girls, I think I have a right to say that. Give us freedom from these miserable prejudices, these restrictions and tyrannies of society, and let us judge for ourselves. If it is true, as science asserts, that girls inherit more of the character of their father, while the boys follow in a more direct line their mother, then how is it possible that women should not have the same aspirations as men? I was born a mechanic, and made a barrel before I was ten years old. The cooper told my father, "Fanny made that barrel, and has done it quicker and better than any boy I have had after six months' training." My father looked at it and said, "What a pity that you were not born a boy, so that you could be good for something. Run into the house, child, and go to knitting." So I went and knit stockings, and my father hired an apprentice boy, and paid him two dollars a week for making barrels. Now, I was born to make barrels, but they would not let me. Thousands of girls are born with mechanical fingers. Thousands of girls have a muscular development that could do the work of the world as well as men; and there are thousands of men born to effeminacy and weakness.

Mrs. STANTON then addressed the meeting. As her line of argument was a summary of that recently made before the Judiciary Committee of the Legislature, and already published, it need not here be repeated.

Miss ANTHONY announced that they would have another opportunity to hear Sojourner Truth, and, for the information of those who did not know, she would say that Sojourner was for forty years a slave in this State. She is not a product of the barbarism of South Carolina, but of the barbarism of New York, and one of her fingers was chopped off by her cruel master in a moment of anger.

SOJOURNER TRUTH said: I have lived on through all that has taken place these forty years in the anti-slavery cause, and I have plead with all the force I had that the day might come that the colored people might own their soul and body. Well, the day has come, although it came through blood. It makes no difference how it came—it did come. (Applause). I am sorry it came in that way. We are now trying for liberty that requires no blood—that women shall have their rights—not rights from you. Give them what belongs to them; they ask it kindly too. (Laughter). I ask it kindly. Now I want it done very quick. It can be done in a few years. How good it would be. I would like to go up to the polls myself. (Laughter). I own a little house in Battle Creek, Michigan. Well, every year I got a tax to pay. Taxes, you see, be taxes. Well, a road tax sounds large. Road tax, school tax, and all these things. Well, there was women there that had a house as well as I. They taxed them to build a road, and they went on the road and worked. It took 'em a good while to get a stump up. (Laughter). Now, that shows that women can work. If they can dig up stumps they can vote. (Laughter). It is easier to vote than dig stumps. (Laughter). It doesn't seem hard work to vote, though I have seen some men that had a hard time of it. (Laughter). But I believe that when women can vote there won't be so many men that have a rough time gettin' to the polls. (Great laughter). There is danger of their life sometimes. I guess many have seen it in this city. I lived fourteen years in this city. I don't want to take up time, but I calculate to live. Now, if you want me to get out of the world, you had better get the women votin' soon. (Laughter). I shan't go till I can do that.

[Pg 225]

CHARLES LENOX REMOND said: It requires a rash man to rise at this stage of the meeting, with the hope of detaining the audience even for a few moments. But in response to your call I rise to add my humble word to the many eloquent words already uttered in favor of universal suffrage. The present moment is one of no ordinary interest. Since this platform is the only place in this country where the whole question of human rights may now be considered, it seemed to me fitting that the right of the colored man to a vote should have a place at the close of the meeting; and especially in this State, since the men who are to compose the Convention called for the amendment of the Constitution of this State, will, within a few short weeks, pass either favorably or unfavorably upon that subject. I remember that Henry B. Stanton once said at a foreign Court, "Let it be understood that I come from a country where every man is a sovereign." At that time the language of our friend was but a glittering generality, for there were very many who could not be styled sovereigns in any sense of the term. But I desire that the remark of Mr. Stanton shall be verified in the State of New York this very year. I demand that you so amend your Constitution as to recognize the equality of the black man at the ballot box, at least until he shall have proved himself a detriment to the interests and welfare of our common country. It is no novelty that two colored men were members of the last Legislature of Massachusetts; for more than forty years ago a black man was a member of the Massachusetts Legislature. People seem to have forgotten our past history. The first blood shed in the Revolutionary war ran from the veins of a black man; and it is remarkable that the first blood shed in the recent rebellion also ran from the veins of a black man. What does it mean, that black men, first and foremost in the defense of the American nation and in devotion to the country, are to-day disfranchised in the State of Alexander Hamilton and John Jay?

These were the last conventions ever held in "the Church of the Puritans," as it soon passed into other hands, and not one stone was left upon another; not even an odor of sanctity about the old familiar corner where so much grand work had been done for humanity. The building is gone, the congregation scattered, but the name of George B. Cheever, so long the honored pastor, will not soon be forgotten.^[74]

[Pg 226]

At the close of the Convention a memorial^[75] to Congress was prepared, and signed by the officers of the Convention.

[Pg 227]

In a letter to the *National Anti-Slavery Standard*, dated Concord, April 20, 1867, Parker Pillsbury, under the title, "The Face of the Sky," says:

I have just read in the papers of last week what follows:

Mr. Phillips, in the *Anti-Slavery Standard* says: "All our duty is to press constantly on the nation the absolute need of three things. 1st. The exercise of the whole police power of the government while the seeds of republicanism get planted. 2d. The Constitutional Amendment securing universal suffrage in spite of all State Legislation. 3d. A Constitutional Amendment authorizing Congress to establish common schools, etc. To these necessities," Mr. Phillips adds, "we must educate the public mind."

Mr. Greeley in the *Tribune* says: "We are most anxious that our present State Constitution shall be so amended as to secure prompt justice through the courts, preclude legislative and municipal corruption, and secure responsibility by concentrating executive power." Through the approaching Constitutional Convention, he says the people "can secure justice through reformed courts, fix responsibility for abuses of executive power;—in short, they can increase the value of property and the reward of honest labor."

[Pg 228]

Mr. Tilton, in *The Independent*, in allusion to the recent Republican defeat in Connecticut, concludes; "the policy of negro suffrage is clearly seen to be the only policy for the National welfare." ... "What then, is the next step," he asks, "in the progress of reconstruction?" In italics he answered, "We must make Impartial Suffrage the rule and practice of the Northern as well as the Southern States." He proposes a new amendment to the Federal Constitution which will secure to every American citizen, black and white, North and South, the American citizen's franchise. What is meant in this article of the *Independent* by impartial suffrage is understood by these words in another part of it. "The Republican party in Connecticut was abundantly strong enough to secure Impartial Suffrage. But it chose, instead, to insult its black-faced brethren, and refused their alliance." Mr. Raymond, in the *New York Times*, speaks without a stammer on the suffrage question. It declares, "In New York suffrage is now absolutely universal for all citizens except the colored people; and upon them it is only restricted by a slight property qualification."

A correspondent of the Boston *Congregationalist*, in a letter from New York, tells us, "A Constitutional Convention is to be held shortly in this State, and we expect to see universal suffrage adopted.... The Strong-Minded Women aim to secure female voting, but they will fail, as they should." The *Congregationalist* has also an editorial article headed, "The steps to Reconstruction," in which it speaks excellently of "a millennium of Republican governments," and of Impartial Suffrage in them, as near at hand. But it too speaks only of freedmen to be clothed with the rights of citizenship in the millennial, latter-day glory so soon to be. Over the black male citizen this editor shouts, "chattel, contraband, soldier, citizen, voter, counselor, magistrate, representative, senator,—these all shall be the successive steps of his wonderful progress!!"

I have produced these as the best representatives of the different styles or types of the radical or progressive movement in the work of reconstructing the government. That the *Standard* and *Independent* believe fully in the right of women to Equal Suffrage and citizenship is known to every attentive reader of those journals. But at an hour like this, it is painful to witness anything like agreement even, with the language of the others I have cited.... To rob the freed slave of citizenship to-day is as much a crime as was slavery before the war on Sumter; and to withhold the divinely conferred gift from woman is every way as oppressive, cruel, and unjust as if she were a black man....

FOOTNOTES:

[60] CALL FOR THE ELEVENTH NATIONAL WOMAN'S RIGHTS CONVENTION.—The Convention will be held in the City of New York, at the Church of the Puritans, Union Square, on Thursday, the 10th of May, 1866, at 10 o'clock. Addresses will be delivered by ERNESTINE L. ROSE, FRANCES D. GAGE, WENDELL PHILLIPS, THEODORE TILTON, ELIZABETH CADY STANTON, and (probably) LUCRETIA MOTT and ANNA E. DICKINSON.

Those who tell us the republican idea is a failure, do not see the deep gulf between our broad theory and partial legislation; do not see that our Government for the last century has been but the repetition of the old experiments of class and caste. Hence, the failure is not in the principle, but in the lack of virtue on our part to apply it. The question now is, have we the wisdom and conscience, from the present upheavings of our political system, to reconstruct a government on the one enduring basis that has never yet been tried—"EQUAL RIGHTS TO ALL."

From the proposed class legislation in Congress, it is evident we have not yet learned wisdom from the experience of the past; for, while our representatives at Washington are discussing the right of suffrage for the black man, as the only protection to life, liberty and happiness, they deny that "necessity of citizenship" to woman; by proposing to introduce the word "male" into the Federal Constitution. In securing suffrage but to another shade of *manhood*, while we disfranchise fifteen million tax-payers, we come not one line nearer the republican idea. Can a ballot in the hand of woman, and dignity on her brow, more unsex her than do a scepter and a crown? Shall an American Congress pay less honor to the daughter of a President than a British Parliament to the daughter of a King? Should not our petitions command as respectful a hearing in a republican Senate as a speech of Victoria in the House of Lords? Do we not claim that here all men and women are nobles—all heirs apparent to the throne? The fact that this backward legislation has roused so little thought or protest from the women of the country, but proves what some of our ablest thinkers have already declared, that the greatest barrier to a government of equality was the aristocracy of its women. For, while woman holds an ideal position above man and the work of life, poorly imitating the pomp, heraldry, and distinction of an effete European civilization, we as a nation can never realize the divine idea of equality.

To build a true republic, the church and the home must undergo the same upheavings we now see in the State;—for, while our egotism, selfishness, luxury and ease are baptized in the name of Him whose life was a sacrifice,—while at the family altar we are taught to worship wealth, power and position, rather than humanity, it is vain to talk of a republican government:—The fair fruits of liberty, equality and fraternity must be blighted in the bud, till cherished in the heart of woman. At this hour the nation needs the highest thought and inspiration of a true womanhood infused into every vein and artery of its life; and woman needs a broader, deeper education, such as a pure religion and lofty patriotism alone can give. From the baptism of this second revolution should she not rise up with new strength and dignity, clothed in all those "rights, privileges and immunities" that shall best enable her to fulfill her highest duties to Humanity, her Country, her Family and Herself?

On behalf of the National Woman's Rights Central Committee,
ELIZABETH CADY STANTON, President.

SUSAN B. ANTHONY, Secretary.
New York (48 Beekman street), March 31, 1866.

[61] Ernestine L. Rose, Wendell Phillips, John T. Sargeant, O. B. Frothingham, Frances D. Gage, Elizabeth Cady Stanton, Susan B. Anthony, Theodore Tilton, Lucretia Mott, Martha C. Wright, Stephen S. and Abbey Kelley Foster, Margaret Winchester and Parker Pillsbury.

[62] As this was the first time Mr. Beecher had honored the platform, we give copious extracts from his speech in preference to those who were so often reported in the first volume. This speech is published in full in tract form, and can be obtained from the Secretary of the National Woman's Suffrage Association.

[63] A COLLOQUY.

When Mr. BEECHER took his seat, Mr. TILTON rose and said:

Mrs. PRESIDENT: In the midst of the general hilarity produced throughout the house by my friend's speech, I myself have been greatly solemnized by being made (as you have witnessed) the public custodian of his New Testament. (Laughter). At first I shared in your gratification at seeing that he carried so much of the Scripture with him. (Laughter). But I found, on looking at the fly-leaf, that the book after all, was not his own, but the property of a lady—I will not mention her name. (Laughter). I have, therefore, no right to accept my friend's gift of what is not his own. Now I remember that when he came home from England, he told me a story of a company of ten ministers who sat down to dine together. A dispute arose among them as to the meaning of a certain passage of Scripture—for aught I know the very passage in Galatians which he just now tried to quote, but couldn't. (Laughter). Some one said, "Who has a New Testament?" It was found that no one had a copy. Pretty soon, however, when the dinner reached the point of champagne, some one exclaimed, "Who has a corkscrew?" And it was found that the whole ten had, every man, a corkscrew in his pocket! (Laughter). Now, as there is no telling where a Brooklyn minister who made a temperance speech at Cooper Institute last night is likely to take his dinner to-day, I charitably return the New Testament into my friend's own hands. (Great merriment).

Mr. BEECHER—Now I know enough about champagne to know that it don't need any

corkscrew. (Laughter).

Mr. TILTON—How is it that you know so much more about corkscrews than about Galatians? (Laughter).

Mr. BEECHER, after making some playful allusions to the story of the ten ministers, remarked that he gave it as it was given to him, but that he could not vouch for its truthfulness, as he was not present on the occasion.

[64] Susan B. Anthony, Frances E. W. Harper, Sarah H. Hallock, Edwin A. Studwell, Dr. C. S. Lozier, Margaret E. Winchester, Mary F. Gilbert, Dr. Laura A. Ward, Edward M. Davis, Mrs. Calhoun.

[65] CONSTITUTION OF THE AMERICAN EQUAL RIGHTS ASSOCIATION.

PREAMBLE.—Whereas, by the war, society is once more resolved into its original elements, and in the reconstruction of our government we again stand face to face with the broad question of natural rights, all associations based on special claims for special classes are too narrow and partial for the hour; Therefore, from the baptism of this second revolution—purified and exalted through suffering—seeing with a holier vision that the peace, prosperity, and perpetuity of the Republic rest on EQUAL RIGHTS TO ALL, we, to-day, assembled in our Eleventh National Woman's Rights Convention, bury the woman in the citizen, and our organization in that of the American Equal Rights Association.

ARTICLE I.—This organization shall be known as The American Equal Rights Association.

ART. II.—The object of this Association shall be to secure Equal Rights to all American citizens, especially the right of suffrage, irrespective of race, color, or sex.

ART. III.—Any person who consents to the principles of this Association and contributes to its treasury, may be a member, and be entitled to speak and vote in its meetings.

ART. IV.—The Officers of this Association shall be, a President, Vice-Presidents, Corresponding Secretaries, a Recording Secretary, a Treasurer, and an Executive Committee of not less than seven, nor more than fifteen members.

ART. V.—The Executive Committee shall have power to enact their by-laws, fill any vacancy in their body and in the offices of Secretary and Treasurer; employ agents, determine what compensation shall be paid to agents, and to the Corresponding Secretaries, direct the Treasurer in the application of all moneys, and call special meetings of the Society. They shall make arrangements for all meetings of the Society, make an annual written report of their doings, the expenditures and funds of the Society, and shall hold stated meetings, and adopt the most energetic measures in their power to advance the objects of the Society.

ART. VI.—The Annual Meeting of the Association shall be held each year at such time and place as the Executive Committee may direct, when the accounts of the Treasurer shall be presented, the annual report read, appropriate addresses delivered, the officers chosen, and such other business transacted as shall be deemed expedient.

ART. VII.—Any Equal Rights Association, founded on the same principles, may become auxiliary to this Association. The officers of each auxiliary shall be *ex officio* members of the Parent Association, and shall be entitled to deliberate and vote in the transactions of its concerns.

ART. VIII.—This constitution may be amended, at any regular meeting of the Society, by a vote of two-thirds of the members present, provided the amendments proposed have been previously submitted in writing to the Executive Committee, at least one month before the meeting at which they are to be proposed.

Done in the City of New York on the tenth day of May, in the year 1866.

[66] President, Elizabeth Cady Stanton; Vice-Presidents, Frederick Douglass, Frances D. Gage, Robert Purvis, Theodore Tilton, Josephine S. Griffing, Martha C. Wright, Rebecca W. Mott; Corresponding Secretaries, Susan B. Anthony, Mattie Griffith, Caroline M. Severance; Recording Secretary, Henry B. Blackwell; Treasurer, Ludlow Patton; Executive Committee, Elizabeth Cady Stanton, Lucy Stone, Edwin A. Studwell, Margaret E. Winchester, Aaron M. Powell, Susan B. Anthony, Parker Pillsbury, Elizabeth Gay, Mary F. Gilbert, Stephen S. Foster, Lydia Mott, Antoinette B. Blackwell, Wendell Phillips Garrison.

[67] Miss Anthony reported from the Finance Committee the receipt of \$255.50, as follows: Jessie Benton Fremont, \$50; Abby Hutchinson Patton, \$50; Dr. Clemence S. Lozier, \$20; Gerrit Smith, \$10; Mrs. Dr. Densmore, \$10; James and Lucretia Mott, \$10; Martha C. Wright, \$8; Elizabeth S. Miller, \$5; Eliza W. Osborn, \$5; Margaret E. Winchester, \$5; and the balance in sums of \$1 each, from as many different persons, whose names were enrolled as members of the Equal Rights Association. Miss A. further stated that the proceedings would be published in pamphlet form at the earliest possible day, and that announcement of their place of sale would be made through the *Tribune*, *Anti-Slavery Standard*, and other papers.

[68] At a reception one evening in Washington at the residence of Hon. Schuyler Colfax, he rallied Mrs. Stanton on her defeat, regretting that as Speaker of the House he had never had the pleasure of introducing "the Lady from New York." Hon. William D. Kelly, standing near, remarked by way of consolation, "There is still hope for Mrs. Stanton; she received the same number of votes I did the first time I ran for Congress (2,400), the

only difference is, her ciphers were on the wrong side (0024).

[69] The speakers were Rev. Olympia Brown, Elizabeth Cady Stanton, Susan B. Anthony, Lucy Stone, Frederick Douglass, Henry B. Blackwell, Sarah P. Remond, Parker Pillsbury, Jane Elizabeth Jones, Charles Lenox Remond, Bessie Bisbee, and Louise Jacobs.

[70] THE CALL.

The first Annual Meeting of the AMERICAN EQUAL RIGHTS ASSOCIATION will be held in the City of New York, at the Church of the Puritans, on Thursday and Friday, the 9th and 10th of May, 1867, commencing on Thursday morning, at 10 o'clock.

The object of this Association is to "secure Equal Rights to all American citizens, especially the Right of Suffrage, irrespective of race, color, or sex." American Democracy has interpreted the Declaration of Independence in the interest of slavery, restricting suffrage and citizenship to a *white male minority*.

The black man is still denied the crowning right of citizenship, even in the nominally free States, though the fires of civil war have melted the chains of chattelism, and a hundred battle fields attest his courage and patriotism. Half our population are disfranchised on the ground of sex; and though compelled to obey the laws and taxed to support the government, they have no voice in the legislation of the country.

This Association, then, has a mission to perform, the magnitude and importance of which can not be over-estimated. The recent war has unsettled all our governmental foundations. Let us see that in their restoration, all these unjust proscriptions are avoided. Let Democracy be defined anew, as *the government of the people*, AND THE WHOLE PEOPLE.

Let the gathering, then, at this anniversary be, in numbers and character, worthy, in some degree, the demands of the hour. The black man, even the black soldier, is yet but half emancipated, nor will he be, until full suffrage and citizenship *are secured to him in the Federal Constitution*. Still more deplorable is the condition of the black woman; and legally, that of the white woman is no better! Shall the sun of the nineteenth century go down on wrongs like these, in this nation, consecrated in its infancy to justice and freedom? Rather let our meeting be pledged as well as prophecy to the world of mankind, that the redemption of at least one great nation is near at hand.

There will be four sessions—Thursday, May 9th, at 10 o'clock A.M., and 8 o'clock P. M.; Friday, May 13th, at 10 A.M., and 8 P.M. The speakers will be Elizabeth Cady Stanton, Gen. Rufus Saxton, Frances D. Gage, Parker Pillsbury, Robert Purvis, Mary Grew, Ernestine L. Rose, Charles Lenox Remond, Frederick Douglass, Lucy Stone, Henry B. Blackwell, Rev. Olympia Brown, Sojourner Truth (Mrs. Stowe's "Lybian Sybil"), Rev. Samuel J. May, and others.

On behalf of the American Equal Rights Association,
LUCRETIA MOTT, President.

SUSAN B. ANTHONY, Cor. Secretary.
HENRY B. BLACKWELL, Rec. Secretary.
New York, 12th March, 1867.

[71] *Resolved*, That as republican institutions are based on individual rights, and not on the rights of races or sexes, the first question for the American people to settle in the reconstruction of the government, is the RIGHTS OF INDIVIDUALS.

Resolved, That the present claim for "manhood suffrage," marked with the words "equal," "impartial," "universal," is a cruel abandonment of the slave women of the South, a fraud on the tax-paying women of the North, and an insult to the civilization of the nineteenth century.

Resolved, That the proposal to reconstruct our government on the basis of manhood suffrage, which emanated from the Republican party and has received the recent sanction of the American Anti-Slavery Society, is but a continuation of the old system of class and caste legislation, always cruel and prescriptive in itself, and ending in all ages in national degradation and revolution.

On motion of Miss Anthony, a Finance Committee was appointed, consisting of Harriet Purvis, Mary F. Gilbert, Charles Lenox Remond, and Anna Rice Powell.

On motion of Charles C. Burleigh, a Business Committee was appointed, consisting of Ernestine L. Rose, Susan B. Anthony, Parker Pillsbury, Elizabeth Cady Stanton, Frances D. Gage, and Samuel J. May.

[72] *Resolved*, That the ballot alike to women and men means bread, education, self-protection, self-reliance, and self-respect; to the wife it means the control of her own person, property, and earnings; to the mother it means the equal guardianship of her children; to the daughter it means diversified employment and a fair day's wages for a fair day's work; to all it means free access to skilled labor, to colleges and professions, and to every avenue of advantage and preferment.

Resolved, That Henry Ward Beecher, Elizabeth Cady Stanton, and Frederick Douglass, be invited to represent the Equal Rights Association in the Constitutional Convention to be held in this State in the month of June next.

Resolved, That while we are grateful to Wendell Phillips, Theodore Tilton, and Horace

Greeley, for the respectful mention of woman's right to the ballot in the journals through which they speak, we ask them now, when we are reconstructing both our State and National Governments, to demand that the right of suffrage be secured to all citizens—to women as well as black men, for, until this is done, the government stands on the unsafe basis of class legislation.

Resolved, That on this our first anniversary we congratulate each other and the country on the unexampled progress of our cause, as seen: 1. In the action of Congress extending the right of suffrage to the colored men of the States lately in rebellion, and in the very long and able discussion of woman's equal right to the ballot in the United States Senate, and the vote upon it. 2. In the action of the Legislatures of Kansas and Wisconsin, submitting to the people a proposition to extend the ballot to woman. 3. In the agitation upon the same measure in the Legislatures of several other States. 4. In the friendly tone of so large a portion of the press, both political and religious; and finally, in the general awaking to the importance of human elevation and enfranchisement, abroad as well as at home; particularly in Great Britain, Russia, and Brazil; and encouraged by past successes and the present prospect, we pledge ourselves to renewed and untiring exertions, until equal suffrage and citizenship are acknowledged throughout our entire country, irrespective of sex or color.

[73] President, Lucretia Mott; Vice-presidents, Elizabeth Cady Stanton, N. Y., Frederick Douglass, N. Y., Henry Ward Beecher, N. Y., Charles Lenox Remond, Mass., Elizabeth B. Chace, R. I., C. Prince, Conn., Frances D. Gage, N. J., Robert Purvis, Penn., Josephine S. Griffing, D. C., Thomas Garret, Del., Stephen H. Camp, Ohio, Euphemia Cochrane, Mich., Mary A. Livermore, Ill., Mrs. Isaac H. Sturgeon, Mo., Amelia Bloomer, Iowa, Sam N. Wood, Kansas, Virginia Penny, Kentucky; Recording Secretaries, Henry B. Blackwell, Hattie Purvis; Corresponding Secretaries, Susan B. Anthony, Mattie Griffith, Caroline M. Severance; Treasurer, John F. Merritt; Executive Committee, Ernestine L. Rose, Edwin A. Studwell, Elizabeth Cady Stanton, Martha C. Wright, Lucy Stone, Parker Pillsbury, Elizabeth Gay, Theodore Tilton, Mary F. Gilbert, Edward S. Bunker, Antoinette Brown Blackwell, Susan B. Anthony, Margaret E. Winchester, Aaron M. Powell, James Haggarty, George T. Downing.

[74] The night before Dr. Cheever was to preach his farewell sermon to his people in the Church of the Puritans, Miss Anthony and Mrs. Stanton, walking slowly up Broadway arm in arm, cogitating, as usual, where a good word could be said for woman, bethought themselves of the Doctor's forthcoming sermon. As he had fought a grand battle for anti-slavery in his church, they felt that it would be peculiarly fitting for him, in his last sermon, to make some mention of the rights of women.

Accordingly they turned into University Place, and soon found themselves in his parlor, where they were heartily welcomed by Mrs. Cheever. Miss Anthony, who was generally the spokesman on all audacious errands, said, "We want to see the Doctor just five minutes; we know that it is Saturday evening, that he is busy with his sermon, and sees no one at this time, but our errand is one of momentous importance, and what we have in our minds must be said now or never. While we were explaining to Mrs. Cheever, the folding doors quietly rolled back, and there stood the Doctor. He laughed heartily when we made known our mission, and said, "I have the start of you this time; what you ask is already written in my sermon; come into my library and you shall hear it. We listened with great satisfaction, expressed our thanks and started, when Miss A. suddenly turned and said, "That is excellent, Doctor, now pray do not forget to give it with unction to-morrow."

Many wondered that Dr. Cheever, a rigid blue Presbyterian, should express such radical sentiments on so unpopular a reform. But his conversion was due, no doubt, to the fact that the women of his church had nobly sustained him all through his anti-slavery battle while the wealth and conservatism of the congregation forbade the discussion of that subject in the pulpit. The votes of the women, year after year, secured his position, until his failing health ended the contest, and the sale of the edifice changed the Church of the Puritans into Tiffany's brilliant jewelry establishment.

[75] MEMORIAL OF THE AMERICAN EQUAL RIGHTS ASSOCIATION TO THE
CONGRESS OF THE UNITED STATES.

The undersigned, Officers and Representatives of the American Equal Rights Association, respectfully but earnestly protest against any change in the Constitution of the United States, or legislation by Congress, which shall longer violate the principle of Republican Government, by proscriptive distinctions in rights of suffrage or citizenship, on account of color or sex. Your Memorialists would respectfully represent, that neither the colored man's loyalty, bravery on the battle field and general good conduct, nor woman's heroic devotion to liberty and her country, in peace and war, have yet availed to admit them to equal citizenship, even in this enlightened and republican nation.

We believe that humanity is one in all those intellectual, moral and spiritual attributes, out of which grow human responsibilities. The Scripture declaration is, "so God created man in his own image: male and female created he them." And all divine legislation throughout the realm of nature recognizes the perfect equality of the two conditions. For male and female are but different conditions. Neither color nor sex is ever discharged from obedience to law, natural or moral; written or unwritten. The commands, thou shalt not steal, nor kill, nor commit adultery, know nothing of sex in their demands; nothing in their penalty. And hence we believe that all *human* legislation which is at variance with the divine code, is essentially unrighteous and unjust. Woman and the colored man are taxed to support many literary and humane institutions, into which they never come, except in the poorly paid capacity of menial servants. Woman has been fined, whipped, branded with red-hot irons, imprisoned and hung; but when was woman ever tried by a

jury of her peers?

Though the nation declared from the beginning that "all just governments derive their power from the consent of the governed," the consent of woman was never asked to a single statute, however nearly it affected her dearest womanly interests or happiness. In the despotisms of the old world, of ancient and modern times, woman, profligate, prostitute, weak, cruel, tyrannical, or otherwise, from Semiramis and Messalina, to Catherine of Russia and Margaret of Anjou, have swayed, unchallenged, imperial scepters; while in this republican and Christian land in the nineteenth century, woman, intelligent, refined in every ennobling gift and grace, may not even vote on the appropriation of her own property, or the disposal and destiny of her own children. Literally she has no *rights* which man is bound to respect; and her civil privileges she holds only by sufferance. For the power that gave, can take away, and of that power she is no part. In most of the States, these unjust distinctions apply to woman, and to the colored man alike. Your Memorialists fully believe that the time has come when such injustice should cease.

Woman and the colored man are loyal, patriotic, property-holding, tax-paying, liberty-loving citizens; and we can not believe that sex or complexion should be any ground for civil or political degradation. In our government, one-half the citizens are disfranchised by their sex, and about one-eighth by the color of their skin; and thus a large majority have no voice in enacting or executing the laws they are taxed to support and compelled to obey, with the same fidelity as the more favored class, whose usurped prerogative it is to rule. Against such outrages on the very name of republican freedom, your memorialists do and must ever protest. And is not our protest pre-eminently as just against the tyranny of "*taxation without representation*," as was that thundered from Bunker Hill, when our revolutionary fathers fired the shot that shook the world?

And your Memorialists especially remember, at this time, that our country is still reeling under the shock of a terrible civil war, the legitimate result and righteous retribution of the vilest slave system ever suffered among men. And in restoring the foundations of our nationality, your memorialists most respectfully and earnestly pray that all discriminations on account of sex or race may be removed; and that our Government may be republican in *fact* as well as *form*; A GOVERNMENT BY THE PEOPLE, AND THE WHOLE PEOPLE; FOR THE PEOPLE, AND THE WHOLE PEOPLE.

In behalf of the American Equal Rights Association,

THEODORE TILTON, FREDERICK DOUGLAS, ELIZABETH CADY STANTON,	}	Vice-Presidents.	LUCRETIA MOTT, President. SUSAN B. ANTHONY, Secretary.
-------------------------------------------------------------------	---	------------------	-----------------------------------------------------------

CHAPTER XIX.

[Pg 229]

THE KANSAS CAMPAIGN—1867.

The Battle Ground of Freedom—Campaign of 1867—Liberals did not Stand by their Principles—Black Men Opposed to Woman Suffrage—Republican Press and Party Untrue—Democrats in Opposition—John Stuart Mill's Letters and Speeches Extensively Circulated—Henry B. Blackwell and Lucy Stone Opened the Campaign—Rev. Olympia Brown Followed—60,000 Tracts Distributed—Appeal Signed by Thirty-one Distinguished Men—Letters from Helen E. Starrett, Susan E. Wattles, Dr. R. S. Tenney, Lieut. Governor J. P. Root, Rev. Olympia Brown—The Campaign closed by ex-Governor Robinson, Elizabeth Cady Stanton, Susan B. Anthony, and the Hutchinson Family—Speeches and Songs at the Polls in every Ward in Leavenworth Election Day—Both Amendments lost—9,070 Votes for Woman Suffrage, 10,843 for Negro Suffrage.

As Kansas was the historic ground where Liberty fought her first victorious battles with Slavery, and consecrated that soil forever to the freedom of the black race, so was it the first State where the battle for woman's enfranchisement was waged and lost for a generation. There never was a more hopeful interest concentrated on the legislation of any single State, than when Kansas submitted the two propositions to her people to take the words "white" and "male" from her Constitution.

Those awake to the dignity and power of the ballot in the hands of all classes, to the inspiring thought of self-government, were stirred as never before, both in Great Britain and America, upon this question. Letters from John Stuart Mill and other friends, with warm words of encouragement, were read to thousands of audiences, and published in journals throughout the State. Eastern women who went there to speak started with the full belief that their hopes so long deferred were at last to be realized. Some even made arrangements for future homes on that green spot where at last the sons and daughters of earth were to stand equal before the law. With no greater faith did the crusaders of old seize their shields and start on their perilous journey to wrest from the infidel the Holy Sepulcher, than did these defenders of a sacred principle enter Kansas, and with hope sublime consecrate themselves to labor for woman's freedom; to roll off of her soul the mountains of sorrow and superstition that had held her in bondage to false creeds, and codes, and customs for centuries. There was a solemn earnestness in the speeches of all who labored in that campaign. Each heart was thrilled with the thought

[Pg 230]

that the youngest civilization in the world was about to establish a government based on the divine idea—the equality of all mankind—proclaimed by Jesus of Nazareth, and echoed by the patriots who watched the dawn of the natal day of our Republic. Here at last the mothers of the race, the most important actors in the grand drama of human progress were for the first time to stand the peers of men.

These women firmly believed that Republicans and Abolitionists who had advocated their cause for years would aid them in all possible efforts to carry the Constitutional Amendment that was to enfranchise the women of the State. They looked confidently for encouragement, and inspiring editorials in certain Eastern journals. With Horace Greeley at the head of the *New York Tribune*, Theodore Tilton of the *Independent*, and Wendell Phillips of the *Anti-Slavery Standard*, they felt they had a strong force in the press of the East to rouse the men of Kansas to their duty. But, alas! they all preserved a stolid silence, and the Liberals of the State were in a measure paralyzed by their example. Though the amendment to take the word "male" from the Constitution was a Republican measure, signed by a Republican Governor, and advocated by leading men of that party throughout the campaign, yet the Republican party, as such, the Abolitionists and black men were all hostile to the proposition, because they said to agitate the woman's amendment would defeat negro suffrage.

Eastern politicians warned the Republicans of Kansas that "negro suffrage" was a party measure in national politics, and that they must not entangle themselves with the "woman question." On all sides came up the cry, this is "the negro's hour." Though the Republican State Central Committee adopted a resolution leaving all their party speakers free to express their individual sentiments, yet they selected men to canvass the State, who were known to be unscrupulous and disreputable, and violently opposed to woman suffrage.^[76] The Democratic party^[77] was opposed to both amendments and to the new law on temperance, which it was supposed the women would actively support.

[Pg 231]

The Germans in their Conventions passed a resolution^[78] against the new law that required the liquor dealers to get the signatures of one-half the women, as well as the men, to their petitions before the authorities could grant them license. In suffrage for women they saw rigid Sunday laws and the suppression of their beer gardens. The liquor dealers throughout the State were bitter and hostile to the woman's amendment. Though the temperance party had passed a favorable resolution^[79] in their State Convention, yet some of their members were averse to all affiliations with the dreaded question, as to them, what the people might drink seemed a subject of greater importance than a fundamental principle of human rights. Intelligent black men, believing the sophistical statements of politicians, that their rights were imperiled by the agitation of woman suffrage, joined the opposition. Thus the campaign in Kansas was as protracted as many sided.

[Pg 232]

From April until November, the women of Kansas, and those who came to help them, worked with indomitable energy and perseverance. Besides undergoing every physical hardship, traveling night and day in carriages, open wagons, over miles and miles of the unfrequented prairies, climbing divides, and through deep ravines, speaking in depots, unfinished barns, mills, churches, school-houses, and the open air, on the very borders of civilization, where-ever two or three dozen voters could be assembled.

Henry B. Blackwell and Lucy Stone opened the campaign in April. The following letters show how hopeful they were of success, and how enthusiastically they labored to that end. Even the *New York Tribune* prophesied victory.^[80]

AT GOV. ROBINSON'S HOUSE, FOUR MILES NORTH OF
LAWRENCE, KANSAS, *April, 5, 1867.*

DEAR MRS. STANTON:—We report good news! After half a day's earnest debate, the Convention at Topeka, by an almost unanimous vote, refused to separate "the two questions" male and white. A delegation from Lawrence came up specially to get the woman dropped. The good God upset a similar delegation from Leavenworth bent on the same object, and prevented them from reaching Topeka at all. Gov. Robinson, Gov. Root, Col. Wood, Gen. Larimer, Col. Ritchie, and "the old guard" generally were on hand. Our coming out did good. Lucy spoke with all her old force and fire. Mrs. Nichols was there—a strong list of permanent officers was nominated—and a State Impartial Suffrage Association was organized. The right men were put upon the committees, and I do not believe that the Negro Suffrage men can well bolt or back out now.

The effect is wonderful. Papers which have been ridiculing woman suffrage and sneering at "Sam Wood's Convention" are now on our side. We have made the present Gov. Crawford President of the Association, Lieut.-Gov. Green Vice-President. Have appointed a leading man in every judicial district member of the Executive Committee, and have some of the leading Congregational, Old School, and New School Presbyterian ministers committed for both questions; have already secured a majority of the newspapers of the State, and if Lucy and I succeed in "getting up steam" as we hope in Lawrence, Wyandotte, Leavenworth, and Atchison, the woman and the negro will rise or fall together, and shrewd politicians say that with proper effort we shall carry both next fall.

[Pg 233]

During the Convention Lucy got a dispatch from Lawrence as follows: "Will you lecture for the Library Association? State terms, time, and subject." Lucy replied: "Will lecture Saturday evening; subject, 'Impartial Suffrage'; terms, one hundred dollars, payable to Kansas State Impartial Suffrage Association." The prompt reply was: "We accept your terms." Gen. Larimer, of Leavenworth, went down next day to try to arrange a similar lyceum meeting there. In the afternoon came a dispatch from D. R. Anthony, saying: "Meeting arranged for Tuesday night." This is especially good, because

we were informed that he had somewhat favored dropping the woman, but whether this was so or not, he will now be all right as befits the brother of Susan B. Anthony.

We are announced to speak every night but Sundays from April 7 to May 5 inclusive. We shall have to travel from twenty to forty miles per day. If our voices and health hold out, Col. Wood says the State is safe. We had a rousing convention—three sessions—at Topeka, and a crowded meeting the night following. We find a very strong feeling against Col. S. N. Wood among politicians, but they all respect and dread him. He has warmer friends and bitterer enemies than almost any man in the State. But he is true as steel. My judgment of men is rarely deceived, and I pronounce S. N. Wood a great man and a political genius. Gov. Robinson is a masterly tactician, cool, wary, cautious, decided, and brave as a lion. These two men alone would suffice to save Kansas. But when you add the other good and true men who are already pledged, and the influences which have been combined, I think you will see next fall an avalanche vote—"the caving in of that mighty sandbank" your husband once predicted on a similar occasion.

Now, Mrs. Stanton, you and Susan and Fred. Douglass must come to this State early next September; you must come prepared to make *sixty speeches* each. You must leave your notes *behind you*. These people won't have written sermons. And you don't want notes. You are a natural orator, and these people will give you inspiration! Everything has conspired to help us in this State. Gov. Robinson and Sam. Wood have quietly set a ball in motion which nobody in Kansas is now strong enough to stop. Politicians' hair here is fairly on end. But the fire is in the prairie behind them, and they are getting out their matches in self-defense to fire their foreground. This is a glorious country, Mrs. S., and a glorious people. If we succeed here, it will be the State of the Future.

With kind regards,

HENRY B. BLACKWELL.

P. S.—So you see we have the State Convention committed to the right side, and I do believe we shall carry it. All the old settlers are for it. It is only the later comers who say, "If I were a black man I should not want the woman question hitched to me." These men tell what their wives have done, and then ask, shall such women be left without a vote?

L. S.

D. R. ANTHONY'S HOUSE, LEAVENWORTH, }
April 10, 1867. }

[Pg 234]

DEAR MRS. STANTON:—We came here just in the nick of time. The papers were laughing at "Sam Wood's Convention," the call for which was in the papers with the names of Beecher, Tilton, Ben Wade, Gratz Brown, E. C. Stanton, Anna Dickinson, Lucy Stone, etc., as persons expected or invited to be at the convention. The papers said: "This is one of Sam's shabbiest tricks. Not one of these persons will be present, and he knows it," etc., etc. Our arrival set a buzz going, and when I announced you and Susan and Aunt Fanny for the fall, they began to say "they guessed the thing would carry." Gov. Robinson said he could not go to the Topeka Convention, for he had a lawsuit involving \$1,000 that was to come off that very day, but we talked the matter over with him, showed him what a glorious hour it was for Kansas, etc., etc., and he soon concluded to get the suit put off and go to the convention. Ex-Gov. Root, of Wyandotte, joined with him and us, though he had not intended to go. We went to Topeka; and the day and evening before the convention, pulled every wire and set every honest trap. Gov. Robinson has a long head, and he arranged the "platform" so shrewdly, carefully using the term "impartial," which he said meant right, and we must make them use it, so that there would be no occasion for any other State Association. In this previous meeting, the most prominent men of the State were made officers of the permanent organization. When the platform was read, with the names of the officers, and the morning's discussion was over, everybody then felt that the ball was set right. But in the P.M. came a Methodist minister and a lawyer from Lawrence as delegates, "instructed" to use the word "impartial," "as it had been used for the last two years," to make but one issue, and to drop the woman. The lawyer said, "If I was a negro, I would not want the woman hitched on to my skirts," etc. He made a mean speech. Mrs. Nichols and I came down upon him, and the whole convention, except the Methodist, was against him. The vote was taken whether to drop the woman, and only the little lawyer from Lawrence, with a hole in his coat and only one shoe on, voted against the woman. After that it was all one way. The papers all came out right, I mean the Topeka papers. One editor called on us, said we need not mention that he had called, but he wanted to assure us that he had always been right on this question. That the mean articles in his paper had been written by a subordinate in his office in his absence, etc. That the paper was fully committed, etc., etc. That is a fair specimen of the way all the others have done, till we got to this place. Here the Republicans had decided to drop the woman, Anthony with the others, and I think they are only waiting to see the result of our meetings, to announce their decision. But the Democrats all over the State are preparing to take us up. They are a small minority, with nothing to lose, and utterly unscrupulous, while all who will work with Sam Wood will work with anybody. I fully expect we shall carry the State. But it will be necessary to have a good force here in the fall, and you will have to come. Our meetings are everywhere crowded to overflowing, and in every case the papers speak well of them. We have meetings for every night till the 4th of May. By that time we shall be well tired out. But we shall see the country, and I hope have done some good. There is no such love of principle here as I expected to find. Each man goes for himself, and "the devil take the hindmost." The women here are grand, and it will be a shame past all expression if they don't get the right to vote. One woman in Wyandotte said she carried petitions all through the town for female suffrage, and not one woman in ten refused to sign. Another in Lawrence said they sent up two large petitions from there. So they have been at the Legislature, like the heroes they really are, and it is not possible for the husbands of such women to back out, though they have sad lack of principle and a terrible desire for office.

[Pg 235]

Yours,

L. S.

JUNCTION CITY, KANSAS, April 20.

DEAR MRS. STANTON:

We have had one letter from you, and have written you twice. To-day I inclose an article by Col. Wood, which is so capital that it ought to be printed. I wish you would take it to Tilton (not Oliver), and if he says he will publish it, let him have it; but if he hesitates, send it at once to the *Chicago Republic*, and ask them to mark the article in some of their exchanges. Perhaps the *Northern Methodist*, *The Banner of Light*, and the *Liberal Christian* would insert it. I shall not be back to the May meeting; indeed, it would be better if we could stay till June 1st, and go all along the Northern tier of counties. I think this State will be right at the fall election. The *Independent* is taken in many families here, and they are getting right on the question of impartial suffrage. But there will have to be a great deal of work to carry the State. We have large, good meetings everywhere. If the *Independent* would take up this question, and every week write for it, as it does for the negro, that paper alone could save this State; and with this, all the others.

What a pity it does not see the path that would leave it with more than Revolutionary honors! I am thankful beyond expression for what it does, but I am pained for what it *might do*. With its 75,000 subscribers, and five times that number of readers, what can the poor little *Standard* do for us, compared with that? I shall try and write a letter to the convention. May strike the true note! I hope not a man will be asked to speak at the convention. If they volunteer very well, but I have been for the last time on my knees to Phillips or Higginson, or any of them. If they help now, they should ask us, and not we them. Is Susan with you?

L. S.

JUNCTION CITY, KANSAS, April 21, 1867.

DEAR FRIENDS, E. C. STANTON AND SUSAN B. ANTHONY:

You will be glad to know that Lucy and I are going over the length and breadth of this State speaking every day, and sometimes twice, journeying from twenty-five to forty miles daily, sometimes in a carriage and sometimes in an open wagon, with or without springs. We climb hills and dash down ravines, ford creeks, and ferry over rivers, rattle across limestone ledges, struggle through muddy bottoms, fight the high winds on the high rolling upland prairies, and address the most astonishing (and astonished) audiences in the most extraordinary places. To-night it may be a log school house, to-morrow a stone church; next day a store with planks for seats, and in one place, if it had not rained, we should have held forth in an unfinished court house, with only four stone walls but no roof whatever.

The people are a queer mixture of roughness and intelligence, recklessness, and conservatism. One swears at women who want to wear the breeches; another wonders whether we ever heard of a fellow named Paul; a third is not going to put women on an equality with niggers. One woman told Lucy that no decent woman would be running over the country talking nigger and woman. Her brother told Lucy that "he had had a woman who was under the sod, but that if she had ever said she wanted to vote he would have pounded her to death!"

[Pg 236]

The fact is, however, that we have on our side all the shrewdest politicians and all the best class of men and women in this State. Our meetings are doing much towards organizing and concentrating public sentiment in our favor, and the papers are beginning to show front in our favor. We fought and won a pitched battle at Topeka in the convention, and have possession of the machine. By the time we get through with the proposed series of meetings, it will be about the 20th of May, if Lucy's voice and strength hold out. The scenery of this State is lovely. In summer it must be very fine indeed, especially in this Western section the valleys are beautiful, and the bluffs quite bold and romantic.

I think we shall probably succeed in Kansas next fall if the State is thoroughly canvassed, not else. We are fortunate in having Col. Sam N. Wood as an organizer and worker. We owe everything to Wood, and he is really a thoroughly noble, good fellow, and a hero. He is a short, rather thick set, somewhat awkward, and "slouchy" man, extremely careless in his dress, blunt and abrupt in his manner, with a queer inexpressive face, little blue eyes which can look dull or flash fire or twinkle with the wickedest fun. He is so witty, sarcastic, and cutting, that he is a terrible foe, and will put the laugh even on his best friends. The son of a Quaker mother, he held the baby while his wife acted as one of the officers, and his mother another, in a Woman's Rights Convention seventeen years ago. Wood has helped off more runaway slaves than any man in Kansas. He has always been *true* both to the negro and the woman. But the negroes dislike and distrust him because he has never allowed the word white to be struck out, unless the word male should be struck out also. He takes exactly Mrs. Stanton's ground, that the colored men and women shall enter the kingdom *together*, if at all. So, while he advocates both, he fully realizes the wider scope and far greater grandeur of the battle for *woman*. Lucy and I like Wood very much. We have seen a good deal of him, first at Topeka, again at Cottonwood Falls, his home, and on the journey thence to Council Grove and to this place. Our arrangements for conveyances failed, and Wood with characteristic energy and at great personal inconvenience brought us through himself. It is worth a journey to Kansas to know him for he is an original and a genius. If he should die next month I should consider the election lost. But if he live, and we all in the East drop other work and spend September and October in Kansas, we shall succeed. I am glad to say that our friend D. R. Anthony is out for both propositions in the *Leavenworth Bulletin*. But his sympathies are so especially with the negro question that we must have Susan out here to strengthen his hands. We must have Mrs. Stanton, Susan, Mrs. Gage, and Anna Dickinson, this fall. Also Ben Wade and Carl Schurz, if possible. We must also try to get 10,000 each of Mrs. Stanton's address, of Lucy Stone's address, and of Mrs. Mills article on the Enfranchisement of Women, printed for us by the Hovey Fund.

[Pg 237]

Kansas is to be *the battle ground* for 1867. *It must not be allowed to fail.*

The politicians here, except Wood and Robinson, are generally "on the fence." But they dare not oppose us openly. And the Democratic leaders are quite disposed to take us up. If the Republicans come out against us the Democrats will take us up. Do not let anything prevent your being here September 1 *for the campaign*, which will end in November. There will be a big fight and a great excitement. After the fight is over Mrs. Stanton will never have *use* for *notes* or *written* speeches

any more.

Yours truly,

HENRY B. BLACKWELL.

FORT SCOTT, May 1, 1867.

DEAR SUSAN:

I have just this moment read your letter, and received the tracts; the "testimonies" I mean. We took 250 pounds of tracts with us, and we have sowed them thick; and Susan, the crop will be impartial suffrage in the fall. It will carry, beyond a doubt, in this State. Now, as I can not be in New York next week, I want you to see Aunt Fanny and Anna Dickinson, and get them pledged to come here in the fall. We will raise the pay somehow. You and Mrs. Stanton will come, of course. I wish Mrs. Harper to come. I don't know if she is in New York; please tell her I got her letter, and will either see or correspond with her when I get home. There is no time to write here. We ride all day, and lecture every night, and sometimes at noon too. So there is time for nothing else. I am sorry there is no one to help you, Susan, in New York. I always thought that when this hour of our bitter need come—this darkest hour before the dawn—Mr. Higginson would bring his beautiful soul and his fine, clear intellect to draw all women to his side; but if it is possible for him to be satisfied at *such* an hour with writing the best literary essays, it is because the power to help us has gone from him. The old lark moves her nest only when the farmer prepares to cut his grass himself. This will be the way with us; as to the *Standard*, I don't count upon it at all. Even if you get it, the circulation is so limited that it amounts almost to nothing. I have not seen a copy in all Kansas. But the *Tribune* and *Independent* alone could, if they would urge *universal* suffrage, as they do negro suffrage, carry this whole nation upon the only just plane of equal human rights. What a power to hold, and not use! I could not sleep the other night, just for thinking of it; and if I had got up and written the thought that burned my very soul, I do believe that Greeley and Tilton would have echoed the cry of the old crusaders, "God wills it;" and rushing to our half-sustained standard, would plant it high and firm on immutable principles. *They* MUST take it up. I shall see them the very first thing when I go home. At your meeting next Monday evening, I think you should insist that all of the Hovey fund used for the *Standard* and Anti-Slavery purposes, since slavery is abolished, must be returned with interest to the three causes which by the express terms of the will were to receive *all* of the fund when slavery was abolished. You will have a good meeting, I am sure, and I hope you will not fail to rebuke the cowardly use of the terms "universal," and "impartial," and "equal," applied to hide a dark skin, and an unpopular client. All this talk about the infamous thirteen who voted against "negro suffrage" in New Jersey, is unutterably contemptible from the lips or pen of those whose words, acts, and votes are not against ignorant and degraded negroes, but against every man's mother, wife, and daughter. We have crowded meetings everywhere. I speak as well as ever, thank God! The audiences move to tears or laughter, just as in the old time. Harry makes capital speeches, and gets a louder cheer always than I do, though I believe I move a deeper feeling. The papers all over the State are discussing pro and con. The whole thing is working just right. If Beecher is chosen delegate at large to your Constitutional Convention, I think the word male will go out before his vigorous cudgel. I do not want to stay here after the 4th, but Wood and Harry have arranged other meetings up to the 18th or 20th of May, so that we shan't be back even for the Boston meetings.

[Pg 238]

Very truly,

LUCY STONE.

In a letter dated Atchison, May 9, 1867, Lucy Stone says: I should be so glad to be with you tomorrow, and to know this minute whether Phillips has consented to take the high ground which sound policy as well as justice and statesmanship require. I can not send you a telegraphic dispatch as you wish, for just now there is a plot to get the Republican party to drop the word "male," and also to agree to canvass *only* for the word "white." There is a call, signed by the Chairman of the State Central Republican Committee; to meet at Topeka on the 15th, to pledge the party to the canvass on that single issue. As soon as we saw the call and the change of tone of some of the papers, we sent letters to all those whom we had found true to principle, urging them to be at Topeka and vote for both words. This effort of ours the Central Committee know nothing of, and we hope they will be defeated, as they will be sure to be surprised. So, till this action of the Republicans is settled, we can affirm nothing. Everywhere we go we have the largest and most enthusiastic meetings, and any one of our audiences would give a majority for woman suffrage. But the negroes are all against us. There has just now left us an ignorant black preacher named Twine, who is very confident that women ought not to vote. These men *ought not to be allowed to vote before we do*, because they will be just so much more dead weight to lift.

Mr. Frothingham's course of lectures, happily, is over. Were you ever so cruelly hurt by any course of lectures before? "If it had been an enemy I could have borne it." But for this man, wise, educated, and good, who thinks he is our friend, to do just the things that our worst enemies will be glad of, is the unkindest cut of all. Ninety-nine pulpits out of every hundred have taught that women should not meddle in politics; as large a proportion of papers have done the same; and by every hearthstone the lesson is repeated to the little girl; and when she has learned it, and grows up, and does not throw away the teaching of a life time, Mr. Frothingham accepts this *effect* for a *cause*, and blames the unhappy victim, when he should stand by her side, and with all his power of persuasion win her away from her false teaching, to accept the truth and the nobler life that comes with it. But, thank God, the popular pulse is setting in the right direction.

We must see Wade, and Garfield, and Julian, and when Sumner proposes, as he says he shall, to make negro suffrage universal, *they* must *insist* upon *our* claim; urged not for our sake merely, but that the government may be based upon the consent of the governed. There is safety in no other way. We shall leave for home on the 20th. We had the largest meeting we have yet had in the State at Leavenworth night before last. Your brother and his wife called upon us at Col. Coffin's. They are well. But Dan don't want the Republicans to take us up. Love to Mrs. Stanton.

LUCY STONE.

[Pg 239]

P. S.—The papers here are coming down on us, and every prominent reformer, and charging us with

being Free Lovers. I have to-day written a letter to the editor, saying that it has not the shadow of a foundation.

Rev. Olympia Brown arrived in the State in July, where her untiring labors, for four months were never equaled by man or woman. Mrs. Stanton, Miss Anthony, and the Hutchinson family followed her early in September. What these speakers could not do with reason and appeal, the Hutchinsons, by stirring the hearts of the people with their sweet ballads, readily accomplished. Before leaving New York Miss Anthony published 60,000 tracts, which were distributed in Kansas with a liberal hand under the frank of Senators Ross and Pomeroy. Thus the thinking and unthinking in every school district were abundantly supplied with woman suffrage literature, such as Mrs. Mill's splendid article in the *Westminster Review*, the best speeches of John Stuart Mill, Theodore Parker, Wendell Phillips, George William Curtis, Elizabeth Cady Stanton's argument before the Constitutional Convention, Parker Pillsbury's "Mortality of Nations," Thomas Wentworth Higginson's "Woman and her Wishes," Henry Ward Beecher's "Woman's Duty to Vote," and Mrs. C. I. H. Nichols' "Responsibility of Woman." There was scarcely a log cabin in the State that could not boast one or more of these documents, which the liberality of a few eastern friends^[81] enabled the "Equal Rights Association" to print and circulate.

[Pg 240]

The opposition were often challenged to debate this question in public, but uniformly refused, knowing full well, since their powder in this battle consisted of vulgar abuse and ridicule, that they had no arguments to advance. But it chanced that on one occasion by mistake, a meeting was appointed for the opposing forces at the same time and place where Olympia Brown was advertised to speak. This gave her an opportunity of testing her readiness in debate with Judge Sears. Of this occasion a correspondent says:

DISCUSSION AT OSKALOOSA.—*To the Editor of the Kansas State Journal:* For the first time during the canvass for Universal Suffrage, the opponents of the two wrongs, "Manhood Suffrage" and "Woman Suffrage," met in open debate at this place last evening. The largest church in the place was crowded to its utmost, every inch of space being occupied. Judge Gilchrist was called to the chair, and first introduced Judge Sears, who made the following points in favor of Manhood Suffrage:

1st. That in the early days of the Republic no discrimination was made against negroes on account of color.

He proved from the constitutions and charters of the original thirteen States, that all of them, with the exception of South Carolina, allowed the colored freeman the ballot, upon the same basis and conditions as the white man. That we were not conferring a right, but restoring one which the fathers in their wisdom had never deprived the colored man of. He showed how the word white had been forced into the State constitutions, and advocated that it should be stricken out, it being the last relic of the "slave power."

[Pg 241]

2d. That the negro needed the ballot for his protection and elevation.

3d. That he deserved the ballot. He fought with our fathers side by side in the war of the revolution. He did the same thing in the war of 1812, and in the war of the rebellion. He fought for us because he was loyal and loved the old flag. If any class of men had ever earned the enjoyment of franchise the negro had.

4th. The Republican party owed it to him.

5th. The enfranchisement of the negro was indispensable to reconstruction of the late rebellious States upon a basis that should secure to the loyal men of the South the control of the government in those States. Congress had declared it was necessary, and the most eminent men of the nation had failed to discover any other means by which the South could be restored to the Union, that should secure safety, prosperity, and happiness. There was not loyalty enough in the South among the whites to elect a loyal man to an inferior office.

Upon each one of these points the Judge elaborated at length, and made really a fine speech, but his evident disconcertion showed that he knew what was to follow. It was expected that when Miss Brown was introduced many would leave, owing to the strange feeling against Female Suffrage in and about Oskaloosa; but not one left, the crowd grew more dense. A more eloquent speech never was uttered in this town than Miss Brown delivered; for an hour and three-quarters the audience was spell-bound as she advanced from point to point. She had been longing for such an opportunity, and had become weary of striking off into open air; and she proved how thoroughly acquainted she was with her subject as she took up each point advanced by her opponent, not denying their truth, but showing by unanswerable logic that if it were good under certain reasons for the negro to vote, it was ten times better for the same reasons for the women to vote.

The argument that the right to vote is not a natural right, but acquired as corporate bodies acquire their rights, and that the ballot meant "protection," was answered and explained fully. She said the ballot meant protection; it meant much more; it means education, progress, advancement, elevation for the oppressed classes, drawing a glowing comparison between the working classes of England and those of the United States. She scorned the idea of an aristocracy based upon two accidents of the body. She paid an eloquent tribute to Kansas, the pioneer in all reforms, and said that it would be the best advertisement that Kansas could have to give the ballot to women, for thousands now waiting and uncertain, would flock to our State, and a vast tide of emigration would continually roll toward Kansas until her broad and fertile prairies would be peopled. It is useless to attempt to report her address, as she could hardly find a place to stop. When she had done, her opponent had nothing to say, he had been beaten on his own ground, and retired with his feathers drooping. After Miss Brown had closed, some one in the audience called for a vote on the female proposition. The vote was put, and nearly every man and woman in the house rose simultaneously, men that had fought the proposition from the first arose, even Judge Sears himself looked as though he would like

[Pg 242]

to rise, but his principles, much tempted, forbade. After the first vote, Judge Sears called for a vote on his, the negro proposition, when about one-half the house arose. Verily there was a great turning to the Lord that day, and many would have been baptized, but there was no water. When Mrs. Stanton has passed through Oscaloosa, her fame having gone before her, we can count on a good majority for Female Suffrage....

* * * *

OSCALOOSA, October 11, 1867.

SALINA, KANSAS, Sept. 12, 1867.

DEAR FRIEND:—We are getting along splendidly. Just the frame of a Methodist church with sidings and roof, and rough cotton-wood boards for seats, was our meeting place last night here; and a perfect jam it was, with men crowded outside at all the windows. Two very brave young Kentuckian sprigs of the law had the courage to argue or present sophistry on the other side. The meeting continued until eleven o'clock. To-day we go to Ellsworth, the very last trading post on the frontier. A car load of wounded soldiers went East on the train this morning; but the fight was a few miles West of Ellsworth. No Indians venture to that point.

Our tracts gave out at Solomon, and the Topeka people failed to fill my telegraphic order to send package here. It is enough to exhaust the patience of any "Job" that men are so wanting in promptness. Our tracts do more than half the battle; reading matter is so very scarce that everybody clutches at a book of any kind. If only reformers would supply this demand with the right and the true—come in and occupy the field at the beginning—they might mould these new settlements. But instead they wait until everything is fixed, and the comforts and luxuries obtainable, and then come to find the ground preoccupied.

Send 2,000 of Curtis' speeches, 2,000 of Phillips', 2,000 of Beecher's, and 1,000 of each of the others, and then fill the boxes with the reports of our last convention; they are the best in the main because they have everybody's speeches together.

S. B. A.

HOME OF EX-GOV. ROBINSON,
LAWRENCE, KANSAS, Sept. 15, 1867.

I rejoice greatly in the \$100 from the Drapers.^[82] That makes \$250 paid toward the tracts. I am very sorry Mr. J. can not get off Curtis and Beecher. There is a perfect greed for our tracts. All that great trunk full were sold and given away at our first fourteen meetings, and we in return received \$110, which a little more than paid our railroad fare—*eight cents per mile*—and hotel bills. Our collections thus far fully equal those at the East. I have been delightfully disappointed, for everybody said I couldn't raise money in Kansas meetings. I wish you were here to make the tour of this beautiful State, in which to live fifty years hence will be charming; but now, alas, the women especially see hard times; to come actually in contact with all their discomforts and privations spoils the poetry of pioneer life. The opposition, the "Anti-Female Suffragists," are making a bold push now; but all prophesy a short run for them. They held a meeting here the day after ours, and the friends say, did vastly more to make us converts than we ourselves did. The fact is nearly every man of the movers is like Kalloch, notoriously wanting in right action toward woman. Their opposition is low and scurrilous, as it used to be fifteen and twenty years ago at the East. Hurry on the tracts.

[Pg 243]

As ever,

S. B. A.

Seeing that the republican vote must be largely against the woman's amendment, the question arose what can be done to capture enough democratic votes to outweigh the recalcitrant republicans. At this auspicious moment George Francis Train appeared in the State as an advocate of woman suffrage. He appealed most effectively to the chivalry of the intelligent Irishmen, and the prejudices of the ignorant; conjuring them not to take the word "white" out of their constitution unless they did the word "male" also; not to lift the negroes above the heads of their own mothers, wives, sisters, and daughters. The result was a respectable democratic vote in favor of woman suffrage.

In a discussion with General Blunt at a meeting in Ottawa, Mr. Train said:

You say, General, that women in politics would lower the standard. Are politicians so pure, politics so exalted, the polls so immaculate, men so moral, that woman would pollute the ballot and contaminate the voters? Would revolvers, bowie-knives, whisky barrels, profane oaths, brutal rowdyism, be the feature of elections if women were present? Woman's presence purifies the atmosphere. Enter any Western hotel and what do you see, General? Sitting around the stove you will see dirty, unwashed-looking men, with hats on, and feet on the chairs; huge cuds of tobacco on the floor, spittle in pools all about; filth and dirt, condensed tobacco smoke, and a stench of whisky from the bar and the breath (applause, and "that's so,") on every side. This, General, is the manhood picture. Now turn to the womanhood picture; she, whom you think will debase and lower the morals of the elections. Just opposite this sitting room of the King, or on the next floor, is the sitting room of the Queen, covered chairs, clean curtains, nice carpets, books on the table, canary birds at the window, everything tidy, neat and beautiful, and according to your programme the occupants of this room will so demoralize the occupants of the other as to completely undermine all society.

Did man put woman in the parlor? Did woman put man in that bar room? Are the instincts of woman so low that unless man puts up a bar, she will immediately fall into man's obscene conversation and disreputable habits? No, General, women are better than men, purer, nobler, hence more exalted, and so far from falling to man's estate, give her power and she will elevate man to her level.

One other point, General, in reply to your argument. You say woman's sphere is at home with her children, and paint her as the sovereign of her own household. Let me paint the picture of the

[Pg 244]

mother at the washtub, just recovering from the birth of her last child as the Empress. Six little children, half starved and shivering with cold, are watching and hoping that the Emperor will arrive with a loaf of bread, he having taken the wash money to the baker's. They wait and starve and cry, the poor emaciated Empress works and prays, when lo! the bugle sounds. It is the Emperor staggering into the yard. The little famished princesses' mouths all open are waiting for their expected food. Your friend, General, the Emperor, however, was absent minded, and while away at the polls voting for the license for his landlord, left the wash money on deposit with the bar-keeper (laughter) who wouldn't give it back again, and the little Queen birds must starve another day, till the wash-tub earns them a mouthful of something to eat. Give that woman a vote and she will keep the money she earns to clothe and feed her children, instead of its being spent in drunkenness and debauchery by her lord and master....

You say, General, that you intend to vote for *negro suffrage* and against *woman suffrage*. In other words, not satisfied with having your mother, your wife, your sisters, your daughters, the equals *politically* of the negro—by giving him a vote and refusing it to woman, you wish to place your family politically still lower in the scale of citizenship and humanity. This particular twist, General, is working in the minds of the people, and the democrats, having got you where Tommy had the wedge, intend to hold you there. Again you say that Mrs. Cady Stanton was three days in advance of you in the border towns, calling you the Sir John Falstaff of the campaign. I am under the impression, General, that these strong minded woman's rights women *are more than three days in advance of you*. (Loud cheers.) Falstaff was a jolly old brick, chivalrous and full of gallantry, and were he stumping Kansas with his ragged regiment, he would do it as the champion of woman instead of against her. (Loud cheers.) Hence Mrs. Stanton owes an apology to Falstaff, not to General Blunt. (Laughter and cheers.)

One more point, General. You have made a terrific personal attack on Senator Wood, calling him everything that is vile. I do not know Mr. Wood. Miss Anthony has made all my arrangements; but perhaps you will allow me to ask you if Mr. Wood is a democrat? (Laughter and applause from the democrats.) Gen. Blunt—No, he is a republican, (laughter) and chairman of the woman suffrage committee. Mr. Train—Good. I understand you and your argument against Wood is so forcible, (and Mr. Train said this with the most biting sarcasm, every point taking with the audience.) I believe with you that Wood is a bad man, (laughter) a man of no principle whatever. (Laughter.) A man who has committed all the crimes in the calendar, (loud laughter) who, if he has done what you have said, ought to be taken out on the square and hung, and *well hung* too. (Laughter and cheers.) Having admitted that I am converted to the fact of Wood's villainy, (laughter) and you having admitted that he is not a democrat, but a republican, (laughter) I think it is time the honest democratic and republican voters should rise up in their might and wipe off all those corrupt republican leaders from the Kansas State committee. (Loud cheers.) Democrats do your duty on the fifth of November and vote for woman suffrage. (Applause.) The effect of turning the General's own words back upon his party was perfectly electric, and when the vote was put for woman's suffrage it was almost unanimous. Mr. Train saying amid shouts of laughter, that he supposed that a few henpecked men would say "No" here, because they didn't dare to say their souls were their own at home....

[Pg 245]

Mr. TRAIN continued: Twelve o'clock at night is a late hour to take up all your points, General; but the audience will have me talk. Miss Anthony gave you, General, a very sarcastic retort to your assertion that every woman ought to be married. (Laughter.) She told you that to marry, it was essential to find some decent man, and that could not be found among the Kansas politicians who had so gallantly forsaken the woman's cause. (Loud laughter.) She said, as society was organized there was not one man in a thousand worthy of marriage—marrying a man and marrying a whisky barrel were two distinct ideas. (Laughter and applause.) Miss Anthony tells me that your friend Kalloch said at Lawrence that *of all the infernal humbugs of this humbugging Woman's Rights question, the most absurd was that woman should assume to be entitled to the same wages for the same amount of labor performed, as man*. Do you mean to say that the school mistress, who so ably does her duty, should only receive three hundred dollars, while the school master, who performs the same duty, gets fifteen hundred? (Shame.) All the avenues of employment are blocked against women. Embroidering, tapestry, knitting-needle, sewing needle have all been displaced by machinery; and women speakers, women doctors, and women clerks, are ridiculed and insulted till every modest woman fairly cowers before her Emperor Husband, her King, her Lord, for fear of being called "strong minded." (Laughter and applause.) Why should not the landlady of that hotel over the way share the profits of their joint labors with the landlord? *She* works as hard—yet *he* keeps all the money, and she goes to him, instead of being an independent woman, for her share of the profits, as a *beggar* asking for ten dollars to buy a bonnet or a dress. (Applause from the ladies.) Nothing is more contemptible than this slavery to the husband on the question of money. (Loud applause.) Give the sex votes and men will have more respect for women than to treat them as children or as dolls. (Applause.) The ten-year old boy will say to his women relatives, "Oh you don't know anything, you are only a woman," and when man wishes to insult his fellow man, he calls him a woman—and if the insult is intended to be more severe, he will speak of a cabinet statesman even as an "old woman." The General and Mr. Kalloch are afraid that women will be corrupted by going to the polls, yet they as lawyers have no hesitation in bringing a young and beautiful girl into court where a curiosity seeking audience are staring at her; where the judge makes her unveil her face, and the jury watch every feature, turning an honest blush into guilt. (Applause.)

Woman first, and negro last, is my programme; yet I am willing that intelligence should be the test, although some men have more brains in their hands than others in their heads. (Laughter.) Emmert's Resolution, introduced into your Legislature last year, disfranchising, after July 4, 1870, all of age who can not read the American Constitution, the State Constitution, and the Bible, in the language in which he was educated, (applause) expresses my views.

Again you alluded to the Foreign Emissary—who had no interest in Kansas. Do you mean me, General? General Blunt—No, sir. Thank you. The other four Foreign Emissaries are women, noble, self-sacrificing women, bold, never-tiring, unblemished reputation; women who have left their pleasant Eastern homes for a grand idea, (loud applause,) and to them and them alone is due the credit of carrying Kansas for woman suffrage. General Blunt—It won't carry. Train—Were I a betting

[Pg 246]

man I would wager ten thousand dollars that Kansas will give 5,000 majority for women. (Loud cheers from Blunt's own audience of anti-women men.) As an advertisement to this beautiful State, it is worth untold millions.

Kansas will win the world's applause,
As the sole champion of woman's cause.
So light the bonfires! Have the flags unfurled,
To the Banner State of all the World!
(Loud cheers.)

No, General, these women are no foreign emissaries. They came expecting support. They thought the republicans honest. They forgot that the democrats alone were their friends. (Applause.) They forgot that it was the Republican party that publicly insulted them in Congress. That it was Charles Sumner who wished to insert the word "male" in the amendment of the Federal Constitution two years ago, when the old Constitution, by having neither male nor female, had left it an open question. No, Mrs. Cady Stanton, Miss Susan B. Anthony, Mrs. Lucy Stone, and Miss Olympia Brown are the "foreign emissaries" that will alone have the credit of emancipating women in Kansas. Your trimming politicians left them in the lurch. Not one of you was honest. (Applause.) Even those who assumed to be their friends by saying nothing on the woman, and everything on the negro, are worse than you and Kalloch. (Applause.) Mr. Kalloch and Leggett and Sears have helped the woman's cause by opposing it, (cheers,) while the milk-and-water republican committee and speakers and press have damaged woman by their sneaking, cowardly way of advocacy. (That's so.)

Mr. TRAIN at Leavenworth, the day before the election: "A great empire, and little minds go ill together," said Lord Bacon. "The sober second thought of the people," said Van Buren, "is never wrong, and always efficient." To-morrow it will be shown by voting for our mother and our sister. (Loud applause.) Never before were so many rats fleeing from a sinking ship. (Laughter.) A few staunch men will receive their reward. Falsehood passes away. Truth is eternal. (Applause.) The woman suffrage association wants a few thousand dollars to pay off this expensive canvass. Miss Anthony has distributed two thousand pounds weight of tracts and pamphlets. (Applause.) Mrs. Stanton, Miss Olympia Brown and Mrs. Lucy Stone, have been for months in all parts of the State. Kansas has furnished no part of the fund which makes her to-morrow the envy of the world. (Cheers.) For the benefit of the Association I have promised on my return from Omaha to make seven speeches in the largest cities; the entire proceeds to be given to this grand cause—I paying my own expenses as in this campaign. (Loud cheers for Train.) We commence at St. Louis about the 20th, thence to Chicago, Cleveland, Cincinnati, Philadelphia, Boston and New York. (Cheers.) The burden of my thought will be the future of America; my mission, with the aid of women, to reconstruct the country and save the nation. (Cheers.) To-morrow our amendment will pass with a startling majority. The other two will be lost. (Applause.) The negro can wait and go to school. And as all are now loyal, the war over, and no rebels exist, no American in this land must be marked by the stain of attainder or impeachment. (Cheers.) No so-called rebel must be disfranchised. I represent the people, and they speak to-morrow in Kansas, emancipating woman, (loud cheers), and declaring that no Hungary, no Poland, no Venice, no Ireland—crushed and disheartened—shall exist in New America. (Loud cheers.)

[Pg 247]

But Kansas being republican by a large majority, there was no chance of victory. For although the women were supported by some of the best men in the State, such as Gov. Crawford, Ex-Gov. Robinson, United States Senators Pomeroy and Ross, and a few of the ablest editors, the opposition was too strong to be conquered. With both parties, the press, the pulpit and faithless liberals as opponents, the hopes of the advocates of woman suffrage began to falter before the election.

The action of the Michigan Commission, in refusing to submit a similar amendment to her people, and the adverse report of Mr. Greeley in the Constitutional Convention of New York, had also their depressing influence. Nevertheless, when election day came, the vote was nearly equal for both propositions. With all the enginery of the controlling party negro suffrage had a little over 10,000 votes, while woman suffrage without press or party, friends or politicians, had 9,000 and some over. And this vote for woman's enfranchisement represented the best elements in the State, men of character and conscience, who believed in social order and good government.

When Eastern Republicans learned that the action of their party in Kansas was doing more damage than the question of woman to the negro, since the pioneers, who knew how bravely the women had stood by their side amid all dangers, were saying, "if our women can not vote, the negro shall not;" they began to take in the situation, and a month before the election issued the following appeal, signed by some of the most influential men of the nation. It was published in the New York *Tribune* October 1st, and copied by most of the papers throughout the State of Kansas:

To the Voters of the United States:

In this hour of national reconstruction we appeal to good men of all parties, to Conventions for amending State Constitutions, to the Legislature of every State, and to the Congress of the United States, to apply the principles of the Declaration of Independence to women; "Governments derive their just powers from the consent of the governed." The only form of consent recognized under a Republic is suffrage. Mere tacit acquiescence is not consent; if it were, every despotism might claim that its power is justly held. Suffrage is the right of every adult citizen, irrespective of sex or color. Women are governed, therefore they are rightly entitled to vote.

[Pg 248]

The problem of American statesmanship is how to incorporate in our institutions a guarantee of the rights of every individual. The solution is easy. Base government on the consent of the governed, and each class will protect itself.^[83]

But the appeal was too late, the mischief done was irreparable. The action of the Republican

party had created a hostile feeling between the women and the colored people. The men of Kansas in their speeches would say, "What would be to us the comparative advantage of the amendments? If negro suffrage passes, we will be flooded with ignorant, impoverished blacks from every State of the Union. If woman suffrage passes, we invite to our borders people of character and position, of wealth and education, the very element Kansas needs to-day. Who can hesitate to decide, when the question lies between educated women and ignorant negroes?" Such appeals as these were made by men of Kansas to hundreds of audiences. On this appeal the New York *Tribune* said editorially:

KANSAS—WOMAN AS A VOTER.—We publish herewith an appeal, most influentially signed, to the voters of Kansas, urging them to support the pending Constitutional Amendment whereby the Right of Suffrage is extended to Women under like conditions with men. The gravity combined with the comparative novelty of the proposition should secure it the most candid and thoughtful consideration.

We hold fast to the cardinal doctrine of our fathers' Declaration of Independence—that "governments derive their just powers from the consent of the governed." If, therefore, the women of Kansas, or of any other State, desire, as a class, to be invested with the Right of Suffrage, we hold it their clear right to be. We do not hold, and can not admit, that a small minority of the sex, however earnest and able, have any such right.

It is plain that the experiment of Female Suffrage is to be tried; and, while we regard it with distrust, we are quite willing to see it pioneered by Kansas. She is a young State, and has a memorable history, wherein her women have borne an honorable part. She is preponderantly agricultural, with but one city of any size, and very few of her women are other than pure and intelligent. They have already been authorized to vote on the question of liquor license, and in the choice of school officers, and, we are assured, with decidedly good results. If, then, a majority of them really desire to vote, we, if we lived in Kansas, should vote to give them the opportunity.

[Pg 249]

Upon a full and fair trial, we believe they would conclude that the right of suffrage for woman was, on the whole, rather a plague than a profit, and vote to resign it into the hands of their husbands and fathers. We think so, because we now so seldom find women plowing, or teaming, or mowing (with machines), though there is no other obstacle to their so doing than their own sense of fitness, and though some women, under peculiar circumstances, laudably do all these things. We decidedly object to having ten women in every hundred compel the other ninety to vote, or allow the ten to carry elections against the judgment of the ninety; but, if the great body of the women of Kansas wish to vote, we counsel the men to accord them the opportunity. Should the experiment work as we apprehend, they will soon be glad to give it up.

Whereupon, the Atchison *Daily Champion*, John A. Martin, editor, retorted:

TAKE IT YOURSELVES.—Thirty-one gentlemen, all but six of whom live in States that have utterly refused to have anything to do with the issue of "female suffrage," unite in an address, to apply, as they say, the "principles of the Declaration of Independence to women;" and make a specious, flimsy, and ridiculous little argument in favor of their appeal.

It is a pity that comments in the main so sensible, should be marred by a few statements as ridiculous as is the trashy address to which the article refers. It is the old cry that "female suffrage," a novel proposition, although justly regarded with distrust and suspicion by all right-thinking people; although not demanded by even a considerable minority of the women themselves; and although an "experiment" which may rudely disturb the best elements of our society and civilization, may be tried in Kansas! "We regard it with distrust," says the *Tribune*, "but are quite willing to see it tried in Kansas." "Upon a full and fair trial," it continues, "we believe they (the women) would conclude that the right of suffrage for women was, on the whole, rather a plague than a profit, and vote to resign it into the hands of their husbands and fathers." But it "decidedly objects to having ten women in every hundred compel the other ninety to vote, or to allow the ten to carry elections against the judgment of ninety." These expressions of grave doubt as to the expediency of "female suffrage," together with the fact that the editor of the *Tribune*, in his report as chairman of the Suffrage Committee in the New York Constitutional Convention, declared this new hobby "an innovation revolutionary and sweeping, openly at war with a distribution of duties and functions between the sexes as venerable and pervading as government itself," make the *Tribune's* recommendation that we shall "try the experiment in Kansas" rather amusing as well as impudent.

There is not a man nor a woman endowed with ordinary common sense who does not know that Kansas is the last State that should be asked to try this dangerous and doubtful experiment. Our society is just forming, our institutions are crude. Ever since the organization of the Territory, we have lived a life of wild excitement, plunging from one trouble into another so fast that we have never had a breathing-spell, and we need, more than any other people on the globe, immunity from disturbing experiments on novel questions of doubtful expediency. We can not afford to risk our future prosperity and happiness in making an innovation so questionable. We want peace, and must have it. Let Massachusetts or New York, or some older State, therefore, try this nauseating dose. If it does not kill them, or if it proves healthful and beneficial, we guarantee that Kansas will not be long in swallowing it. But the stomach of our State, if we may be permitted to use the expression, is, as yet, too tender and febrile to allow such a fearful deglutition.

[Pg 250]

REMINISCENCES BY HELEN EKIN STARRETT.

After the first Constitutional Convention in which Mrs. C. I. H. Nichols did such valuable service for the cause of woman, the question of woman suffrage in some shape or other was introduced into every succeeding Legislature. In January, 1867, the Legislature met at Topeka. Immediately upon

the organization of the Senate on the 9th, Hon. B. F. Simpson of Miami Co., introduced an amendment to strike the word "white" from the suffrage clause of the State Constitution. Hon. S. N. Wood, Senator from Chase Co., within five minutes introduced a resolution to strike the word "male" from the same clause. This resolution was made the special order for Thursday the 10th, when it passed the Senate by a vote of nineteen to five. Of the five noes, four were Republicans, the other a Democrat. Thus Mr. Wood, although he started second, got ahead in the passing of his resolution. The resolution of Hon. B. F. Simpson was referred to the committee of the whole. When it came up Hon. S. N. Wood moved to amend by also striking out the word "male," and in this shape it passed.

The House amended by striking out the amendment of Mr. Wood. The Senate, however, insisted on its re-instatement; the Democrats and a majority of the Republicans standing by Mr. Wood. The fight continued for over a month. The question came up in all stages and shapes from the House; but Mr. Wood was always ready for them with his woman suffrage amendment, and the Senate stood by him. The friends of negro suffrage tried hard to get him to yield and let their resolution through, but he was firm in his refusal, saying he advocated both, "but if we can have but one, let the negro wait." On the 12th day of February Hon. W. W. Updegraff, a member of the House and an ardent supporter of both woman and negro suffrage, went to Mr. Wood and urged a compromise. After a long discussion two separate resolutions were prepared by Mr. Wood, one for woman suffrage, the other for negro suffrage, and these Mr. Updegraff introduced into the House the same day. The next day the vote on the woman suffrage resolution came up and stood fifty-two to twenty-five. Not being a two-thirds vote, the resolution was lost.

On the 14th the negro suffrage resolution came up and passed by a vote of sixty-one to fourteen. The vote on woman suffrage was then re-considered, and after an assurance from Mr. Updegraff that negro suffrage could be secured in no other way, it passed by a vote of sixty-two to nineteen, getting one more vote than negro suffrage. These resolutions were promptly reported to the Senate, and on motion of S. N. Wood, the woman suffrage resolution was passed by over a two-thirds vote. The negro suffrage resolution was amended, and after a bitter fight was passed. Thus these separate resolutions were both submitted to a vote of the people. The Legislature adjourned about the 12th of March. Hon. S. N. Wood immediately prepared a notice of a meeting to be held in Topeka on the 2d of April to organize a canvass for impartial suffrage without regard to sex or color. This was published in the *State Record* with the statement that it was by the request of Hon. S. N. Wood; it was copied by all the papers of the State. Mr. Wood, ex-Governor Robinson, and others, wrote to many prominent advocates East asking them to be present at the Topeka meeting. It was soon known that Lucy Stone and Henry B. Blackwell would be there, and a very great and general interest was aroused on the question.

[Pg 251]

April 2d at length arrived, and although it was a season of terrible mud and rain, and there were no railroads, a very large audience assembled. Hon. S. N. Wood rode eighty miles on horseback to attend the meeting. Lucy Stone and Mr. Blackwell were present. A permanent organization was effected, with Governor S. J. Crawford as President; Lieutenant-Governor Green, Vice-President; Rev. Lewis Bodwell and Miss Mary Paty, Recording Secretaries; and S. N. Wood, Corresponding Secretary. A letter was at once prepared and addressed to all the prominent men in the State, asking them to aid in the canvass. Letters in reply poured in from the gentlemen addressed, giving assurance of sympathy and declaring themselves in favor of the movement. A thorough canvass of the State was at once inaugurated. Lucy Stone was invited and lectured in Lawrence, Leavenworth, Topeka, and Atchison, to crowded houses, giving the proceeds to the cause.

Hon. S. N. Wood gave his whole time to the canvass, speaking with Lucy Stone and Mr. Blackwell in nearly all the towns in the western and northern part of the State. Mrs. Stone and Mr. Blackwell visited nearly every organized county. As we have said before, there were no railroads, and it was at an immense expense of bodily fatigue that they accomplished their journeys, often in the rudest conveyances and exposed to the raw, blustering winds of a Kansas spring. Their meetings, however, were "ovations." Men and women everywhere were completely won by the gentle, persuasive, earnest addresses of Lucy Stone, while their newly aroused interest was informed and strengthened by the logical arguments and irresistible facts of Mr. Blackwell.

The religious denominations in Kansas from the first gave their countenance to the movement, and clergymen of all denominations were found speaking in its favor. At Olathe, the Old School Presbytery was in session at the time of Lucy Stone's meeting there. It was an unheard-of occurrence that the body adjourned its evening session to allow her to occupy the church. All the members of the Presbytery who heard her were enthusiastic in her praise. We remember a meeting in Topeka at which the Rev. Dr. Ekin,^[84] then pastor of the Old School Presbyterian church, very effectively summed up in a public address all the arguments of the opposition by relating the story of the Canadian Indian who, when told of the greatness of England, and also that it was governed by a queen, a woman, turned away with an incredulous expression of contempt, exclaiming, "Ugh! Squaw!" The effect upon the audience was tremendous. At the same time letters of cheer and encouragement were pouring in from prominent workers all over the country. John Stuart Mill, of England, wrote to Hon. S. N. Wood full of hope and interest for the success of the movement:

[Pg 252]

BLACKHEATH PARK, KENT, ENGLAND, *June 2, 1867.*

DEAR SIR: Being one who takes as deep and as continuous an interest in the political, moral, and social progress of the United States as if he were himself an American citizen, I hope I shall not be intrusive if I express to you as the executive organ of the Impartial Suffrage Association, the deep joy I felt on learning that both branches of the Legislature of Kansas had, by large majorities, proposed for the approval of your citizens an amendment to your constitution, abolishing the unjust political privileges of sex at one and the same stroke with the kindred privilege of color. We are accustomed to see Kansas foremost in the struggle for the equal claims of all human beings to freedom and citizenship. I shall never forget with what profound interest I and others who felt with me watched every incident of the preliminary civil war in which your noble State, then only a Territory, preceded the great nation of which it is a part, in shedding its blood to arrest the extension of slavery.

Kansas was the herald and protagonist of the memorable contest, which at the cost of so many

heroic lives, has admitted the African race to the blessings of freedom and education, and she is now taking the same advanced position in the peaceful but equally important contest which, by relieving half the human race from artificial disabilities belonging to the ideas of a past age, will give a new impulse and improved character to the career of social and moral progress now opening for mankind. If your citizens, next November, give effect to the enlightened views of your Legislature, history will remember that one of the youngest States in the civilized world has been the first to adopt a measure of liberation destined to extend all over the earth, and to be looked back to (as is my fixed conviction) as one of the most fertile in beneficial consequences of all the improvements yet effected in human affairs. I am, sir, with the warmest wishes for the prosperity of Kansas,

Yours very truly,

J. STUART MILL.

To S. N. Wood, Topeka, Kansas, U. S. A.

Rev. Olympia Brown came to Kansas the 1st of July, and made an effective and extensive canvass of the State, often holding three meetings a day. Other speakers, both from home and abroad, were vigorously engaged in the work, and the friends of the movement believed, not without cause, that Kansas would be the first State to grant suffrage to women. Had the election been held in May while the tide of public opinion ran so high in their favor, there is little doubt that both resolutions would have been carried unanimously. To explain the causes that led to the defeat of both propositions, I quote from a letter of Hon. S. N. Wood, in reply to questions addressed him as to certain facts of the campaign. He writes: "About May 2d, C. V. Eskridge of Emporia wrote a very scurrilous article against woman suffrage. It filled three columns of *The News*. In it he denounced the lady speakers in the most abusive manner, ridiculing them with insulting epithets. About the middle of May F. H. Drenning, Chairman of the Republican State Committee, called a meeting of that committee to make arrangements to canvass the State for negro suffrage. The committee met and published an address in favor of manhood suffrage, and said nothing as to woman suffrage. Shortly afterwards the same committee summoned C. V. Eskridge, T. C. Sears, P. B. Plumb, I. D. Snoddy, B. F. Simpson, J. B. Scott, H. N. Bent, Jas. G. Blunt, A. Akin, and G. W. Crawford—all opposed to woman suffrage—to make a canvass for negro suffrage. They were instructed that "they would be allowed to express their own sentiments on other questions." This meant that these men would favor negro suffrage, but would oppose woman suffrage. This at once antagonized the two questions, and we all felt that the death blow had been struck at both."

[Pg 253]

Early in September, Elizabeth Cady Stanton and Susan B. Anthony came to the State to assist in the canvass; and certainly if indefatigable labor and eloquent addresses could have repaired the mischief done by the State Republican Committee, the cause would yet have triumphed. At all places where they spoke they had crowded houses, and everywhere made the warmest friends by their truly admirable personal qualities.^[85] The amount of work performed by these two ladies was immense. Mrs. Stanton, escorted by Ex-Gov. Robinson spoke in nearly every county of the State. Miss Anthony remained at Lawrence working indefatigably in planning and advertising meetings, distributing tracts, sending posters to different places, and attending to all the minutiae and drudgery of an extensive campaign. Often have I regarded with admiration the self-sacrificing spirit with which she arranged matters for others, did the hard and disagreeable work, and then saw others carry off the honor and glory, without once seeming to think of her services or the recognition due them.^[86]

[Pg 254]

In a letter, summing up the campaign, Hon. S. N. Wood said, "On the 25th of September, an address was published signed by over forty men, the most prominent in the State; such men as Senator Pomeroy, Senator Ross, Gov. Crawford, Lt. Gov. Green, Ex-Gov. Robinson, and others, in favor of woman suffrage, but the cause of both began to lag. Sears, Eskridge, Kalloch, Plumb, Simpson, Scott, Bent, and others, made a very bitter campaign against woman suffrage. About the middle of October George Francis Train commenced a canvass of the State for woman suffrage and the questions became more and more antagonized. The last few days a regular Kilkenny fight was carried on." I will here take occasion to record that several of the gentlemen who then canvassed the State against woman suffrage have since announced a reconsideration of their views; some of them have even stated that were the question to come up again they would publicly advocate it.

An address was prepared by the Woman's Impartial Suffrage Association of Lawrence^[87] which was widely circulated and copied even in England. This address was signed by a large number of the prominent ladies of Lawrence. Miss Anthony often said that Lawrence was the headquarters of the movement. Every clergyman, every judge, both the papers and a large proportion of the prominent citizens were in favor of it. And with our State University located here with over three hundred students, one half of whom are ladies, we still claim Lawrence as the headquarters of the friends of woman suffrage.

The work of George Francis Train has been much and variously commented upon. Certainly when he was in Kansas he was at the height of his prosperity and popularity, and in appearance, manners and conversation, was a perfect, though somewhat unique specimen of a courtly, elegant gentleman. He was full of enthusiasm and confident he would be the next President. He drew immense and enthusiastic audiences everywhere, and was a special favorite with the laboring classes on account of the reforms he promised to bring about when he should be President. Well do I remember one poor woman, a frantic advocate of woman suffrage, who button-holed everybody who spoke a word against Train to beg them to desist; assuring them "that he was the special instrument of Providence to gain for us the Irish vote."

[Pg 255]

Both propositions got about 10,000 votes, and both were defeated. After the canvass the excitement died away and the Suffrage Associations fell through, but the seed sown has silently taken root and sprung up everywhere. Or rather, the truths then spoken, and the arguments presented, sinking into the minds and hearts of the men and women who heard them, have been like leaven, slowly but surely operating until it seems to many that nearly the whole public sentiment of Kansas is therewith leavened. A most liberal sentiment prevails everywhere toward women. Many are engaged in lucrative occupations. In several counties ladies have been elected superintendents of

public schools. In Coffey County, the election of Mary P. Wright, was contested on the ground that by the Constitution a woman was ineligible to the office. The case was decided by the Supreme Court in her favor. By our laws women vote on all school questions and avail themselves very extensively of the privilege. Our property laws are conceded to be the most just to women of any State in the Union. It is believed by many that were the question of woman suffrage again submitted to the people it would be carried by an overwhelming majority.

The following letter from Susan E. Wattles, the widow of the pioneer, Augustus Wattles, shows woman's interest in the great struggle to make Kansas the banner State of universal freedom and franchise.

MOUND CITY, *December 30, 1881.*

MY DEAR MISS ANTHONY:—Here, as in New York, the first in the woman suffrage cause were those who had been the most earnest workers for freedom. They had come to Kansas to prevent its being made a slave State. The most the women could do was to bear their privations patiently, such as living in a tent in a log cabin, without any floor all winter, or in a cabin ten feet square, and cooking out of doors by the side of a log, giving up their beds to the sick, and being ready, night or day, to feed the men who were running for their lives. Then there was the ever present fear that their husbands would be shot. The most obnoxious had a price set upon their heads. A few years ago a man said: "I could have got \$1,000 once for shooting Wattles, and I wish now I had done it." When in Ohio, our house was often the temporary home of the hunted slave; but in Kansas it was the *white* man who ran from our door to the woods because he saw strangers coming.

After the question of a free State seemed settled, we who had thought and talked on woman's rights before we came to Kansas, concluded that now was the woman's hour. We determined to strive to obtain Constitutional rights, as they would be more secure than Legislative enactments. On the 13th of February, 1858, we organized the Moneka Woman's Rights Society. There were only twelve of us, but we went to work circulating petitions and writing to every one in the Territory whom we thought would aid us. Our number was afterwards increased to forty; fourteen of them were men. We sent petitions to Territorial Legislatures, Constitutional Conventions, State Legislatures, and Congress. Many of the leading men were advocates of women's rights. Governor Robinson, S. N. Wood, and Erastus Heath, with their wives, were constant and efficient workers. Mrs. Robinson wrote a book on "Life in Kansas." "Allibone's Dictionary of Authors" says: "Mrs. Robinson is an accomplished lady, the wife of Governor Robinson. She possessed the knowledge of events and literary skill necessary to produce an interesting and trustworthy book, and one which will continue to have a permanent value. The women of Kansas suffered more than the men, and were not less heroic. Their names are not known; they were not elected to office; they had none of the exciting delights of an active out-door life on these attractive prairies; they endured in silence; they took care of the home, of the sick. If 'home they brought her warrior dead, she nor swooned nor uttered sigh.' It is fortunate that a few of these truest heroes have left a printed record of pioneer life in Kansas."

[Pg 256]

The last vigorous effort we made in circulating petitions was when Congress was about extending to the colored men the right to vote. Many signed then for the first time. One woman said, "I know my husband does not believe in women voting, but he hates the negroes, and would not want them placed over me." I saw in *The Liberator* that a bequest to the woman's rights cause had been made by a gentleman in Boston, and I asked Wendell Phillips if we could have some of it in Kansas. He directed me to Susan B. Anthony, and you gave us \$100. This small sum we divided between two lecturers, and paying for tracts. John O. Wattles lectured and distributed tracts in Southern Kansas. We were greatly rejoiced when we found, by corresponding with Mrs. Nichols, that she intended to work for our cause whether she had any compensation or not. Kansas women can never be half thankful enough for what she did for them. There has never been a time since, when the same amount of effort would have accomplished as much; and the little money we gave her could scarcely have paid her stage fare.

When the question was submitted in 1867, and the men were to decide whether women should be allowed to vote, we felt very anxious about the result. We strongly desired to make Kansas the banner State for Freedom. We did all we could to secure it, and some of the best speakers from the East came to our aid. Their speeches were excellent, and were listened to by large audiences, who seemed to believe what they heard; but when voting day came, they voted according to their prejudices, and our cause was defeated. My work has been very limited. I have only been able to talk and circulate tracts and papers. I took *The Una*, *The Lily*, *The Sybil*, *The Pittsburg Visitor*, *The Revolution*, *Woman's Journal*, *Ballot Box*, and *National Citizen*; got all the subscribers I could, and scattered them far and near. When I gave away *The Revolution*, my husband said, "Wife, that is a very talented paper; I should think you would preserve that." I replied: "They will continue to come until our cause is won, and I must make them do all the good they can." I am delighted with the "Suffrage History." I do not think you can find material to make the second volume as interesting. I knew of most of the incidents as they transpired, yet they are full of interest and significance to me now. My book is now lent where I think it will be highly appreciated.

Mrs. R. S. Tenney, M.D., one of the most earnest and efficient women of Lawrence, adds another testimony to the spirit of that historic canvass:

[Pg 257]

INDEPENDENCE, KANSAS, *Nov. 23, 1881.*

DEAR MISS ANTHONY:—So you and Mrs. Stanton are about to burn at the stake the injustice of the men and measures of Kansas in 1867, and would like me to help pile on the fagots, which I will most gladly do, believing it right that the wrong and wickedness of every clime and nation should be stabbed or burned till they are entirely dead. While the opponents of woman suffrage in 1867 thought they had achieved a great victory, it was only an overwhelming defeat for a future day, a day when Col. John A. Martin, Judge T. C. Sears, Col. D. W. Houston, G. H. Hoyt, then Attorney-General, Col. J. D. Snoddy, Benj. F. Simpson, Hon. P. B. Plumb, Jacob Stottler, Rev. S. E. McBurney, of the Methodist church, and Rev. I. S. Kalloch, of the Baptist, and a host of others I might mention, will be ashamed of the position which they occupied, and the doctrines they advocated.

Although the question of woman suffrage was submitted to the people by a Republican Legislature, prominent Republicans refused to recognize it as a party measure, and the consideration the Legislature bestowed upon the intelligent wives and mothers of the young commonwealth, was evidenced by associating them in a bill with ex-slaves and traitors. Rev. Richard Cordley said that "if the women had waited till the negroes were enfranchised, he would have worked for their cause most heartily." As though women were the arbiters of their own fate; had convened in legislative assembly and submitted their own case to the people. Revs. McBurney and Kalloch, C. V. Eskridge and Judge Sears were in the field working with might and main against woman suffrage; while Gov. Crawford was President of the Impartial Suffrage Association of the State, and Judge Wood, Secretary. Such old time radicals as Hon. Chas. Robinson, the first Free State Governor of Kansas, worked hard and well. Prof. John Horner, Senator Ross, Rev. Wm. Starrett, Mr. J. M. Chase, and many others also did good work. Hon. Sidney Clark left his post in the House of Representatives at Washington, and canvassed the State for a re-election, having it in his power to say many things and do much good for the cause of woman, but he did it not. He returned to his own city, Lawrence, to make his last great speech on the eve of election, to find to his great consternation, that the only hall had been engaged by the President of the Woman Suffrage Association of the city for a meeting of their party on that eve. In vain did the honorable gentleman and his friends strive to get possession of that hall. It was paid for and booked to R. S. Tenney. Poor Sidney then sought permission to address their woman suffrage audience, but being refused, he was obliged to betake himself to a dry-goods box in the street, where he tried to interest the rabble, while Col. Horner, Rev. Mr. Starrett, and others, had a fine, large audience in the hall.

It is to be greatly regretted that the Republican party that had accomplished such great good when the nation was in its hour of trouble, should have allowed such discord to enter its ranks and thereby defeat both woman and negro suffrage. But Kansans have made great progress since 1867, and many who voted against the proposition then would to-day vote and work heartily for it, and doubtless, if submitted again it would be carried by a large majority. A recent conversation with Ex-Gov. Potter, who voted against it, confirms this opinion, and Senator Plumb is softening. A noticeable feature of the meetings of the political campaign of 1880, was the presence of large numbers of women. On the eve of the election, at a full meeting in the largest hall in this place, a woman surprised the people by asking the chairman's permission to speak, and amid rounds of applause, poured forth such sentiments as compelled quite a number of prominent Republican men to declare themselves in favor of woman suffrage, an issue which was voluntarily recommended by many speakers in both Democratic and Greenback meetings. Gov. J. P. St. John is now making himself heard in his temperance speeches in favor of woman suffrage. The recent passage of the Prohibitory Amendment is significant that our people are awake and ready to welcome the greatest good to the greatest number, which means equal rights to all at an early day.

[Pg 258]

R. S. TENNEY.

MARCH 14, 1882.

DEAR FRIENDS:—God bless the women that worked for woman's suffrage in Kansas! Foremost among those who were residents of the State was Mrs. C. I. H. Nichols, of Wyandotte, and to her, more than all other Kansas women, was due the influence which gave woman even the small recognition in the constitution under which the State was admitted, above what is found in other State constitutions of the nation; for this Mrs. Nichols labored with the zeal and heroism born of a great noble heart, whose every pulsation is for humanity in the elevation of woman to her proper political as well as social position. It was largely through her instrumentality that such God-ordained women as Elizabeth Cady Stanton, Susan B. Anthony, Lucy Stone, and Olympia Brown, came to Kansas as eloquent missionaries in the great work of attempting to give the women of this State the legal right to vote with their husbands, sons and brothers. And though, through the opposition of unwise and prejudiced men, the desired majority for woman's suffrage was not then obtained; the seed sown by these self-sacrificing angels of humanity will yet bring forth most glorious results. The efforts of the Hutchinson troupe of sweet singers in this direction will not be forgotten. John, the patriarch, with his bright son Henry and beautiful daughter Viola, made a musical trio whose soul-stirring songs were only excelled in purity of thought and delightful harmony of execution, by their intense, whole-hearted desire that the cause for which they prayed and sang with so much earnestness might be crowned with success. Mr. Henry B. Blackwell, Lucy Stone's husband, was indefatigable in his efforts, working early and late for the good cause. Of the women of the State of Kansas who were active, a large number of names might be given.^[88] But Kansas best remembers and most honors in the remembrance, those women who left their comfortable and elegant homes on the Atlantic slope, and with no hope of reward save the consciousness of having worked for God and humanity, traveled over the then wild prairies of Kansas in all sorts of rude vehicles, talking in groves, school-houses, and cabins, eating and sleeping as pioneers sleep and eat, for weeks and months, making the beautiful rolling prairies, filled with fertile valleys and flowery knolls, vocal with their eloquent, earnest appeals in behalf of woman's rights and against woman's wrongs; and through the vote carried for woman's wrongs the fervid, eloquent words then uttered by woman's tongue, welling up as they did from noble hearts heated to redness in the furnace of love for human justice, left an influence which has steadily and surely increased, and will thus continue until Kansas shall give woman equal rights and privileges with man.

[Pg 259]

Sincerely yours,

J. P. ROOT.

RACINE, WISCONSIN, *March 16, 1882.*

DEAR SUSAN:—You ask me to write an account of my experiences in Kansas; with unquestioning obedience I attempt what you require, although many records and documents are wanting which should have been kept, had I anticipated your command. But when in Kansas, I no more thought of appearing in history, than the butterfly flitting from flower to flower thinks of being dried and put in a museum.

I have never kept a diary, have never counted the number of miles I have traveled, the meals eaten, calls made, pages written, or words spoken. I have tried to do the pressing duty of each hour,

leaving the results and records to take care of themselves. You will not, therefore, be surprised that I am unable to furnish even the "round unvarnished tale," but must be content with glimpses as memory, after the lapse of fourteen years, supplies them.

I am glad to have an opportunity, through your valuable history, of paying my respects to the good people whom I met in Kansas, few of whom I shall ever see again in this life, but whose earnest words go with me every day, a constant source of encouragement and of strength. It would be but justice to record the names of all those who gave generous aid and sympathy in the woman suffrage campaign of '67; brave pioneers they were, who had learned loyalty to principle through many bitter experiences; some of them had been friends and companions of brave old John Brown, and, trained in the great Anti-Slavery struggle, filled with the love of liberty, they knew how to stand for the right. But their names are recorded on high in letters of living light, and they little need our poor faltering testimony. "Their reward is with them, and their reward is sure." To-day, looking back over the years, Kansas is to me a memory of grand, rolling prairies stretching far away; of fertile fields; of beautiful osage orange hedges; of hospitable homes; of brave and earnest women; kind and true men; and of some of the most dishonest politicians the world has ever seen.

I went to Kansas, through an arrangement made by Lucy Stone with leaders of the Republican party there, whereby they were to furnish comfortable conveyance over the State, with a lady as traveling companion, and also to arrange and preside over all the meetings; these were to be Republican meetings in which it was thought best that a woman should present the claims of the woman suffrage amendment, which had been submitted to the vote of the men of the State by a strongly Republican Legislature.

[Pg 260]

The Kansas Republicans so far complied with their part of this arrangement that on my arrival, the 1st of July, I found appointments made and thoroughly advertised for the whole of July and August; two lectures for every week day, and a preaching service for every Sunday. As it proved, these appointments were at great distances from each other, often requiring a journey of twenty, thirty, forty, and even fifty miles across a country scarcely settled at all, to reach some little village where there would be a school-house or some public building in which a meeting could be held. All were eager to hear, and the entire settlement would attend the lecture, thus giving an astonishingly large audience in proportion to the size of the place.

The country was then new and public conveyances few, and the Republicans having failed to furnish the stipulated carriage and escort, the speaker was dependent almost entirely upon the people in each little place for the means to pursue the journey. Many a time some kind man, with a genuine chivalry worthy of the days of knighthood, has left his half-mown field or his sorghum boiling in the kettle, to escort the woman suffrage advocate to the next appointment; and although the road often seemed long and perilous and many an hour was spent in what appeared a hopeless endeavor to find our way over the almost trackless prairie, yet somehow we always came to the right place at last; and I scarcely recollect an instance of failure to meet an appointment from July 1st to Nov. 5th.

In those four months I traveled over the greater part of Kansas, held two meetings every day, and the latter part of the time three meetings every day, making in all between two and three hundred speeches, averaging an hour in length; a fact that tends to show that women can endure talk and travel at least, as well as men; especially when we recollect how the Hon. Sidney Clark, then candidate for Congress, canvassed, in the beautiful autumn weather, a small portion of the State which I had traveled over amid the burning heat of July and August; he spoke once a day instead of twice; he rested on Sundays; he had no anxiety about the means of travel, his conveyance being furnished at hand; he was supported by a large constituency, and expected to be rewarded by office and honors; yet with all these advantages, he broke down in health and was obliged to give up a part of his appointments, and the Republican papers said: "It was not strange, as no human being could endure without loss of health such constant speaking, with such long and tedious journeys as Mr. Clark had undertaken."

It is deemed, in certain quarters, wicked heresy to complain of or criticise the Republican party, that has done so much in freeing the slaves and in bringing the country victoriously through the war of the rebellion; but if there is to be any truth in history we must set it down, to stand forever a lasting disgrace to the party that in 1867, in Kansas, its leaders selfishly and meanly defeated the woman suffrage amendment.

As the time for the election drew nigh, those political leaders who had been relied upon as friends of the cause were silent, others were active in their opposition. The Central Committee issued a circular for the purpose of preventing loyal Republicans from voting for woman suffrage; not content with this, the notorious I. S. Kalloch, and others of the same stripe, were sent out under the auspices of the Republican party to blackguard and abuse the advocates of woman's cause while professedly speaking upon "manhood suffrage." And Charles Langston, the negro orator, added his mite of bitter words to make the path a little harder for women, who had spent years in pleading the cause of the colored man.

[Pg 261]

And yet, with all the obstacles which the dominant party could throw in our way; without organization, without money, without political rewards to offer, without any of the means by which elections are usually carried, we gained one-third of all the votes cast! Surely it was a great triumph of principle; and had the leading Republicans, even one or two of them, stood boldly for the measure which they themselves had submitted, Kansas might have indeed been a "free State"; the first to enfranchise women; the advance guard in the great progressive movements of the time; and her leading politicians might have gone down in history as wise, far-seeing statesmen who loved principles better than office, and who gained the rewards of the world because they sought "first the kingdom of God and His righteousness." As it was, their favorite measure, "negro suffrage," was defeated for that time, and several of those who sold their birthright of truth and justice for a miserable mess of pottage in the shape of office and emoluments, lost even the poor reward for which they had trafficked.

As for us, the advocates of suffrage who labored there in that first woman's suffrage campaign, we have forgotten, in part, the bitterness of disappointment and defeat; we think no more of the long

and wearisome journeys under the hot sun of southern Kansas; the anxiety and uncertainty; the nervous tremor when night has overtaken us wandering on the prairie, not knowing what terrible pitfalls might lie before; the mobs which sometimes made the little log school-house shake with their missiles; the taunts and jeers of the opposition; all this is passed, but the great principle of human rights which we advocated remains, commending itself more and more to the favor of all good men, confirmed by every year's experience, and destined at no distant day to find expression in law.

Sincerely Yours,

OLYMPIA BROWN.

The day before the election immense meetings were held in all the chief cities. In Leavenworth Mr. Train spoke for two hours in Laing's Hall, and then took the evening train for Atchison. Mrs. Stanton entered the hall just as he left, and made only a short speech, reserving herself for the evening, when, Daniel R. Anthony in the chair, she made her final appeal to the voters of the State. She was followed by several of the leading gentlemen in short speeches, fully indorsing both amendments. The *Bulletin*, in speaking of the meeting, said:

Laing's Hall was crowded to overflowing last evening to listen to a discourse from Mrs. Stanton, on the main issues pending in this State, and to be decided to-day. The speech of Mrs. Stanton was mainly in behalf of female suffrage. Speeches were also made by Col. J. C. Vaughan, Col. Jennison, Col. Moonlight, and Col. Anthony. The best of feeling prevailed throughout.

Susan B. Anthony spoke to an equally large audience in Atchison, and Olympia Brown to another in an adjoining town.

[Pg 262]

The morning of the election two spacious barouches containing the several members of the Hutchinson family—John, his son Henry and daughter Viola; with Mrs. Stanton, Miss Anthony, Mrs. Daniel R. and Mrs. J. Merritt Anthony, visited in succession the four polling booths in Leavenworth and addressed the voters in short, earnest speeches as to their duty as citizens. Mrs. Stanton made a special appeal to Irishmen, quoting to them the lofty sentiments of Edmund Burke on human liberty. She told them of visiting O'Connell in his own house, and attending one of his great repeal meetings, of his eloquent speech in the World's Anti-Slavery Convention, and his genial letters to Lucretia Mott, in favor of woman's right to vote. After three cheers for O'Connell, they shouted, "Go on, go on." The Hutchinsons then sang their stirring ballad, "The good time coming." The reception at each booth was respectful, and at the end of the speech or song there followed three hearty cheers for "woman suffrage."^[89]

The Leavenworth *Commercial* of Nov. 14, 1867, had the following editorial:

A CONTRAST.—Miss Susan B. Anthony and Mrs. Elizabeth Cady Stanton left yesterday afternoon for St. Louis, from whence they go to Omaha, and from that place, in company with Geo. Francis Train, start on a general lecturing tour through the principal cities of the West and East. Their subject, of course, in all the places at which they will speak, will be, "Woman Suffrage"; and we believe they will speak with far more than ordinary encouragement. Kansas, the only State in which the subject was ever submitted—though under the most adverse of circumstances—has spoken in a manner which has rather nerved than dispirited these tried and faithful champions of their own sex.

The two propositions were submitted, in this State, under circumstances wholly dissimilar. While negro suffrage was specially championed and made the principal plank in the Republican party—made almost a test of membership and of loyalty to it and the government—female suffrage stood, not simply as an ignored proposition, but as one against which was arrayed all party organizations, whether Republican, Democratic or German. And yet, notwithstanding this ignoring of the question, notwithstanding the combined and active opposition of these powerful and controlling organizations, nearly as many votes were cast for female suffrage as for negro suffrage.

And if we go outside of our State, and take a look at the influences that were brought to bear upon our citizens, the result seems still more striking and remarkable. On the side of negro suffrage stood Congress, and its policy in the South; also all the leading radical journals in the country, and that branch of the pulpit to which radicals had been taught to look for political wisdom as well as orthodox religious sermons. The whole enginery of the radical party, and of that party's tactics, was brought to bear upon the State. Party pride, party prejudices, and religious beliefs were each and all fervidly appealed to on behalf of negro suffrage. But in respect to woman suffrage, matters were far different. Even those in the East, whose eminence and eloquence had served to throw broadcast the ideas that it was sought to give form and reality to in this State, as the final testing hour neared, gradually withdrew their aid and counsel; and in a manner sympathiless and emotionless as marble statuary, from their calm Eastern retreats watched the unequal contest. When Stephen A. Douglas said he "didn't care a d—n whether slavery was voted up or voted down in Kansas," he but expressed in a forcible and emphatic manner the feelings of many of the Eastern "friends" of woman suffrage in the recent campaign. We repeat then, when we consider the many obstacles thrown in the way of the advocates of this measure, of the indifference with which the masses look upon anything new in government, and their indisposition to change, that the degree of success of these advocates is not only remarkable, but one in which they have a just right to feel proud and triumphant.

[Pg 263]

And to these two ladies, to their indomitable wills and courage, to their eloquence and energies, is due much of the merit of the work performed in the State. We would not rob others of their glories, or their triumphs. Yet these two came to us as pioneers. Through the highways and byways of all the long years of their past lives we find the tracings of their deep earnestness and devotion to the principles which first found ways and means of development in Kansas. We find them giving utterance to these thoughts in the days of their first inception, and in words of burning eloquence closing the campaign which gave them over for decision and arbitrament to the great jury and final arbiter, the people. But in the recent election, as is well known, these ladies were not successful to

the full extent of their wishes. They have the proud consciousness of knowing, however, that their work has been commensurate with the combined efforts of party organizations. Congressmen, Senators, presses, ministers, etc., and that the people of Kansas are not more averse to giving the franchise to woman than to the negro. With this evidence of the result of their efforts they can afford to wait, and, in the spirit of a Lowell, found their faith in the future, as when he says:—

But humanity sweeps onward! where to-day the martyr stands,
On the morrow crouches Judas with the silver in his hands.
Far in front the cross stands ready, and the crackling fragments burn,
While the hooting mob of yesterday in silent awe return,
To glean up the scattered ashes into history's golden urn.

And again—

Careless seems the great avenger; history's pages but record
One death-struggle in the grapple 'twixt old systems and the Word.
Truth forever on the scaffold, wrong forever on the throne;
Yet that scaffold sways the future, and behind the dim unknown
Standeth God in the darkness keeping watch above His own.

[Pg 264]

After speaking in all the chief cities from Leavenworth to New York,^[90] Mrs. Stanton and Miss Susan B. Anthony turned their attention to the establishment in the city of New York of a woman suffrage paper, called *The Revolution*.^[91] The funds for this enterprise were provided by two Democrats, David Melliss, the financial editor of the *World*, and George Francis Train. The editors were Parker Pillsbury and Elizabeth Cady Stanton; the owner and publisher, Susan B. Anthony. This affiliation with Mr. Train and other Democrats, together with the aggressive tone of *The Revolution*, called down on Miss Anthony and Mrs. Stanton severe criticism from some of their friends, while they received sincere praise from others. In reviewing the situation, they have had no reason to regret their course, feeling that their determination to push their cause, and accept help from whatever quarter it was proffered, aroused lukewarm friends to action, who, though hostile at first to the help of Democrats, soon came to appreciate the difficulty of carrying on a movement with the press, pulpit, politicians, and philanthropists all in the opposition.

Abolitionists were severe in their denunciations against these ladies, because, while belonging to anti-slavery associations, they affiliated with the bitter enemies of the negro and all his defamers. To which they replied: "So long as opposition to slavery is the only test for a free pass to your platform and membership of your association, and you do not shut out all persons opposed to woman suffrage, why should we not accept all in favor of woman suffrage to our platform and association, even though they be rabid pro-slavery Democrats? Your test of faithfulness is the negro, ours is the woman; the broadest platform, to which no party has as yet risen, is humanity." Reformers can be as bigoted and sectarian and as ready to malign each other, as the Church in its darkest periods has been to persecute its dissenters.

So utterly had the women been deserted in the Kansas campaign by those they had the strongest reason to look to for help, that at times all effort seemed hopeless. The editors of the New York *Tribune* and the *Independent* can never know how wistfully, from day to day, their papers were searched for some inspiring editorials on the woman's amendment, but naught was there; there were no words of hope and encouragement, no eloquent letters from an Eastern man that could be read to the people; all were silent. Yet these two papers, extensively taken all over Kansas, had they been as true to woman as to the negro, could have revolutionized the State. But with arms folded, Greeley, Curtis, Tilton, Beecher, Higginson, Phillips, Garrison, Frederick Douglass, all calmly watched the struggle from afar, and when defeat came to both propositions, no consoling words were offered for woman's loss, but the women who spoke in the campaign were reproached for having "killed negro suffrage."

[Pg 265]



Olympia Brown.

We wondered then at the general indifference to that first opportunity of realizing what all those gentlemen had advocated so long; and, in looking back over the many intervening years, we still wonder at the stolid incapacity of all men to understand that woman feels the invidious distinctions of sex exactly as the black man does those of color, or the white man the more transient distinctions of wealth, family, position, place, and power; that she feels as keenly as man the injustice of disfranchisement. Of the old abolitionists who stood true to woman's cause in this crisis, Robert Purvis, Parker Pillsbury, and Rev. Samuel J. May were the only Eastern men. Through all the hot debates during the period of reconstruction, again and again, Mr. Purvis arose and declared, that he would rather his son should never be enfranchised, unless his daughter could be also, that, as she bore the double curse of sex and color, on every principle of justice she should first be protected. These were the only men who felt and understood as women themselves do the degradation of disfranchisement.

Twenty years ago, as now, the Gibraltar of our difficulties was the impossibility of making the best men feel that woman is aggravated by the endless petty distinctions because of sex, precisely as the most cultivated man, black or white, suffers the distinctions of color, wealth, or position. Take a man of superior endowments, once powerful and respected, who through unfortunate circumstances is impoverished and neglected; he sees small men, unscrupulous, hard, grinding men taking places of trust and influence, making palace homes for themselves and children, while his family in shabby attire are ostracised in the circle where by ancestry and intelligence they belong, made to feel on all occasions the impassable gulf that lies between riches and poverty. That man feels for himself and doubly for his children the humiliation. And yet with the ever-turning wheel of fortune such distinctions are transient; yours to-day, mine to-morrow. That glorious Scotch poet, Robert Burns, from the depths of his poverty and despair, might exclaim in an inspired moment on the divine heights where the human soul can sometimes mount:

[Pg 266]

"A man's a man for a' that."

But the wail through many of his sad lines shows that he had tasted the very dregs of the cup of poverty, and hated all distinctions based on wealth.

When a colored man of education and wealth like Robert Purvis, of Philadelphia, surrounded with a family of cultivated sons and daughters, was denied all social communion with his neighbors, equal freedom and opportunity for himself and children, in public amusements, churches, schools, and means of travel because of race, he felt the degradation of color. The poor white man might have said, If I were Robert Purvis, with a good bank account, and could live in my own house, ride in my own carriage, and have my children well fed and clothed, I should not care if we were all as black as the ace of spades. But he had never tried the humiliation of color, and could not understand its peculiar aggravations, as he did those of poverty. It is impossible for one class to appreciate the wrongs of another. The coarser forms of slavery all can see and deplore, but the subjections of the spirit, few either comprehend or appreciate. In our day women carrying heavy burdens on their shoulders while men walk by their side smoking their pipes, or women harnessed to plows and carts with cows and dogs while men drive, are sights which need no eloquent appeals to move American men to pity and indignation. But the subtle humiliations of women possessed of wealth, education, and genius, men on the same plane can not see or feel, and yet can any misery be more real than invidious distinctions on the ground of sex in the laws

and constitution, in the political, religious, and moral position of those who in nature stand the peers of each other? And not only do such women suffer these ever-recurring indignities in daily life, but the literature of the world proclaims their inferiority and divinely decreed subjection in all history, sacred and profane, in science, philosophy, poetry, and song.

And here is the secret of the infinite sadness of women of genius; of their dissatisfaction with life, in exact proportion to their development. A woman who occupies the same realm of thought with man, who can explore with him the depths of science, comprehend the steps of progress through the long past and prophesy those of the momentous future, must ever be surprised and aggravated with his assumptions of headship and superiority, a superiority she never concedes, an authority she utterly repudiates. Words can not describe the indignation, the humiliation a proud woman feels for her sex in disfranchisement.

[Pg 267]

In a republic where all are declared equal an ostracised class of one half of the people, on the ground of a distinction founded in nature, is an anomalous position, as harassing to its victims as it is unjust, and as contradictory as it is unsafe to the fundamental principles of a free government. When we remember that out of this degraded political status, spring all the special wrongs that have blocked woman's success in the world of work, and degraded her labor everywhere to one half its value; closed to her the college doors and all opportunities for higher education, forbade her to practice in the professions, made her a cipher in the church, and her sex, her motherhood a curse in all religions; her subjection a text for bibles, a target for the priesthood; seeing all this, we wonder now as then at the indifference and injustice of our best men when the first opportunity offered in which the women of any State might have secured their enfranchisement.

It was not from ignorance of the unequal laws, and false public sentiment against woman, that our best men stood silent in this Kansas campaign; it was not from lack of chivalry that they thundered forth no protests, when they saw noble women, who had been foremost in every reform, hounded through the State by foul mouthed politicians; it was not from lack of money and power, of eloquence of pen and tongue, nor of an intellectual conviction that our cause was just, that they came not to the rescue, but because in their heart of hearts they did not grasp the imperative necessity of woman's demand for that protection which the ballot alone can give; they did not feel for *her* the degradation of disfranchisement.

The fact of their silence deeply grieved us, but the philosophy of their indifference we thoroughly comprehended for the first time and saw as never before, that only from woman's standpoint could the battle be successfully fought, and victory secured. "It is wonderful," says Swift, "with what patience some folks can endure the sufferings of others." Our liberal men counseled us to silence during the war, and we were silent on our own wrongs; they counseled us again to silence in Kansas and New York, lest we should defeat "negro suffrage," and threatened if we were not, we might fight the battle alone. We chose the latter, and were defeated. But standing alone we learned our power; we repudiated man's counsels forevermore; and solemnly vowed that there should never be another season of silence until woman had the same rights everywhere on this green earth, as man.

[Pg 268]

While we hold in loving reverence the names of such men as Charles Sumner, Horace Greeley, William Lloyd Garrison, Gerrit Smith, Wendell Phillips and Frederick Douglass, and would urge the rising generation of young men to emulate their virtues, we would warn the young women of the coming generation against man's advice as to their best interests, their highest development. We would point for them the moral of our experiences: that woman must lead the way to her own enfranchisement, and work out her own salvation with a hopeful courage and determination that knows no fear nor trembling. She must not put her trust in man in this transition period, since, while regarded as his subject, his inferior, his slave, their interests must be antagonistic.

But when at last woman stands on an even platform with man, his acknowledged equal everywhere, with the same freedom to express herself in the religion and government of the country, then, and not till then, can she safely take counsel with him in regard to her most sacred rights, privileges, and immunities; for not till then will he be able to legislate as wisely and generously for her as for himself.

FOOTNOTES:

[76] DISAGREEMENTS IN THE REPUBLICAN STATE CENTRAL COMMITTEE—THE SUFFRAGE QUESTION.—The Kansas *State Journal* publishes a letter from Judge SAMUEL N. WOOD, in which he declares himself unqualifiedly in favor of impartial suffrage. He says:

"I have not opposed, and shall not oppose negro suffrage. It should be adopted because they are a part of the governed, and must have a voice in the Government, just as much as women should. What I have had to do with is the inconsistency and hypocrisy of those who advocate negro suffrage and oppose Woman suffrage; the inconsistency and hypocrisy of those negroes who claim rights for themselves that they are not willing other human beings with equal intelligence should also enjoy."

The same paper says that at the meeting of the Republican State Central Committee in Leavenworth, last week, the following resolution was offered and laid on the table, by a vote of two yeas to one nay:

Resolved, That the Republican State Central Committee do not indorse, but distinctly repudiate, as speakers, in behalf and under the auspices of the Republican party, such persons as have defamed, or do hereafter defame, in their public addresses, the women of Kansas, or those ladies who have been urging upon the people of Kansas the propriety of enfranchising the women of the State.

Mr. TAYLOR, who offered the resolution, has accordingly published the following protest:

The undersigned, a member of the Republican State Central Committee of Kansas, protests against the action of the Committee this day had, so far as relates to the placing of the names of I. S. KALLOCH, C. V. ESKRIDGE, and P. B. PLUMB, on the list of speakers to canvass the State in behalf of Republican principles, for the reason that they have within the last few weeks, in public addresses published articles, used ungentlemanly, indecent, and infamously defamatory language, when alluding to a large and respectable portion of the women of Kansas, and to women now engaged in canvassing the State in favor of impartial suffrage.

R. B. TAYLOR.

[77] DEMOCRATIC RESOLUTION.—*Resolved*, That we are opposed to all the proposed amendments to our State Constitution, and to all unjust, intolerant, and proscriptive legislation, whereby a portion of our fellow citizens are deprived of their social rights and religious privileges.

[78] ACTION OF THE GERMANS.—ST. LOUIS, *Sept. 26*.—A special dispatch to the *Republican* from Wyandotte, Kansas, says: "The German Convention, which was held at Topeka on Monday last, adopted resolutions against Sunday and temperance laws, and declared that they would not support any man for State, Legislative, or municipal office who would not give his written pledge to oppose such laws. An unsuccessful effort was made to commit the Germans to negro suffrage. The female suffrage question was not touched."

[79] STATE TEMPERANCE CONVENTION.—LAWRENCE, KANSAS, *Sept. 26*.—A mass State Temperance Convention was held here last night, and was addressed by Senator Pomeroy, ex-Gov. Robinson, Elizabeth Cady Stanton, and Susan B. Anthony. Resolutions were passed committing the Temperance people to female suffrage, and to prevent the repeal of the Temperance law of last winter, to the abrogation of which the Germans pledged themselves in their Convention on the 23d.

[80] The New York *Tribune*, May 29, 1867: "Womanhood suffrage is now a progressive cause beyond fear of cavil. It has won a fair field where once it was looked upon as an airy nothing, and it has gained champions and converts without number. The young State of Kansas is fitly the vanguard of this cause, and the signs of the agitation therein hardly allow a doubt that the citizenship of women will be ere long recognized in the law of the State. Fourteen out of twenty newspapers of Kansas are in favor of making woman a voter. Governor Crawford, ex-Governors Robinson and Root, Judge Schuyler, Col. Ritchie, and Lieut.-Gov. Green, are the leaders of the wide-spread Impartial League, which has among its orators Mistresses Stanton, Stone, and Susan B. Anthony. The vitality of the Kansas movement is indisputable, and whether defeated or successful in the present contest, it will still hold strongly fortified ground." ...

[81] Mrs. Sarah B. Shaw, after having contributed \$150 for Kansas, wrote the following:

NORTH SHORE, September 22, 1867.

DEAR MISS ANTHONY:—If I were a rich woman I would inclose a check of \$1,000 instantler. Mr. Gay read your letter and said he wished he had \$500 to give. So you see if the right people only had the money how the work would be done. Mr. Shaw says: "Tell Miss Anthony if the women in Kansas vote on the schools and the dram shops, I think the work is done there." I have not in my mind one person who could give money who would, so I can not help you.... I am very sorry to send you only this dry morsel, a stone when you want bread, but I can only give you my earnest wishes, though I will not fail to do my best. I have already sent your letter to a rich friend, who has *reformed* all her life, but I do not know at all how she stands on the woman question. Believe me, dear Miss Anthony,

Sincerely yours,

SARAH B. SHAW.

OFFICE OF THE AMERICAN EQUAL RIGHTS ASSOCIATION, }
No. 37 Park Row (Room 17). NEW YORK, *Aug. 23, 1867.* }

DEAR LYDIA:— ... I am just in from Staten Island, where Mrs. Gay had \$10 from Frank Shaw waiting for me. I went on purpose to go to Mrs. Shaw, and persevered; the glorious result is \$150 more. Such a splendid woman; worthy the noble boy she gave in the war, and worthy her noble son-in-law, George William Curtis. Lydia, we shall go on to triumph in Kansas! The St. Louis *Democrat* publishes Mr. Curtis' speech in full, with a splendid editorial. The St. Louis *Journal* gives the speech and the *Democrat's* editorial "as a matter of news." I have 60,000 tracts now going to press; all the old editions were gone, and we have to begin new with an empty treasury; but I tell them all, "go ahead;" we must, and will, succeed.

Affectionately yours,

SUSAN B. ANTHONY.

TEMPLETON, MASS., *Sept. 21, 1867,* }
On way to Green Mountains. }

DEAR MISS ANTHONY:—Mrs. Severance desires me to inclose to you this check, \$50, and say that it is a contribution by friends at and about Boston, to aid you in the good work of reconstruction on the subject of woman's right to the ballot in Kansas.

Yours truly,

T. C. SEVERANCE.

AUBURN, *Sept. 17, 1867.*

DEAR MR. PILLSBURY:—You may be very sure I would have answered Susan's letter sooner if I had been able to inclose any such sum as she hoped to obtain. All that I can do is to inclose a draft for \$30—ten from our daughter Eliza, ten from William and Ellen, and ten from myself.... We can only feel grateful for the self-sacrificing labors of those who have gone to Kansas, and hopeful that better success may attend the efforts there, than here or in Michigan.... I was very glad that Mrs. Stanton could go.... We shall miss Mrs. Frances D. Gage. I always considered her word as effective as any on our Woman's Rights platform. Her rest has come.... Our children were in Syracuse on Sunday; they heard a beautiful valedictory from Samuel J. May, recounting the varied incidents of his life, lamenting his shortcomings, and advising them to choose a younger man for the duties he was no longer able to perform alone. He is so well beloved by his congregation that the probability is they will get an associate for him.

Your friend,

MARTHA C. WRIGHT.

[82] E. D. Draper, Hopedale, Massachusetts.

[83] James W. Nye, Nevada; Charles Robinson, S. N. Wood, Samuel C. Pomeroy, E. G. Ross, Sidney Clark, S. G. Crawford, Kansas; Wm. Loughridge, Iowa; Robert Collyer, Illinois; Geo. W. Julian, H. D. Washburn, Indiana; R. E. Trowbridge, John F. Driggs, Michigan; Benjamin F. Wade, Ohio; J. W. Broomall, William D. Kelley, Pennsylvania; Henry Ward Beecher, Gerrit Smith, George William Curtis, New York; Dudley S. Gregory, George Polk, John G. Foster, James L. Hayes, Z. H. Pangborn, New Jersey; William Lloyd Garrison, Wendell Phillips, Samuel E. Sewell, Oakes Ames, Massachusetts; William Sprague, Thomas W. Higginson, Rhode Island; Calvin E. Stowe, Connecticut.

[84] Mrs. Starrett's father.

[85] All were prepared beforehand to do Mrs. Stanton homage for her talents and fame, but many persons who had formed their ideas of Miss Anthony from the unfriendly remarks of opposition papers in other States had conceived a prejudice against her. Perhaps I can not better illustrate how she everywhere overcame and dispelled this prejudice than by relating my own experience. A convention was called at Lawrence, and the friends of woman suffrage were called upon to entertain the strangers who might come from abroad. Ex-Gov. Robinson, who from the first had given his influence to the movement, was now giving his whole time to the canvass. He called upon me to know if I would entertain Mrs. Stanton. In those days houses were small, help was scarce and inefficient, and in our family were two babies and an invalid sister. But the pleasure and honor of entertaining Mrs. Stanton was too great to allow these circumstances to prevent. We prepared our own room for the guest chamber and had all things in readiness when I received a note from Ex-Gov. Robinson stating that Mrs. Stanton had found relatives in town with whom she would stop, but that Miss Anthony would come instead. I hastily put on bonnet and shawl saying, "I don't want Miss Anthony, and I won't have her, and I am going to tell Gov. Robinson so." At the gate I met a dignified, quaker looking lady with a small satchel and a black and white shawl on her arm. Offering her hand she said, "I am Miss Anthony, and I have been sent to you for entertainment during the Convention." I have often wondered if Miss Anthony remembers my confusion, and the apologies I stammered out about no help, sickness in the family, no spare room and how I was just on my way to tell Gov. Robinson that I could not entertain any one. Half disarmed by her genial manner and frank, kindly face, I led the way into the house and said I would have her stay to tea and then we would see what farther arrangements could be made. While I was looking after tea Miss Anthony won the hearts of the babies; and seeing the door of my sister's sick room open, she went in and in a short time had so won the heart and soothed instead of exciting the nervous sufferer, entertaining her with accounts of the outside world from which she had been so long shut off, that by the time tea was over, I was ready to do anything if Miss Anthony would only stay with us. And stay she did for over six weeks, and we parted from her as from a beloved and helpful friend. I found afterwards that in the same way she disarmed prejudice and made the most ardent friends wherever she became personally known.

H. E. S.

[86] Of course it is nothing new to say that Mrs. Stanton was the object of admiration and honor everywhere. Miss Anthony looked after her interests and comfort in the most cheerful and kindly manner, occasionally complaining good naturedly of Mrs. Stanton's carelessness in leaving various articles of her wearing apparel scattered over the State, and of the trouble she had in recovering a gold watch which Mrs. Stanton had left hanging on the bed post in a little hotel in Southern Kansas. I remember one evening of the Convention in Lawrence when the hall was crowded with an eager and expectant audience. Miss Anthony was there early, looking after everything, seats, lights, ushers, doorkeepers, etc. Presently Gov. Robinson came to her and said, "Where's Mrs. Stanton? It's time to commence." "She's at Mrs. — waiting for some of you men to go for her with a carriage," was the reply. The hint was quickly acted upon and Mrs. Stanton, fresh, smiling and unfatigued, was presented to the audience. H. E. S.

[87] See Appendix.

[88] Mrs. Gov. Charles Robinson, Mrs. Lieut-Gov. J. P. Root, Mrs. R. B. Taylor, Mrs. Mary T. Gray—whose husbands were also active workers—Mrs. Lucy B. Armstrong, Mrs. Judge Humphrey, Mrs. Starrett, Mrs. Archibald, Mrs. Elsie Stewart, "Mother Bickerdike," and many others.

[89] Nov. 6, 1867.—The associated press item in *The Evening Journal* said: "Leavenworth, Kansas, Nov. 5th. Out of about 3,500 registered voters, only 2,600 voted here to-day. Negro suffrage received only about 700. Mrs. Stanton and Miss Anthony, who have been canvassing the State, visited the polls in each ward and addressed the voters, probably the first occurrence of the kind in this country. They were accompanied by the Hutchinson family, and were received with hearty cheers for woman suffrage."

[90] This trip cost Mr. Train \$2,500, as he paid all the expenses, advertising largely.

[91] The first number was published January 6, 1868, and ten thousand copies, under the frank of the Hon. James Brooks, were scattered throughout the country.

CHAPTER XX.

[Pg 269]

NEW YORK CONSTITUTIONAL CONVENTION.

Constitution Amended once in Twenty Years—Mrs. Stanton Before the Legislature Claiming Woman's Right to Vote for Members to the Convention—An Immense Audience in the Capitol—The Convention Assembled June 4th, 1867. Twenty Thousand Petitions Presented for Striking the Word "Male" from the Constitution—"Committee on the Right of Suffrage, and the Qualifications for Holding Office." Horace Greeley, Chairman—Mr. Graves, of Herkimer, Leads the Debate in favor of Woman Suffrage—Horace Greeley's Adverse Report—Leading Advocates Heard before the Convention—Speech of George William Curtis on Striking the Word "Man" from Section 1, Article 11—Final Vote, 19 For, 125 Against—Equal Rights Anniversary of 1868.

THIS was the first time in the history of the woman suffrage movement that the Constitution of New York was to be amended, and the general interest felt by women in the coming convention was intensified by the fact that such an opportunity for their enfranchisement would not come again in twenty years. The proposition of the republican party to strike the word "white" from the Constitution and thus extend the right of suffrage to all classes of male citizens, placing the men of the State, black and white, foreign and native, ignorant and educated, vicious and virtuous, all alike, above woman's head, gave her a keener sense of her abasement than she had ever felt before. But having neither press nor pulpit to advocate her cause, and fully believing this amendment would pass as a party measure, she used every means within her power to arouse and strengthen the agitation, in the face of the most determined opposition of friends and foes. Meetings were held in all the chief towns and cities in the State, and appeals and petitions scattered in every school district; these were so many reminders to the women everywhere that they too had some interest in the Constitution under which they lived, some duties to perform in deciding the future policy of the Government.

This campaign cost us the friendship of Horace Greeley and the support of the *New York Tribune*, heretofore our most powerful and faithful allies. In an earnest conversation with Mrs. Stanton and Miss Anthony, Mr. Greeley said: "This is a critical period for the Republican party and the life of the Nation. The word "white" in our Constitution at this hour has a significance which "male" has not. It would be wise and magnanimous in you to hold your claims, though just and imperative, I grant, in abeyance until the negro is safe beyond peradventure, and your turn will come next. I conjure you to remember that this is "the negro's hour," and your first duty now is to go through the State and plead his claims." "Suppose," we replied, "Horace Greeley, Henry J. Raymond and James Gordon Bennett were disfranchised; what would be thought of them, if before audiences and in leading editorials they pressed the claims of Sambo, Patrick, Hans and Yung Fung to the ballot, to be lifted above their own heads? With their intelligence, education, knowledge of the science of government, and keen appreciation of the dangers of the hour, would it not be treasonable, rather than magnanimous, for them, leaders of the metropolitan press, to give the ignorant and unskilled a power in government they did not possess themselves? To do this would be to place on board the ship of State officers and crew who knew nothing of chart or compass, of the safe pathway across the sea, and bid those who understand the laws of navigation to stand aside. No, no, this is the hour to press woman's claims; we have stood with the black man in the Constitution over half a century, and it is fitting now that the constitutional door is open that we should enter with him into the political kingdom of equality. Through all these years he has been the only decent compeer we have had. Enfranchise him, and we are left outside with lunatics, idiots and criminals for another twenty years." "Well," said Mr. Greeley, "if you persevere in your present plan, you need depend on no further help from me or the *Tribune*." And he kept his word. We have seen the negro enfranchised, and twenty long years pass away since the war, and still woman's turn has not yet come; her rights as a citizen of the United States are still unrecognized, the oft-repeated pledges of leading Republicans and Abolitionists have not been redeemed.

[Pg 270]

As soon as the Constitutional Convention was called by the Legislature of New York, Mrs. Stanton appeared before that body asking not only that the word "male" be stricken from Sec. 1, Art. 2, but that women be permitted to vote for members to that Convention, giving many precedents and learned opinions in favor of her demand. In the Assembly Chamber on the afternoon of Jan. 23, 1867, an immense audience of judges, lawyers, members of the Legislature, and ladies of fashion greeted her. On being introduced by the Hon. Chas. J. Folger,^[92] Chairman

[Pg 271]

Gentlemen of the Judiciary Committee and Members of the Legislature:

I appear before you at this time, to urge on you the justice of securing to all the people of the State the right to vote for delegates to the coming Constitutional Convention. The discussion of this right involves the consideration of the whole question of suffrage; and especially those sections of your Constitution which interpose insurmountable qualifications to its exercise. As representatives of the people, your right to regulate all that pertains to the coming Constitutional Convention is absolute. It is for you to say when and where this convention shall be held; how many delegates shall be chosen, and what classes shall be represented. This is your right. It is the opinion of many of the ablest men of the country that, in a revision of a constitution, the State is, for the time being, resolved into its original elements, and that all disfranchised classes should have a voice in such revision and be represented in such convention. To secure this to the people of the State, is clearly your duty.

Says Judge Beach Lawrence, in a letter to Hon. Charles Sumner: "A State Constitution must originate with and be assented to by a majority of the people, including as well those whom it disfranchises as those whom it invests with the suffrage." And as there is nothing in the present Constitution of the State of New York to prevent women, or black men from voting for, or being elected as delegates to a Constitutional Convention, there is no reason why the Legislature should not enact that the people elect their delegates to said Convention irrespective of sex or color. The Legislatures of 1801 and 1821 furnish you a precedent for extending to disfranchised classes the right to vote for delegates to a Constitutional Convention. Though the Constitution of the State restricted the right of suffrage to every male inhabitant who possessed a freehold to the value of £20, or rented a tenement at the yearly value of forty shillings, and had been rated and actually paid taxes to the State, the Legislatures of those years passed laws setting aside all property limitations, and providing that all men—black and white, rich and poor—should vote for delegates to said Conventions. The act recommending a convention for the purpose of considering the parts of the Constitution of this State, respecting the number of Senators and Members of Assembly—and also for the consideration of the 23d article of said Constitution, relative to the right of nomination to office—"but with no other power or authority whatsoever," passed April 6, 1801. Session Laws 1801, chap. 69, page 190, sec. 2, says:

And be it further enacted, that the number of delegates chosen shall be the same as the number of Members of Assembly from the respective cities and counties of the State, and that all free male citizens of this State, of the age of twenty-one years and upward, shall be admitted to vote for such delegates, and that any person of that description shall be eligible.

The above law was passed by the Legislature of 1801, which derived its authority from the first Constitution of the State.

[Pg 272]

The act recommending a convention of the people of this State, passed March 13, 1821. Session Laws of 1821, act 90, page 83, sec. 1. "Persons entitled to vote":

All free male citizens, of the age of twenty-one years or upward, who shall possess a freehold in this State, or who shall have been actually rated and paid taxes to this State, or who shall have been actually enrolled in the militia of this State, or in a legal, volunteer, or uniform corps, and shall have served therein either as an officer or private, or who shall have been or now are, by law, exempt from taxation or militia duty, or who shall have been assessed to work on the public roads and highways, and shall have worked thereon, or shall have paid a commutation therefor according to law, shall be allowed during the three days of such election to vote by ballot as aforesaid in the town or ward in which they shall actually reside.

Extract from Sec. 6th, Act 90:

And be it further enacted, that the number of delegates to be chosen shall be the same as the number of Members of Assembly from the respective cities and counties of this State, and that the same qualification for voters shall be required on the election for delegates, as is prescribed in the first section of this act, and none other.... And that all persons entitled to vote by this law for delegates, shall be eligible to be elected.

Extracts from the first Constitution of the State of New York, under and by virtue of which the Legislatures sat, which passed the acts of 1801 and 1821, from which the extracts above are taken. Sec. 7. Qualification of electors:

That every male inhabitant of full age, who shall have personally resided for six months within one of the counties of this State, immediately preceding the day of election, shall at such election be entitled to vote for representatives of the said county in Assembly, if during the time aforesaid, he shall have been a freeholder possessing a freehold of the value of £20, within the said county, or have rented a tenement therein of a yearly value of forty shillings, and been rated and actually paid taxes to this State.

SEC. 10. And this Convention doth further, in the name and by the authority of the good people of this State, ordain, determine, and declare that the Senate of the State of New York shall consist of twenty-four freeholders, to be chosen out of the body of the freeholders, and they be chosen by the freeholders of this State, possessed of freeholds of the value of £100 over and above all debts charged thereon.

By section 17, the qualifications for voters for Governor are made the same as those for Senators.

The laws above quoted show this striking fact: Those men, black and white, prohibited from voting for members of the Assembly, were permitted to vote for delegates to said Conventions; and more than this, on each occasion they were eligible to seats in the body called to frame the fundamental law—the fundamental law from which Governors, Senators, and Members derive their existence.

The Constitutional Convention of Rhode Island, in 1842, affords another precedent of the power of the Legislature to extend the suffrage to disfranchised classes.

The disfranchisement of any class of citizens is in express violation of the spirit of our own Constitution. Art. 1, sec. 1:

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

Now, women, and negroes not worth two hundred and fifty dollars, however weak and insignificant, are surely "members of the State." The law of the land is equality. The question of disfranchisement has never been submitted to the judgment of their peers. A peer is an equal. The "white male citizen" who so pompously parades himself in all our Codes and Constitutions, does not recognize women and negroes as his equals; therefore, his judgment in their case amounts to nothing. And women and negroes constituting a majority of the people of the State, do not recognize a "white male" minority as their rightful rulers. On our republican theory that the majority governs, women and negroes should have a voice in the government of the State; and being taxed, should be represented.

[Pg 273]

In the recent debate in the Senate of the United States, on the question of suffrage, Senator Anthony, of Rhode Island, said:

Nor is it a fair statement of the case to say, that the man represents the woman, because it is an assumption on the part of the man—it is an involuntary representation on the part of the woman. Representation implies a certain delegated power, and a certain responsibility on the part of the representative toward the party represented. A representation to which the represented party does not assent, is no representation at all; but is adding insult to injury. When the American Colonies complained that they ought not to be taxed unless they were represented in the British Parliament, it would have been rather a singular answer to tell them that they were represented by Lord North, or even by the Earl of Chatham. The gentlemen on the other side of the Chamber, who say that the States lately in rebellion are entitled to immediate representation in this Chamber, would hardly be satisfied if we should tell them that my friend from Massachusetts represented South Carolina, and my friend from Michigan represented Alabama. They would hardly be satisfied with that kind of representation. Nor have we any more right to assume that the women are satisfied with the representation of the men. Where has been the assembly at which this right of representation was conferred? Where was the compact made? It is wholly an assumption.

"White males" are the nobility of this country; they are the privileged order, who have legislated as unjustly for women and negroes as have the nobles of England for their disfranchised classes. The existence of the English House of Commons is a strong fact to prove that one class can not legislate for another. Perhaps it may be necessary, in this transition period of our civilization, to create a Lower House for women and negroes, lest the dreadful example of Massachusetts, nay, worse, should be repeated here, and women, as well as black men, take their places beside our Dutch nobility in the councils of the State. If the history of England has proved that white men of different grades can not legislate with justice for one another, how can you, Honorable Gentlemen, legislate for women and negroes, who, by your customs, creeds and codes, are placed under the ban of inferiority? If you dislike this view of the case, and claim that woman is your superior, and, therefore, you place her above all troublesome legislation, to shield her by your protecting care from the rough winds of life, I have simply to say, your statute books are a sad commentary on that position. Your laws degrade, rather than exalt woman; your customs cripple, rather than free; your system of taxation is alike ungenerous and unjust.

In demanding suffrage for the black man of the South, the dominant party recognizes the fact that as a freedman he is no longer a part of the family therefore his master is no longer his representative, and as he will now be liable to taxation, he must also have representation. Woman, on the contrary, has never been such a part of the family as to escape taxation. Although there has been no formal proclamation giving her an individual existence, unmarried women have always had the right to property and wages; to make contracts and do business in their own name. And even married women, by recent legislation in this State, have been secured in some civil rights, at least as well secured as those classes can be who do not hold the ballot in their own hands. Woman now holds a vast amount of property in the country, and pays her full proportion of taxes, revenue included; on what principle, then, do you deny her representation? If you say women are "virtually represented" by the men of their household, I give you Senator Sumner's denial, in his great speech on Equal Rights in the First Session of the 39th Congress. Quoting from James Otis, he says: "No such phrase as virtual representation was known in law or constitution. It is altogether a subtlety and illusion, wholly unfounded and absurd. We must not be cheated by any such phantom or any other fiction of law or politics, or any monkish trick of deceit or hypocrisy."

[Pg 274]

In regard to taxation without representation, Lord Coke says: "The supreme power can not take from any man any part of his property without his consent in person or by representation. Taxes are not to be laid on the people" (are not women and negroes people?) "without their consent in person or by representation. The very act of taxing those who are not represented appears to me to deprive them of one of their most essential rights as freemen, and if continued, seems to be in effect an entire disfranchisement of every civil right; for what one civil right is worth a rush, after a man's property is subject to be taken from him without his consent?" In view of such opinions, is it too much to ask the men of New York, either to enfranchise women of wealth and education, or else release them from taxation? If we can not be represented as individuals, we should not be taxed as individuals. If the "white male" will do all the voting, let him pay all the taxes. There is no logic so powerful in opening the eyes of men to their real interests as a direct appeal to their pockets. Such a release from taxation can be supported, too, by your own Constitution. In Art. 2, Sec. 1, you say, "And no person of color shall be subject to direct taxation, unless he shall be seized and possessed of such real estate as aforesaid," referring to the \$250 qualification. Now, a poor widow who owns a lot worth a hundred dollars or less, is taxed. Why this partiality to the black man? He may live in the quiet possession of \$249 worth of property, and not be taxed a cent. Is it on the ground of color or

sex, that the black man finds greater favor in the eyes of the law than the daughters of the State? In order fully to understand this partiality, I have inquired into your practice with regard to women of color. I find that in Seneca Falls there lives a highly estimable colored woman, by the name of Abby Gomore, who owns property to the amount of a thousand dollars, in village lots. She now pays, and always has paid, from the time she invested her first hundred dollars, the same taxes as any other citizen—just in proportion to the value of her property, or as it is assessed. After excluding women and "men of color" not worth \$250, from representation, your Constitution tells us what other persons are excluded from the right of suffrage. Art. 2, Sec. 2.

[Pg 275]

Laws may be passed excluding from the right of suffrage all persons who have been or may be convicted of bribery, or larceny, or of any infamous crime, and for depriving every person who shall make, or become directly or indirectly interested in any bet or wager depending upon the result of any election, from the right to vote at such election.

How humiliating! For respectable and law-abiding women and "men of color," to be thrust outside the pale of political consideration with those convicted of bribery, larceny, and infamous crime; and worse than all, with those who bet on elections—for how lost to all sense of honor must that "white male citizen" be who publicly violates a wise law to which he has himself given an intelligent consent. We are ashamed, Honored Sirs, of our company. The Mohammedan forbids a "fool, a madman, or a woman" to call the hours for prayers. If it were not for the invidious classification, we might hope it was tenderness rather than contempt that moved the Mohammedan to excuse woman from so severe a duty. But for the ballot, which falls like a flake of snow upon the sod, we can find no such excuse for New York legislators. Art. 2, Sec. 3, should be read and considered by the women of the State, as it gives them a glimpse of the modes of life and surroundings of some of the privileged classes of "white male citizens" who may go to the polls:

For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States; nor while engaged in navigating the waters of the State, or of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any alms-house or other asylum, at public expense; nor while confined in any public prison.

What an unspeakable privilege to have that precious jewel—the human soul—in a setting of *white manhood*, that thus it can pass through the prison, the asylum, the alms-house, the muddy waters of the Erie canal, and come forth undimmed to appear at the ballot-box at the earliest opportunity, there to bury its crimes, its poverty, its moral and physical deformities, all beneath the rights, privileges, and immunities of a citizen of the State. Just imagine the motley crew from the ten thousand dens of poverty and vice in our large cities, limping, raving, cringing, staggering up to the polls, while the loyal mothers of a million soldiers whose bones lay bleaching on every Southern plain, stand outside sad and silent witnesses of this wholesale desecration of republican institutions. When you say it would degrade woman to go to the polls, do you not make a sad confession of your irreligious mode of observing that most sacred right of citizenship? The ballot-box, in a republican government, should be guarded with as much love and care as was the Ark of the Lord among the Children of Israel. Here, where we have no heaven-anointed kings or priests, law must be to us a holy thing; and the ballot-box the holy of holies; for on it depends the safety and stability of our institutions. I, for one, gentlemen, am not willing to be thus represented. I claim to understand the interests of the nation better than yonder pauper in your alms-house, than the unbalanced graduate from your asylum and prison, or the popinjay of twenty-one from your seminary of learning, or the traveler on the tow-path of the Erie canal. No wonder that with such voters as Art. 2, Sec. 3 welcomes to the polls, we have these contradictory laws and constitutions. No wonder that with such voters, sex and color should be exalted above loyalty, virtue, wealth and education. I warn you, legislators of the State of New York, that you need the moral power of wise and thoughtful women in your political councils, to outweigh the incoming tide of poverty, ignorance, and vice that threatens our very existence as a nation. Have not the women of the republic an equal interest with yourselves in the government, in free institutions, in progressive ideas, and in the success of the most liberal political measures? Remember, in your last election, the republican majority in this State was only fourteen thousand, all told. If you would not see the liberal party swamped in the next Presidential campaign, treble your majority by enfranchising those classes who would support it in all just and merciful legislation....

[Pg 276]

The extension of suffrage is the political idea of our day, agitating alike the leading minds of both continents. The question of debate in the long past has been the rights of races. This, in our country, was settled by the war, when the black man was declared free and worthy to bear arms in defense of the republic, and the last remnants of aristocracy were scattered before our northern hosts like chaff in the whirlwind. We have now come to the broader idea of *individual* rights. An idea already debated ably in Congress and out, by Republicans, Democrats and Abolitionists, who, in common with the best writers and thinkers of the day the world over, base all rights of society and government on those of the individual. Each one of you has a right to everything in earth and air, on land and sea, to the whole world of thought, to all that is needful for soul and body, and there is no limit to the exercise of your rights, but in the infringement of the rights of another; and the moment you pass that limit you are on forbidden ground, you violate the law of individual life, and breed disorder and confusion in the whole social system. Where, gentlemen, did you get the right to deny the ballot to all women and black men not worth \$250? If this right of suffrage is not an individual right, from what place and body did you get it? Is this right of franchise a conventional arrangement, a privilege that society or government may grant or withhold at pleasure? In the Senate of the United States, in the recent discussion on the "bill to regulate the elective franchise in the District of Columbia," GRATZ BROWN said:

Mr. President, I say here on the floor of the American Senate, I stand for universal suffrage; and, as a matter of fundamental principle, do not recognize the right of society to limit it on any ground of race or sex. I will go farther and say, that I recognize the right of franchise as being intrinsically a natural right. I do not believe that society is authorized to impose any limitations upon it that do not spring out of the necessities of the social state itself. Sir, I have been shocked, in the course of this debate, to hear Senators declare this right only a conventional and political arrangement, a privilege yielded to you and me, and others; not a right in any

sense, only a concession! Mr. President, I do not hold my liberties by any such tenure. On the contrary, I believe that whenever you establish that doctrine; whenever you crystallize that idea in the public mind of this country, you ring the death-knell of American liberties!!

The demand we to-day make, is not the idiosyncrasy of a few discontented minds, but a universal movement. Woman is everywhere throwing off the lethargy of ages, and is already close upon you in the whole realm of thought—in art, science, literature and government. Everything heralds the dawn of the new era when moral power is to govern nations. In asking you, Honorable Gentlemen, to extend suffrage to woman, we do not press on you the risk and responsibility of a new step, but simply to try a measure that has already proved wise and safe the world over. So long as political power was absolute and hereditary, woman shared it with man by birth. In Hungary and some provinces of France and Germany, women holding this inherited right confer their right of franchise on their husbands. In 1858, in the old town of Upsal, the authorities granted the right of suffrage to fifty women holding real estate, and to thirty-one doing business in their own name. The representative their votes elected was to sit in the House of Burgesses. In Ireland, the Court of Queen's Bench, Dublin, restored to women, in 1864, the old right of voting for town commissioners. In 1864, too, the government of Moravia decided that all women who are tax-payers had the right to vote. In Canada, in 1850, an electoral privilege was conferred on women, in the hope that the Protestant might balance the Roman Catholic power in the school system. "I lived," says a friend of mine, "where I saw this right exercised for four years by female property holders, and never heard the most cultivated man, even Lord Elgin, object to its results." Women vote in Austria, Australia, Holland and Sweden, on property qualifications. There is a bill now before the British Parliament, presented by John Stuart Mill, asking for household suffrage, accompanied by a petition from eleven thousand of the best educated women in England.

[Pg 277]

Would you be willing to admit, gentlemen, that women know less, have less virtue, less pride and dignity of character under Republican institutions than in the despotisms and monarchies of the old world? Your Codes and Constitutions savor of such an opinion. Fortunately, history furnishes a few saving facts, even under our Republican institutions. From a recent examination of the archives of the State of New Jersey we learn that, owing to a liberal Quaker influence, women and negroes exercised the right of suffrage in that State thirty-one years—from 1776 to 1807—when "white males" ignored the constitution, and arbitrarily assumed the reins of government. This act of injustice is sufficient to account for the moral darkness that seems to have settled down upon that unhappy State. During the dynasty of women and negroes, does history record any social revolution peculiar to that period? Because women voted there, was the institution of marriage annulled, the sanctity of home invaded, cradles annihilated, and the stockings, like Governor Marcy's pantaloons, mended by the State? Did the men of that period become mere satellites of the dinner-pot, the wash-tub, or the spinning-wheel? Were they dwarfed and crippled in body and soul, while their enfranchised wives and mothers became giants in stature and intellect? Did the children, fully armed and equipped for the battle of life, spring, Minerva-like, from the brains of their fathers? Were the laws of nature suspended? Did the sexes change places? Was everything turned upside down? No, life went on as smoothly in New Jersey as in any other State in the Union. And the fact that women did vote there, created so slight a ripple on the popular wave, and made so ordinary a page in history, that probably nine-tenths of the people of this country never heard of its existence, until recent discussions in the United States Senate brought out the facts of the case. In Kansas, women vote for school officers and are themselves eligible to the office of trustee. There is a resolution now before the Legislature of Ohio to strike the words "white male" from the Constitution of that State. The Hon. Mr. Noel, of Missouri, has presented a bill in the House of Representatives to extend suffrage to the women of the District of Columbia.

[Pg 278]

I think, Honorable Gentlemen, I have given you facts enough to show that you need not hesitate to give the ballot to the women of New York, on the ground that it is a new thing; for, as you see, the right has long ago been exercised by certain classes of women in many countries. And if it were a new thing, and had never been heard of before, that would be no argument against the experiment. Had the world never done a new thing, Columbus would not have discovered this country, nor the ocean telegraph brought our old enemy—Great Britain—within friendly speaking distance. When it was proposed to end slavery in this country, croakers and conservatives protested because it was a new thing, and must of necessity produce a social convulsion. When it was proposed to give woman her rights of property in this State, the same classes opposed that on the same ground; but the spirit of the age carried both measures over their heads and "nobody was hurt."

You Republicans can not oppose our demand on that ground, for your present party-cry "negro suffrage" is a new thing, and startling too, in the ears of the Southern States, and a very inconsistent thing, so long as the \$250 qualification remains in your Constitution. "If you would know your faults," says Cicero, "ask your enemies." Hear his Excellency Andrew Johnson, in his veto on the District of Columbia Bill; he says: "It hardly seems consistent with the principles of right and justice, that representatives of States where suffrage is either denied the colored man or granted to him on qualifications requiring intelligence or property, should compel the people of the District of Columbia to try an experiment which their constituents have thus far shown an unwillingness to try for themselves." Senator Sumner, a leading radical, expresses the same opinion. In the debate on the admission of Nebraska, he says: "When we demand equal rights of the Southern States, we must not be so inconsistent as to admit any new State with a constitution disfranchising citizens on account of color. Congress must be itself just, if it would recommend it to others. Reconstruction must begin at home." Consistency is a jewel. Every thoughtful person must see that Northern representatives are in no condition to reconstruct the South until their own State Constitutions are purged of all invidious distinctions among their citizens. As the fountain rises no higher than its source, how can New York press on South Carolina a civilization she has never tried herself. But say you, we can coerce the South to do what we have no right to force on a loyal State. Has not each State a right to amend her own Constitution and establish a genuine republic within her own boundaries? "Let each man mend one," says the old proverb, "and the world is mended." Let each State bring its own Constitution into harmony with the Federal Constitution, and the Union will be a republic.

We are soon to hold a convention to revise the Constitution of the State of New York; and it is the

duty of the people to insist that it be so amended as to make all its citizens equal before the law. Could the Empire State now take the lead in making herself a genuine republic, all the States would, in time, follow her example, and the problem of reconstruction be thus settled to the satisfaction of all. Example is more powerful than precept in all cases. Were our constitutions free from all class distinctions, with what power our representatives could now press their example on the Southern States. Is there anything more rasping to a proud spirit than to be rebuked for shortcomings by those who are themselves guilty of the grossest violations of law and justice? Does the North think it absurd for its women to vote and hold office, the South thinks the same of its negroes. Does the North consider its women a part of the family to be represented by the "white male citizen," so views the South her negroes. And thus viewing them, the South has never taxed her slaves; but our chivalry never fails to send its tax-gatherers to the poorest widow that owns a homestead. Would you press impartial suffrage on the South, recognize it first at home. Would you have Congress do its duty in the coming session, let the action of every State Legislature teach it what that duty is. The work of this hour is a broader one than the reconstruction of the Rebel States. It is the lifting of the entire nation into higher ideas of justice and equality. It is the realization of what the world has never yet seen, a GENUINE REPUBLIC.

As the ballot is the key to reconstruction, a right knowledge of its use and power is the first step in the work before us. Hence, the consideration of the question of suffrage is the duty of every American citizen.

The legal disabilities to the exercise of suffrage (for persons of sound mind and body) in the several States, are five—age, color, sex, property and education. As age depends on a fixed law, beyond the control of fallible man, viz., the revolution of the earth around the sun, it must be impartial, for, *nolens volens*, all men must revolve with their native planet; and as no Republican or Democratic majority can make the earth stand still, even for a Presidential campaign, they must in time perform that journey often enough to become legal voters. As the right to the ballot is not based on intelligence, it matters not that some boys of eighteen do know more than some men of thirty. Inasmuch as boys are not bound by any contract—except marriage—can not sell a horse, or piece of land, or be sued for debt until they are twenty-one, this qualification of age seems to be in harmony with the laws of the land, and based on common sense.

As to color and sex, neither time, money or education can make black white, or woman man; therefore such insurmountable qualifications, not to be tolerated in a republican government, are unworthy our serious consideration. "Qualifications," says Senator Sumner, "can not be in their nature permanent or insurmountable. Color can not be a qualification any more than size, or quality of the hair. A permanent or insurmountable qualification is equivalent to a deprivation of the suffrage. In other words, it is the tyranny of taxation without representation; and this tyranny, I insist, is not intrusted to any State in the Union."

As to property and education, there are some plausible arguments in favor of such qualifications, but they are all alike unsatisfactory, illogical and unjust. A limited suffrage creates a privileged class, and is based on the false idea that government is the natural arbiter of its citizens, while in fact it is the creature of their will. In the old days of the colonies when the property qualification was five pounds—that being just the price of a jackass—Benjamin Franklin facetiously asked, "If a man must own a jackass in order to vote, who does the voting, the man or the jackass?" If reading and money-making were a sure gauge of character, if intelligence and virtue were twin sisters, these qualifications might do; but such is not the case. In our late war black men were loyal, generous and heroic without the alphabet or multiplication table, while men of wealth, educated by the nation, graduates of West Point, were false to their country and traitors to their flag. There was a time in England's history, when the House of Lords even, could neither read nor write. Before the art of printing, were all men fools? Were the Apostles and martyrs worth \$250? The early Christians, the children of art, science and literature, have in all ages struggled with poverty, while they blessed the world with their inspirations. The Hero of Judea had not where to lay His head!! As capital has ever ground labor to the dust, is it just and generous to disfranchise the poor and ignorant because they are so? If a man can not read, give him the ballot, it is schoolmaster. If he does not own a dollar give him the ballot, it is the key to wealth and power. Says Lamartine, "universal suffrage is the first truth and only basis of every national republic." "The ballot," says Senator Sumner, "is the columbiad of our political life, and every citizen who has it is a full-armed monitor."

But while such grand truths are uttered in the ears of the world, by an infamous amendment of the Federal Constitution, the people have sanctioned the disfranchisement of a majority of the loyal citizens of the nation. With sorrow we learn that the Legislature of New York has ratified this change of the Constitution.

Happily for the cause of freedom, the organization we represent here to-day, "THE AMERICAN EQUAL RIGHTS ASSOCIATION," has registered its protest in the archives of the State against this desecration of the last will and testament of the Fathers. It was a mistake for you to confirm to-day what Congress proposed a year ago. Recent debates in the Senate show a hearty repentance for their past action, and an entire revolution in their opinions on this whole question. It was gratifying to find in the discussion of the District Franchise Bill, how unanimously the Senate favored the extension of suffrage. The thanks of the women of the Nation are especially due to Senator Cowan for his motion to strike out the word "male," and to the nine distinguished Senators who voted for his amendment. It was pleasant to see into what fraternal relations this question at once brought all opposing elements. The very able and exhaustive manner in which both Republicans and Democrats pressed their claims to the ballot, through two entire sessions of the Senate, is most encouraging to the advocates of the political rights of women.

In view of this liberal discussion in the Senate, and the recent action of Congress on the Territories, it is rather singular that our Republican Governor, in referring to the Constitutional Convention in his late message, while recommending consideration of many minor matters, should have failed to call attention to Art. 2d, Sec. 1, of the Constitution, which denies the fundamental rights of citizenship. As the executive head of the party in this State whose political capital is "negro

suffrage," it would have been highly proper for our worthy Governor to have given his opinion on that odious \$250 clause in the Constitution. No doubt our judiciary, our criminal legislation, our city governments need reforming; our railroads, prisons and schools need attention; but all these are of minor consideration to the personal and property rights of the man himself. Said Lalor Shiels, in the House of Commons, "strike the Constitution to the center and the lawyer sleeps in his closet. But touch the cobwebs in Westminster Hall and the spiders start from their hiding places."

I have called your attention, gentlemen, to some of the flaws in your Constitution that you may see that there is more important work to be done in the coming Convention than any to which Governor Fenton has referred in his message. I would also call your attention to the fact, that while His Excellency suggests the number of delegates at large to be chosen by the two political parties, he makes no provision for the representatives of women and "men of color" not worth \$250. I would, therefore, suggest to your honorable body that you provide for the election of an equal number of delegates at large from the disfranchised classes. But a response to our present demand does not legitimately thrust on you the final consideration of the whole broad question of suffrage, on which many of you may be unprepared to give an opinion. The simple point we now press is this: that in a revision of our Constitution, when the State is, as it were, resolved into its original elements, ALL THE PEOPLE should be represented in the Convention which is to enact the laws by which they are to be governed the next twenty years. Women and negroes, being seven-twelfths of the people, are a majority; and according to our republican theory, are the rightful rulers of the nation. In this view of the case, honorable gentlemen, is it not a very unpretending demand we make, that we shall vote once in twenty years in revising and amending our State Constitution?

But, say you, the majority of women do not make the demand. Grant it. What then? When you proclaimed emancipation, did you go to slaveholders and ask if a majority of them were in favor of freeing their slaves? When you ring the changes on "negro suffrage" from Maine to California, have you proof positive that a majority of the freedmen demand the ballot? On the contrary, knowing that the very existence of republican institutions depends on the virtue, education and equality of the people, did you not, as wise statesmen, legislate in all these cases for the highest good of the individual and the nation? We ask that the same far-seeing wisdom may guide your decision on the question now before you. Remember, the gay and fashionable throng who whisper in the ears of statesmen, judges, lawyers, merchants, "*We have all the rights we want*," are but the mummies of civilization, to be brought back to life only by earthquakes and revolutions. Would you know what is in the soul of woman, ask not the wives and daughters of merchant princes; but the creators of wealth—those who earn their bread by honest toil—those who, by a turn in the wheel of fortune, stand face to face with the stern realities of life.

"If you would enslave a people," says Cicero, "first, through ease and luxury, make them effeminate." When you subsidize labor to your selfish interests, there is ever a healthy resistance. But, when you exalt weakness and imbecility above your heads, give it an imaginary realm of power, illimitable, unmeasured, unrecognized, you have founded a throne for woman on pride, selfishness and complacency, before which you may well stand appalled. In banishing Madame De Stael from Paris, the Emperor Napoleon, even, bowed to the power of that scepter which rules the world of fashion. The most insidious enemy to our republican institutions, at this hour, is found in the aristocracy of our women. The ballot-box, that great leveler among men, is beneath their dignity. "*They have all the rights they want*." So, in his spiritual supremacy, has the Pope of Rome! But what of the multitude outside the Vatican!!!

This speech was published in full by the Metropolitan press and many of the leading journals^[93] of the State, with fair editorial comments.

On June 4th, 1867, the Constitutional Convention assembled in Albany, and on the 10th Mr. Graves of Herkimer, moved "that a committee of five be appointed by the chair to report at an early day whether the Convention should provide that when a majority of women voted that they wanted the right of suffrage, they should have it," and on the 19th the President, William A. Wheeler, appointed the committee^[94] on the "right of suffrage, and the qualifications for holding office."

The first petition brought before the committee in favor of suffrage for women was presented by George William Curtis, of Richmond Co., sent by the friends of Human Progress from their Annual meeting at Waterloo.

Martin I. Townsend next presented a petition from William Johnson, Chairman of the "Colored Men's State Committee," praying for "equal manhood suffrage." Similar petitions, without any concert of action between the parties, were presented simultaneously whenever any discussion arose on the suffrage question. But in this Convention the demands made by the women were more pressing and multitudinous.

MR. GRAVES, June 21st, 1867, moved to take up his resolution, "That a committee of five be appointed by the chair to report to the convention at as early a day as possible, whether, in their opinion, a provision should be incorporated in the Constitution authorizing the women in this State to exercise the elective franchise, when they shall ask that right by a majority of all the votes given by female citizens over twenty-one years of age, at an election called for that purpose, at which women alone shall have the right to vote."

MR. GRAVES said:—Mr. President. I do not desire at this time to discuss the merits of the resolution; but allow me to suggest that there are four classes of persons interested in the questions involved in it. The first class is what is opprobriously known as "strong-minded women," who claim the right to vote upon the ground that they are interested and identified with ourselves in the stability and permanency of our institutions, and that their property is made liable for the maintenance of our Government, while they have no right to choose the law-makers or select the persons who are to assess the value of their property liable to taxation. They claim that they are not untaught in the

science of government to which the right of administration is denied to them.

The second class includes both males and females who sympathize with the first class, and who claim that there is no disparity in the intellect of men and women, when an equal opportunity is afforded by education for progress and advancement. They also claim that our country is diminishing all the time in moral integrity and virtue, and ask that a new element be introduced into our governmental affairs by which crime shall be lessened and the estimate of moral virtue be made higher.

The third class urges that there should be no distinction between males and females in the exercise of the elective franchise, and they claim that it is anti-democratic that there should be a minority in this country to rule its destinies.

There is a fourth class who believe that the right to exercise the elective franchise is not inherent, but permissive, and that the people are the Government, and that this power of the elective franchise is under their immediate control, and they claim the right to become part and parcel of the Government which they help to support and maintain.

Now these four classes, differing in opinion upon this great question, constitute a very large body of worthy, high-minded, and intelligent men and women of this State who have long sought to enlarge the elective franchise, and they claim the deliberate consideration of this body upon the ground of equality, as their innumerable petitions^[95] to this Convention fully show. This resolution gives to women themselves the power of discussing and comparing of minds to settle the question whether they will avail themselves of the desired right to exercise the power of voting. And as it differs from all other questions which have originated here with reference to this right of women to vote, I submit it is a proper resolution to be referred to a select committee to be appointed for that purpose.

[Pg 284]

Mr. Graves' resolution was referred to the Committee on Suffrage.

June 27th Mrs. Stanton and Miss Anthony were granted a hearing^[96] before the Convention, and at the close of their addresses were asked by different members to reply to various objections that readily suggested themselves. Among others, Mr. Greeley said: "Ladies, you will please remember that the bullet and ballot go together. If you vote, are you ready to fight?" "Certainly," was the prompt reply. "We are ready to fight, sir, just as you fought in the late war, by sending our substitutes." The colloquy between the members and the ladies, prolonged until a late hour, was both spicy and instructive.^[97] On the 10th of July a hearing was granted to Lucy Stone,^[98] which called out deep interest and consideration from the members of that body. Later still, George Francis Train^[99] was most cordially received by the Convention.

[Pg 285]

C. C. DWIGHT, June 26th, offered a resolution that "The Standing Committee on the Right of Suffrage be instructed to provide for women to vote as to whether they wanted the right to vote after the adoption of the New Constitution.

Mr. MERRITT, July 11th, moved that "The question of Woman Suffrage be submitted at the election of 1868 or 1869. Referred to the Committee of the Whole.

Horace Greeley, Chairman of the Committee, in his report, after recommending universal "manhood suffrage," said:

Having thus briefly set forth the considerations which seem to us decisive in favor of the few and moderate changes proposed, we proceed to indicate our controlling reasons for declining to recommend other and in some respects more important innovations. Your committee does not recommend an extension of the elective franchise to women. However defensible in theory, we are satisfied that public sentiment does not demand and would not sustain an innovation so revolutionary and sweeping, so openly at war with a distribution of duties and functions between the sexes as venerable and pervading as government itself, and involving transformations so radical in social and domestic life. Should we prove to be in error on this head, the Convention may overrule us by changing a few words in the first section of our proposed article.

Nor have we seen fit to propose the enfranchisement of boys above the age of eighteen years. The current ideas and usages in our day, but especially in this country, seem already to set too strongly in favor of the relaxation, if not total overthrow of parental authority, especially over half-grown boys. With the sincerest good-will for the class in question, we submit that they may spend the hours which they can spare from their labors and their lessons more usefully and profitably in mastering the wisdom of the sages and philosophers who have elucidated the science of government, than in attendance on midnight caucuses, or in wrangling around the polls.

ALBANY, June 28, 1867.

HORACE GREELEY, *Chairman*, WM. H. MERRILL,
LESLIE W. RUSSELL, GEO. WILLIAMS.

Mr. Cassidy presented a minority report urging a separate submission of the question of negro suffrage, in which he said:

If the regeneration of political society is to be sought in the incorporation of this element into the constituency, it must be done by the direct and explicit vote of the electors. We are foreclosed from any other course by the repeated action^[100] of the State.... It would be unfair to the people to declare that whereas they have again and again refused to accept this change, therefore we will incorporate it into the Constitution, and compel them either to repeal that instrument, or to accept this measure.... As to the extension of suffrage to women, the undersigned reserve, for the present, any expression of opinion.

[Pg 286]

WILLIAM CASSIDY,

The petitions^[101] for woman suffrage were presented in the Convention until they reached in round numbers 20,000. The morning Mr. Greeley gave his report the galleries were crowded with ladies, and every member present, Democrat as well as Republican, was supplied with a petition. As it had been rumored about that Mr. Greeley's report would be against suffrage for women, the Democrats entered with great zest into the presentation. George William Curtis, at the special request^[102] of the ladies, reserved his for the last, and when he arose and said: "Mr. President, I hold in my hand a petition from Mrs. Horace Greeley and three hundred other women citizens of Westchester, asking that the word 'male' be stricken from the Constitution," the sensation throughout the house was as profound as unexpected. Mr. Greeley's chagrin was only equaled by the amusement of the other members, and of the ladies in the gallery. As he arose to read his report, it being the next thing in order, he was evidently embarrassed in view of such a flood of petitions from all parts of the State; from his own wife, and most of the ladies in his immediate social circle, by seeming to antagonize the measure.

[Pg 287]

After Mr. Greeley's report, Mr. Graves made several efforts to get his resolution adopted in time for the women to vote upon it in the spring of 1868. Mr. Weed, of Clinton, also desired that the vote for the measure should consist of the majority of the women of the State. The great event of the Convention was the speech of George William Curtis on the report of the "Committee on the right of suffrage and the qualifications to hold office."

[Pg 288]

GEORGE WILLIAM CURTIS offered the following amendment:^[103]

"In the first section, strike out the word 'man'; and wherever in that section the word 'he' occurs, add 'or she'; and wherever the word 'his' occurs, add 'or her.'"

Mr. CURTIS said: In proposing a change so new to our political practice, but so harmonious with the spirit and principles of our Government, it is only just that I should attempt to show that it is neither repugnant to reason nor hurtful to the State. Yet I confess some embarrassment; for, while the essential reason of the proposition seems to me to be clearly defined, the objection to it is vague and shadowy. From the formal opening of the general discussion of the question in this country, by the Convention at Seneca Falls in 1848, down to the present moment, the opposition to the suggestion, so far as I am acquainted with it, has been only the repetition of a traditional prejudice, or the protest of mere sentimentality; and to cope with these is like wrestling with a malaria, or arguing with the east wind. I do not know, indeed, why the Committee have changed the phrase "male inhabitant or citizen," which is uniformly used in a constitutional clause limiting the elective franchise. Under the circumstances, the word "man" is obscure, and undoubtedly includes women as much as the word "mankind." But the intention of the clause is evident, and the report of the Committee makes it indisputable. Had they been willing to say directly what they say indirectly, the eighth line and what follows would read, "Provided that idiots, lunatics, persons under guardianship, felons, women, and persons convicted of bribery, etc., shall not be entitled to vote." In their report, the Committee omit to tell us why they politically class the women of New York with idiots and criminals. They assert merely that the general enfranchisement of women would be a novelty, which is true of every step of political progress, and is therefore a presumption in its favor; and they speak of it in a phrase which is intended to stigmatize it as unwomanly, which is simply an assumption and a prejudice. I wish to know, sir, and I ask in the name of the political justice and consistency of this State, why it is that half of the adult population, as vitally interested in good government as the other half, who own property, manage estates, and pay taxes, who discharge all the duties of good citizens, and are perfectly intelligent and capable, are absolutely deprived of political power, and classed with lunatics and felons. The boy will become a man and a voter; the lunatic may emerge from the cloud and resume his rights; the idiot, plastic under the tender hand of modern science, may be moulded into the full citizen; the criminal, whose hand still drips with the blood of his country and of liberty, may be pardoned and restored; but no age, no wisdom, no peculiar fitness, no public service, no effort, no desire, can remove from woman this enormous and extraordinary disability. Upon what reasonable grounds does it rest? Upon none whatever. It is contrary to natural justice, to the acknowledged and traditional principles of the American Government, and to the most enlightened political philosophy. The absolute exclusion of women from political power in this State is simply usurpation. "In every age and country," says the historian Gibbon, nearly a hundred years ago, "the wiser or at least the stronger of the two sexes has usurped the powers of the State, and confined the other to the cares and pleasures of domestic life."

[Pg 289]

The historical fact is that the usurping class, as Gibbon calls them, have always regulated the position of women by their own theories and convenience. The barbaric Persian, for instance, punished an insult to the woman with death, not because of her but of himself. She was part of him. And the civilized English Blackstone only repeats the barbaric Persian when he says that the wife and husband form but one person—that is the husband. Sir, it would be extremely amusing, if it were not tragical, to trace the consequences of this theory on human society and the unhappy effect upon the progress of civilization of this morbid estimate of the importance of men. Gibbon gives a curious instance of it, and an instance which recalls the spirit of the modern English laws of divorce. There was a temple in Rome to the goddess who presided over the peace of marriages. "But," says the historian, "her very name, Viriplaca—the appeaser of husbands—shows that repentance and submission were always expected from the wife," as if the offense usually came from her. In the "Lawe's resolution of Women's Rights," published in the year 1632, a book which I have not seen, but of which there are copies in the country, the anonymous and quaint author says, and with a sly satire: "It is true that man and woman are one person, but understand in what manner. When a small brooke or little river incorporateth with Rhodanus, Humber, or the Thames, the poor rivulet looseth her name; it is carried and recarried with the new associate—it beareth no sway—it possesseth nothing during coverture. A woman as soon as she is married is called *covert*—in Latine, *nupta*—that is, veiled; as it were overclouded and shadowed; she hath lost her streame. I may more truly, farre away, say to a married woman, her new self is her superior; her companion her master.... See here the reason of that which I touched before—that women have no voice in

Parliament; they make no laws; they consent to none; they abrogate none. All of them are understood either married or to be married, and their desires are to their husbands."

From this theory of ancient society, that woman is absorbed in man; that she is a social inferior and a subordinate part of man; springs the system of laws in regard to women which in every civilized country is now in course of such rapid modification, and it is this theory which so tenaciously lingers as a traditional prejudice in our political customs. But a State which, like New York, recognizes the equal individual rights of all its members, declaring that none of them shall be disfranchised unless by the law of the land or the judgment of his peers, and which acknowledges women as property-holders and taxable, responsible citizens, has wholly renounced the old Feudal and Pagan theory, and has no right to continue the evil condition which springs from it. The honorable and eloquent gentleman from Onondaga said that he favored every enlargement of the franchise consistent with the safety of the State. Sir, I heartily agree with him, and it was the duty of the Committee in proposing to continue the exclusion of women, to show that it is necessary to the welfare and safety of the State that the whole sex shall be disfranchised. It is in vain for the Committee to say that I ask for an enlargement of the franchise and must, therefore, show the reason. Sir, I show the reason upon which this franchise itself rests, and which, in its very nature, forbids arbitrary exclusion; and I urge the enfranchisement of women on the ground that whatever political rights men have women have equally.

[Pg 290]

I have no wish to refine curiously upon the origin of government. If any one insists, with the honorable gentleman from Broome, that there are no such things as natural political rights, and that no man is born a voter, I will not now stop to argue with him; but as I believe the honorable gentleman from Broome is by profession a physician and surgeon, I will suggest to him that if no man is born a voter, so no man is born a man, for every man is born a baby. But he is born with the right of becoming a man without hindrance; and I ask the honorable gentleman, as an American citizen and political philosopher, whether, if every man is not born a voter, he is not born with the right of becoming a voter upon equal terms with other men? What else is the meaning of the phrase which I find in the New York *Tribune* of Monday, and have so often found there, "The radical basis of government is equal rights for all citizens." There are, as I think we shall all admit, some kinds of natural rights. This summer air that breathes benignant around our national anniversary, is vocal with the traditional eloquence with which those rights were asserted by our fathers. From all the burning words of the time, I quote those of Alexander Hamilton, of New York, in reply, as my honorable friend the Chairman of the Committee will remember, to the Tory farmer of Westchester: "The sacred rights of mankind are not to be rummaged for among old parchments or dusty records. They are written as with a sunbeam in the whole volume of human nature by the hand of the Divinity itself, and can never be erased or obscured by mortal power." In the next year, Thomas Jefferson, of Virginia, summed up the political faith of our fathers in the Great Declaration. Its words vibrate through the history of those days. As the lyre of Amphion raised the walls of the city, so they are the music which sing course after course of the ascending structure of American civilization into its place. Our fathers stood indeed upon technical and legal grounds when the contest with Great Britain began, but as tyranny encroached they rose naturally into the sphere of fundamental truths as into a purer air. Driven by storms beyond sight of land, the sailor steers by the stars; and our fathers, compelled to explore the whole subject of social rights and duties, derived their government from what they called self-evident truths. Despite the brilliant and vehement eloquence of Mr. Choate, they did not deal in glittering generalities, and the Declaration of Independence was not the passionate manifesto of a revolutionary war, but the calm and simple statement of a new political philosophy and practice.

The rights which they declared to be inalienable are indeed what are usually called natural, as distinguished from political rights, but they are not limited by sex. A woman has the same right to her life, liberty and property that a man has, and she has consequently the same right to an equality of protection that he has; and this, as I understand it, is what is meant by the phrase, the right of suffrage. If I have a natural right to that hand, I have an equal natural right to everything that secures to me its use, provided it does not harm the equal right of another; and if I have a natural right to my life and liberty, I have the same right to everything that protects that life and liberty which any other man enjoys. I should like my honorable friend, the Chairman of this Committee, to show me any right which God gave him, which he also gave to me, for which God gave him a claim to any defense which He has not given to me. And I ask the same question for every woman in this State. Have they less natural right to life, liberty, and property than my honorable friend the Chairman of the Committee; and is it not, to quote the words of his report, an extremely "defensible theory" that he can not justly deprive the least of those women of any protection of those rights which he claims for himself? No, sir, the natural, or what we call civil right, and its political defense, go together. This was the impregnable logic of the Revolution. Lord Gower sneered in Parliament at the American Colonists a century ago, as Mr. Robert Lowe sneers at the English Reformers to-day: "Let the Americans talk about their natural and divine rights.... I am for enforcing these measures." Dr. Johnson bellowed across the Atlantic, "Taxation, no Tyranny." James Otis spoke for America, for common sense, and for eternal justice, in saying, "No good reason, however, can be given in any country, why every man of a sound mind should not have his vote in the election of a representative. If a man has but little property to protect and defend, yet his life and liberty are things of some importance." And long before James Otis, Lord Somers said to a committee of the House of Commons, that the possession of the vote is the only true security which an Englishman has for the possession of his life and property.

[Pg 291]

Every person, then, is born with an equal claim to every kind of protection of his natural rights which any other person enjoys. The practical question, therefore, is how shall this protection be best attained? and this is the question of government which, according to the Declaration, is established for the security of these rights. The British theory was that they could be better secured by an intelligent few than by the ignorant and passionate multitude. Goldsmith expressed it in singing:

"For just experience shows in ever soil,
That those who think must govern those who toil."

But nobody denies that the government of the best is the best government; the only question is how

to find the best, and common sense replies:

"The good, 'tis true, are heaven's peculiar care;
But who but heaven shall show us who they are?"

Our fathers answered the question of the best and surest protection of natural right by their famous phrase, "the consent of the governed." That is to say, since every man is born with equal natural rights, he is entitled to an equal protection of them with all other men; and since government is that protection, right reason and experience alike demand that every person shall have a voice in the government upon perfectly equal and practicable terms; that is, upon terms which are not necessarily and absolutely insurmountable by any part of the people.

[Pg 292]

Now these terms can not rightfully be arbitrary. But the argument of the honorable gentleman from Schenectady, whose lucid and dignified discourse needs no praise of mine, and the arguments of others who have derived government from society, seemed to assume that the political people may exclude and include at their pleasure; that they may establish purely arbitrary tests, such as height, or weight, or color, or sex. This was substantially the squatter sovereignty of Mr. Douglas, who held that the male white majority of the settlers in a territory might deprive a colored minority of all their rights whatever; and he declared that they had the right to do it. The same right that this Convention has to hang me at this moment to that chandelier, but no other right. Brute force, sir, may do anything; but we are speaking of rights, and of rights under this Government, and I deny that the people of the State of New York can rightfully, that is, according to right reason and the principles of this Government derived from it, permanently exclude any class of persons or any person whatever from a voice in the Government, unless it can be clearly established that their participation in political power would be dangerous to the State; and, therefore, the honorable gentleman from Kings was logically correct in opposing the enfranchisement of the colored population, upon the ground that they were an inferior race, of limited intelligence, a kind of Chimpanzee at best. I think, however, sir, the honorable and scholarly gentleman—even he—will admit, that at Pillow, at Milliken's Bend, at Fort Wagner, the Chimpanzees did uncommonly well; yes, sir, as gloriously and immortally as our own fathers at Bunker Hill and Saratoga. "There ought to be no pariahs," says John Stuart Mill, "in a full grown and civilized nation; no persons disqualified except through their own default.... Every one is degraded, whether aware of it or not, when other people, without consulting him, take upon themselves unlimited power to regulate his destiny." "No arrangement of the suffrage, therefore, can be permanently satisfactory in which any person or class is peremptorily excluded; in which the electoral privilege is not open to all persons of full age who desire it." (Rep. G., p. 167.) And Thomas Hare, one of the acutest of living political thinkers, says that in all cases where a woman fulfills the qualification which is imposed upon a man, "there is no sound reason for excluding her from the parliamentary franchise. The exclusion is probably a remnant of the feudal law, and is not in harmony with the other civil institutions of the country. There would be great propriety in celebrating a reign which has been productive of so much moral benefit by the abolition of an anomaly which is so entirely without any justifiable foundation." (Hare, p. 280.)

The Chairman of the Committee asked Miss Anthony, the other evening, whether, if suffrage was a natural right, it could be denied to children. Her answer seemed to me perfectly satisfactory. She said simply, "All that we ask is an equal and not an arbitrary regulation. If *you* have the right, *we* have it." The honorable Chairman would hardly deny that to regulate the exercise of a right according to obvious reason and experience is one thing, to deny it absolutely and forever is another. And this is the safe practical rule of our government, as James Madison expressed it, that "it be derived from the great body of the people, not from an inconsiderable portion or favored class of it." When Mr. Gladstone, in his famous speech that startled England, said in effect, that no one could be justly excluded from the franchise, except upon grounds of personal unfitness or public danger, he merely echoed the sentiment of Joseph Warren, which is gradually seen to be the wisest and most practical political philosophy: "I would have such a government as should give every man the greatest liberty to do what he chooses, consistent with restraining him from doing any injury to another." Is not that the kind of government, sir, which we wish to propose for this State? And if every person in New York has a natural right to life, liberty, and property, and a co-existent claim to a share in the government which defends them, regulated only by perfectly equitable conditions, what are the practical grounds upon which it is proposed to continue the absolute and hopeless disfranchisement of half the adult population?

[Pg 293]

It is alleged that women are already represented by men? Where are they so represented? and when was the choice made? If I am told that they are virtually represented, I reply, with James Otis, that "no such phrase as virtual representation is known in law or Constitution. It is altogether a subtlety and illusion, wholly unfounded and absurd." I repeat, if they are represented, when was the choice made? Nobody pretends that they have ever been consulted. It is a mere assumption to the effect that the interest and affection of men will lead them to just and wise legislation for women as well as for themselves. But this is merely the old appeal for the political power of a class. It is just what the British parliament said to the colonies a hundred years ago. "We are all under the same government," they said: "Our interests are identical; we are all Britons; Britannia rules the wave; God save the King! and down with sedition and the Sons of Liberty!" The colonies chafed and indignantly protested, because the assumption that therefore fair laws were made was not true; because they were discovering for themselves what every nation has discovered—the truth that shakes England to-day, and brings Disraeli and the Tory party to their knees, and has already brought this country to blood—that there is no class of citizens, and no single citizen, who can safely be intrusted with the permanent and exclusive possession of political power. "There is no instance on record," says Buckle, in his history of civilization in England, "of any class possessing power without abusing it." It is as true of men as a class as it is of an hereditary nobility, or of a class of property-holders. Men are not wise enough, nor generous enough, nor pure enough, to legislate fairly for women. The laws of the most civilized nations depress and degrade women. The legislation is in favor of the legislating class. In the celebrated debate upon the Marriage Amendment Act in England, Mr. Gladstone said that "when the gospel came into the world woman was elevated to an equality with her stronger companion." Yet, at the very time he was speaking, the English law of divorce, made by men to regulate their domestic relations with women, was denounced by the law

lords themselves as "disgusting and demoralizing" in its operation, "barbarous," "indecent," "a disgrace to the country," and "shocking to the sense of right." Now, if the equality of which Mr. Gladstone spoke had been political as well as sentimental, does he or any statesman suppose that the law of divorce would have been what it then was, or that the law of England to-day would give all the earnings of a married woman to her husband, or that of France forbid a woman to receive any gift without her husband's permission?

We ask women to confide in us, as having the same interests with them. Did any despot ever say anything else? And, if it be safe or proper for any intelligent part of the people to relinquish exclusive political power to any class, I ask the Committee, who proposed that women should be compelled to do this? To what class, however rich, or intelligent, or honest, they would themselves surrender *their* power? and what they would do if any class attempted to usurp that power? They know, as we all know, as our own experience has taught us, that the only security of natural right is the ballot. They know, and the instinct of the whole loyal land knows, that, when we had abolished slavery, the emancipation could be completed and secured only by the ballot in the hands of the emancipated class. Civil rights were a mere mocking name until political power gave them substance. A year ago, Gov. Orr of South Carolina told us that the rights of the freedmen were safest in the hands of their old masters. "Will you walk into my parlor, said the spider to the fly?" New Orleans, Memphis, and countless and constant crimes, showed what that safety was. Then, hesitating no longer, the nation handed the ballot to the freedmen, and said, "Protect yourselves!" And now Gov. Orr says that the part of wisdom for South Carolina is to cut loose from all parties, and make a cordial alliance with the colored citizens. Gov. Orr knows that a man with civil rights merely is a blank cartridge. Give him the ballot, and you add a bullet, and make him effective. In that section of the country, seething with old hatreds and wounded pride, and a social system upheaved from the foundation, no other measure could have done for real pacification in a century what the mere promise of the ballot has done in a year. The one formidable peril in the whole subject of reconstruction has been the chance that Congress would continue in the Southern States the political power in the hands of a class, as the report of the Committee proposes that we shall do in New York.

If I am asked what do women want the ballot for, I answer the question with another, what do men want it for? Why do the British workmen at this moment so urgently demand it? Look into the British laws regulating labor, and you will see why. They want the ballot because the laws affecting labor and capital are made by the capitalist class alone and are therefore unjust. I do not forget the progressive legislation of New York in regard to the rights of women. The Property Bill of 1860, and its supplement, according to the *New York Tribune*, redeemed five thousand women from pauperism. In the next year, Illinois put women in the same position with men, as far as property rights and remedies are concerned. I mention these facts with pleasure, as I read that Louis Napoleon will, under certain conditions, permit the French people to say what they think. But, if such reforms are desirable, they would certainly have been sooner and more wisely effected could women have been a positive political power. Upon this point one honorable gentleman asked Mrs. Stanton whether the laws both for men and women were not constantly improving, and whether, therefore, it was not unfair to attribute the character of the laws about women to the fact that men made them. The reply is very evident. If women alone made the laws, legislation for both men and women would undoubtedly be progressive. Does the honorable gentleman think, therefore, that women only should make the laws?

[Pg 295]

It is true, Mr. Chairman, that, in the ordinary and honorable sense of the words, women are represented. Laws are made for them by another class, and upon the theories which that class, without the fear of political opposition, may choose to entertain, and in direct violation of the principles upon which, in their own case, they tenaciously insist. I live, sir, in the county of Richmond. It has a population of some 27,000 persons. They own property, and manage it. They are taxed, and pay their taxes; and they fulfill the duties of citizens with average fidelity. But if the Committee had introduced a clause into the section they propose to this effect, "Provided that idiots, lunatics, persons under guardianship, felons, inhabitants of the county of Richmond, and persons convicted of bribery, shall not be entitled to vote," they would not have proposed a more monstrous injustice, nor a grosser inconsistency with every fundamental right and American principle, than in the clause they recommend; and in that case, sir, what do you suppose would have been my reception had I returned to my friends and neighbors, and had said to them, "The Convention thinks that you are virtually represented by the voters of Westchester and Chautauqua"?

Mr. Chairman, I have no superstition about the ballot. I do not suppose it would immediately right all the wrongs of women, any more than it has righted all those of men. But what political agency has righted so many? Here are thousands of miserable men all around us; but they have every path opened to them. They have their advocates; they have their votes; they make the laws, and, at last and at worst, they have their strong right hands for defense. And here are thousands of miserable women pricking back death and dishonor with a little needle; and now the sly hand of science is stealing that little needle away. The ballot does not make those men happy nor respectable nor rich nor noble; but they guard it for themselves with sleepless jealousy, because they know it is the golden gate to every opportunity; and precisely the *kind* of advantage it gives to one sex, it would give to the other. It would arm it with the most powerful weapon known to political society; it would maintain the natural balance of the sexes in human affairs, and secure to each fair play within its sphere.

But, sir, the Committee tell us that the suffrage of women would be a revolutionary innovation; it would disturb the venerable traditions. Well, sir, about the year 1790, women were first recognized as school-teachers in Massachusetts. At that time, the New England "school-marm" (and I use the word with affectionate respect) was a revolutionary innovation. She has been abroad ever since, and has been by no means the least efficient, but always the most modest and unnoticed, of the great civilizing influences in this country. Innovation!—why, sir, when Sir Samuel Romilly proposed to abolish the death-penalty for stealing a handkerchief, the law officers of the crown said it would endanger the whole criminal law of England. When the bill abolishing the slave-trade passed the House of Lords, Lord St. Vincent rose and stalked out, declaring that he washed his hands of the ruin of the British empire. When the Greenwich pensioners saw the first steamer upon the Thames,

[Pg 296]

they protested that they did not like the steamer, for it was contrary to nature. When, at the close of the reign of Charles II., London had half a million of people, there was a fierce opposition to street-lamps,—such is the hostility of venerable traditions to an increase of light. When Mr. Jefferson learned that New York had explored the route of a canal, he benignly regarded it, in the spirit of our Committee, as, doubtless, "defensible in theory"; for he said that it was "a very fine project, and might be executed a century hence." And, fifty-six years ago, Chancellor Livingston wrote from this city, that the proposition of a railroad, shod with iron, to move heavy weights four miles an hour, was ingenious, perhaps "theoretically defensible"; but, upon the whole, the road would not be so cheap or convenient as a canal. In this country, sir, the venerable traditions are used to being disturbed. America was clearly designed to be a disturber of traditions, and to leave nobler precedents than she found. So, a few months ago, what the committee call a revolutionary innovation was proposed by giving the ballot to the freedmen in the District of Columbia. The awful results of such a revolution were duly set forth in one of the myriad veto messages of the President of the United States. But they have voted. If anybody proposed to disturb the election, it was certainly not the new voters. The election was perfectly peaceful, and not one of the presidential pangs has been justified. So with this reform. It *is* new in the extent proposed. It is as new as the harvest after the sowing, and it is as natural. The resumption of rights long denied or withheld never made a social convulsion: that is produced by refusing them. The West-Indian slaves received their liberty, praying upon their knees; and the influence of the enfranchisement of women will glide into society as noiselessly as the dawn increases into day.

Or shall I be told that women, if not numerically counted at the polls, do yet exert an immense influence upon politics, and do not really need the ballot. If this argument was seriously urged, I should suffer my eyes to rove through this chamber and they would show me many honorable gentlemen of reputed political influence. May they, therefore, be properly and justly disfranchised? I ask the honorable Chairman of the Committee, whether he thinks that a citizen should have no vote because he has influence? What gives influence? Ability, intelligence, honesty. Are these to be excluded from the polls? Is it only stupidity, ignorance and rascality which ought to possess political power?

Or, will it be said that women do not want the ballot and ought to be asked? And upon what principle ought they to be asked? When natural rights or their means of defense have been immemorially denied to a large class, does humanity, or justice, or good sense require that they should be registered and called to vote upon their own restoration? Why, Mr. Chairman, it might as well be said that Jack the Giant Killer ought to have gravely asked the captives in the ogre's dungeon whether they wished to be released. It must be assumed that men and women wish to enjoy their natural rights, as that the eyes wish light or the lungs an atmosphere. Did we wait for emancipation until the slaves petitioned to be free? No, sir, all our lives had been passed in ingenious and ignominious efforts to sophisticate and stultify ourselves for keeping them chained; and when war gave us a legal right to snap their bonds, we did not ask them whether they preferred to remain slaves. We knew that they were men, and that men by nature walk upright, and if we find them bent and crawling, we know that the posture is unnatural whether they may think so or not. In the case of women we acknowledge that they have the same natural rights as ourselves—we see that they hold property and pay taxes, and we must of necessity suppose that they wish to enjoy every security of those rights that we possess. So when in this State, every year, thousands of boys come of age, we do not solemnly require them to tell us whether they wish to vote. We assume, of course, that they do, and we say to them, "Go, and upon the same terms with the rest of us, vote as you choose." But gentlemen say that they know a great many women who do not wish to vote, who think it is not ladylike, or whatever the proper term may be. Well, sir, I have known many men who have habitually abstained from politics because they were so "ungentlemanly," and who thought that no man could touch pitch without defilement. Now what would the honorable gentlemen who know women who do not wish to vote, have thought of a proposition that I should not vote, because my neighbors did not wish to? There may have been slaves who preferred to remain slaves—was that an argument against freedom? Suppose that there are a majority of the women of this State who do not wish to vote—is that a reason for depriving *one* woman who is taxed of her equal representation, or one innocent person of the equal protection of his life and liberty?

Shall nothing ever be done by statesmen until wrongs are so intolerable that they take society by the throat? Did it show the wisdom of British Conservatism that it waited to grant the Reform bill of 1832 until England hung upon the edge of civil war? When women and children were worked sixteen hours a day in English factories, did it show practical good sense to delay a "short time" bill until hundreds of thousands of starving workmen agreed to starve yet more, if need be, to relieve the overwork of their families, and until the most pitiful procession the sun ever shone upon, that of the factory children, just as they left their work, marched through the streets of Manchester, that burst into sobs and tears at the sight? Yet if, in such instances, where there was so plausible an adverse appeal founded upon vested interests and upon the very theory of the government, it was unwise to wait until a general public outcry imperatively demanded the reform, how wholly needless to delay in this State a measure which is the natural result of our most cherished principles, and which threatens to disturb or injure nothing whatever. The amendment proposes no compulsion like the old New England law, which fined every voter who did not vote. If there are citizens of the State who think it unladylike or ungentlemanlike to take their part in the government, let them stay at home. But do not, I pray you, give them authority to detain wiser and better citizens from their duty.

But I shall be told, in the language of the Report of the Committee, that the proposition is openly at war with the distribution of functions and duties between the sexes. Translated into English, Mr. Chairman, this means that it is unwomanly to vote. Well, sir, I know that at the very mention of the political rights of women, there arises in many minds a dreadful vision of a mighty exodus of the whole female world, in bloomers and spectacles, from the nursery and kitchen to the polls. It seems to be thought that if women practically took part in politics, the home would be left a howling wilderness of cradles, and a chaos of undarned stockings and buttonless shirts. But how is it with men? Do they desert their workshops, their plows, and offices, to pass their time at the polls? Is it a credit to a *man* to be called a professional politician? The pursuits of men in the world, to which they are directed by the natural aptitude of sex, and to which they must devote their lives, are as foreign from political functions as those of women. To take an extreme case: there is nothing more

incompatible with political duties in cooking and taking care of children than there is in digging ditches or making shoes, or in any other necessary employment, while in every superior interest of society growing out of the family, the stake of women is not less than men, and their knowledge is greater. In England, a woman who owns shares in the East-India Company may vote. In this country she may vote as a stockholder upon a railroad from one end of the country to another. But if she sells her stock, and buys a house with the money, she has no voice in the laying out of the road before her door, which her house is taxed to keep and pay for. And why, in the name of good sense, if a responsible human being may vote upon specific industrial projects, may she not vote upon the industrial regulation of the State? There is no more reason that men should assume to decide participation in politics to be unwomanly than that woman should decide for men that it is unmanly. It is not our prerogative to keep women feminine. I think, sir, they may be trusted to defend the delicacy of their own sex. Our success in managing ours has not been so conspicuous that we should urgently desire more labor of the same kind. Nature is quite as wise as we. Whatever their sex incapacitates women from doing they will not do. Whatever duty is consistent with their sex and their relation to society, they will properly demand to do until they are permitted.

The reply to the assertion that participation in political power is unwomanly, and tends to subvert the family relation, is simple and unanswerable. It is that we can not know what is womanly until we see the folly of insisting that the theories of men settle the question. We know now what the convenience and feelings of men decide to be womanly. We shall know what *is* womanly in the same sense that we know what is manly, only when women have the same equality of development and the same liberty of choice as men. The amendment I offer is merely a prayer that you will remove from women a disability, and secure to them the same freedom of choice that we enjoy. If the instincts of sex, of maternity, of domesticity, are not persuasive enough to keep them in the truest sense women, it is the most serious defect yet discovered in the divine order of nature. When, therefore, the Committee declare that voting is at war with the distribution of functions between the sexes, what do they mean? Are not women as much interested in good government as men? There is fraud in the Legislature; there is corruption in the courts; there are hospitals, and tenement-houses, and prisons; there are gambling-houses, and billiard-rooms, and brothels; there are grog-shops at every corner, and I know not what enormous proportion of crime in the State proceeds from them; there are 40,000 drunkards in the State, and their hundreds of thousands of children—all these things are subjects of legislation, and under the exclusive legislation of men the crime associated with all these things becomes vast and complicated. Have the wives, and mothers, and sisters of New York less vital interest in them, less practical knowledge of them and their proper treatment, than the husbands and fathers? No man is so insane as to pretend it. Is there then any natural incapacity in women to understand politics? It is not asserted. Are they lacking in the necessary intelligence? But the moment that you erect a standard of intelligence which is sufficient to exclude women as a sex, that moment most of the male sex would be disfranchised. Is it that they ought not to go to public political meetings? But we earnestly invite them. Or that they should not go to the polls? Some polls, I allow, in the larger cities, are dirty and dangerous places; and those it is the duty of the police to reform. But no decent man wishes to vote in a grog-shop, nor to have his head broken while he is doing it, while the mere act of dropping a ballot in a box is about the simplest, shortest, and cleanest that can be done. Last winter Senator Frelinghuysen, repeating, I am sure thoughtlessly, the common rhetoric of the question, spoke of the high and holy mission of women. But if people, with a high and holy mission, may innocently sit bare-necked in hot theatres to be studied through pocket-telescopes until midnight by any one who chooses, how can their high and holy mission be harmed by their quietly dropping a ballot in a box? What is the high and holy mission of any woman but to be the best and most efficient human being possible? To enlarge the sphere of duty and the range of responsibility, where there are adequate power and intelligence, is to heighten, not to lessen, the holiness of life.

[Pg 299]

But if women vote, they must sit on juries. Why not? Nothing is plainer than that thousands of women who are tried every year as criminals are not tried by their peers. And if a woman is bad enough to commit a heinous crime, must we absurdly assume that women are too good to know that there is such a crime? If they may not sit on juries, certainly they ought not to be witnesses. A note in Howell's State Trials, to which my attention was drawn by one of my distinguished colleagues in the convention, quotes an ancient work, "Probation by Witnesses," by Sir George Mackenzie, in which he says: "The reason why women are excluded from witnessing must be either that they are subject to too much compassion, and so ought not to be more received in criminal cases than in civil cases; or else the law was unwilling to trouble them, and thought it might learn them too much confidence, and make them subject to too much familiarity with men and strangers, if they were necessitated to vague up and down at all courts upon all occasions." Hume says this rule was held as late as the beginning of the eighteenth century. But if too much familiarity with men be so pernicious, are men so pure that they alone should make laws for women, and so honorable that they alone should try women for breaking them? It is within a very few years at the Liverpool Assizes in a case involving peculiar evidence, that Mr. Russell said: "The evidence of women is, in some respects, superior to that of men. Their power of judging of minute details is better, and when there are more than two facts and something be wanting, their intuitions supply the deficiency." "And precisely the qualities which fit them to give evidence," says Mrs. Dall, to whom we owe this fact, "fit them to sift and test it."

[Pg 300]

But, the objectors continue, would you have women hold office? If they are capable and desirous, why not? They hold office now most acceptably. In my immediate neighborhood, a postmistress has been so faithful an officer for seven years, that when there was a rumor of her removal, it was a matter of public concern. This is a familiar instance in this country. Scott's "Antiquary" shows that a similar service was not unknown in Scotland. In "Notes and Queries," ten years ago (Vol. II., Sec. 2, 1856, pp. 83, 204), Alexander Andrews says: "It was by no means unusual for females to serve the office of overseer in small rural parishes," and a communication in the same publication (First Series, Vol. II., p. 383) speaks of a curious entry in the Harleian Miscellany (MS. 980, fol. 153): "The Countess of Richmond, mother to Henry VII., was a Justice of the Peace. Mr. Attorney said if it was so, it ought to have been by commission, for which he had made many an hower's search for the record, but could never find it, but he had seen many arbitrments that were made by her. Justice Joanes affirmed that he had often heard from his mother of the Lady Bartlett, mother to the Lord Bartlett, that she was a Justice of the Peace, and did set usually upon the bench with the other

Justices in Gloucestershire; that she was made so by Queen Mary, upon her complaint to her of the injuries she sustained by some of that county, and desiring for redress thereof; that as she herself, was Chief-Justice of all England, so this lady might be in her own county, which accordingly the Queen granted. Another example was alleged of one — Rowse, in Suffolk, who usually at the assizes and sessions there held, set upon the bench among the Justices *gladio cincta*." The Countess of Pembroke was hereditary sheriff of Westmoreland, and exercised her office. Henry the VIIIth granted a commission of inquiry, under the great seal, to Lady Ann Berkeley, who opened it at Gloucester, and passed sentence under it. Henry VIII's daughter, Elizabeth Tudor, was Queen of England, in name and in fact, during the most illustrious epoch of English history. Was Elizabeth incompetent? Did Elizabeth unsex herself? Or do you say that she was an exceptional woman? So she was, but no more an exceptional woman than Alfred, Marcus Aurelius, or Napoleon were exceptional men. It was held by some of the old English writers that a woman might serve in almost any of the great offices of the kingdom. And, indeed, if Victoria may deliberate in council with her ministers, why may not any intelligent English woman deliberate in Parliament, or any such American woman in Congress? I mention Elizabeth, Maria Theresa, Catherine, and all the famous Empresses and Queens, not to prove the capacity of women for the most arduous and responsible office, for that is undeniable, but to show the hollowness of the assertion that there is an instinctive objection to the fulfillment of such offices by women. Men who say so do not really think so. The whole history of the voting and office-holding of women shows that whenever men's theories of the relation of property to the political franchise, or of the lineal succession of the government, require that women shall vote or hold office, the objection of impropriety and incapacity wholly disappears. If it be unwomanly for a woman to vote, or to hold office, it is unwomanly for Victoria to be Queen of England. Surely if our neighbors had thought they would be better represented in this convention by certain women, there is no good reason why they should have been compelled to send us. Why should I or any person be forbidden to select the agent whom we think the most competent and truly representative of our will? There is no talent or training required in the making of laws which is peculiar to the male sex. What is needed is intelligence and experience. The rest is routine.

[Pg 301]

The capacity for making laws is necessarily assumed when women are permitted to hold and manage property and to submit to taxation. How often the woman, widowed, or married, or single, is the guiding genius of the family—educating the children, directing the estate, originating, counseling, deciding. Is there anything essentially different in such duties and the powers necessary to perform them from the functions of legislation? In New Jersey the Constitution of 1776 admitted to vote all inhabitants of a certain age, residence, and property. In 1797, in an act to regulate elections, the ninth section provides: "Every voter shall openly and in full view deliver his or her ballot, which shall be a single written ticket, containing the names of the persons for whom he or she votes." An old citizen of New Jersey says that "the right was recognized, and very little said or thought about it in any way." But in 1807 the suffrage was restricted to white male adult citizens of a certain age, residence, and property, and in 1844 the property qualification was abolished. At the hearing before the committee, the other evening, a gentleman asked whether the change of the qualification excluding women did not show that their voting was found to be inconvenient or undesirable. Not at all. It merely showed that the male property-holders out-voted the female. It certainly showed nothing as to the right or expediency of the voting of women. Mr. Douglas, as I said, had a theory that the white male adult squatters in a territory might decide whether the colored people in the territory should be enslaved. They might, indeed, so decide, and with adequate power they might enforce their decision. But it proved very little as to the right, the expediency, or the constitutionality of slavery in a territory. The truth is that men deal with the practical question of female suffrage to suit their own purposes. About twenty-five years ago the Canadian government by statute rigorously and in terms forbade women to vote. But in 1850, to subserve a sectarian purpose, they were permitted to vote for school trustees. I am ashamed to argue a point so plain. What public affairs need in this State is "conscience," and woman is the conscience of the race. If we in this convention shall make a wise Constitution, if the Legislatures that follow us in this chamber shall purify the laws and see that they are honorably executed, it will be just in the degree that we shall have accustomed ourselves to the refined, moral, and mental atmosphere in which women habitually converse.

But would you, seriously, I am asked, would you drag women down into the mire of politics? No, sir, I would have them lift us out of it. The duty of this Convention is to devise means for the improvement of the government of this State. Now, the science of government is not an ignoble science, and the practice of politics is not necessarily mean and degrading. If the making and administering of law has become so corrupt as to justify calling politics filthy, and a thing in which no clean hands can meddle without danger, may we not wisely remember, as we begin our work of purification, that politics have been wholly managed by men? How can we purify them? Is there no radical method, no force yet untried, a power not only of skillful checks, which I do not undervalue, but of controlling character? Mr. Chairman, if we sat in this chamber with closed windows until the air became thick and fetid, should we not be fools if we brought in deodorizers—if we sprinkled chloride of lime and burned assafetida, while we disdained the great purifier? If we would cleanse the foul chamber, let us throw the windows wide open, and the sweet summer air would sweep all impurity away and fill our lungs with fresher life. If we would purge politics let us turn upon them the great stream of the purest human influence we know.

[Pg 302]

But I hear some one say, if they vote they must do military duty. Undoubtedly when a nation goes to war it may rightfully claim the service of all its citizens, men and women. But the question of fighting is not the blow merely, but its quality and persistence. The important point is, to make the blow effective. Did any brave Englishman who rode into the jaws of death at Balaklava serve England on the field more truly than Florence Nightingale? That which sustains and serves and repairs the physical force is just as essential as the force itself. Thus the law, in view of the moral service they are supposed to render, excuses clergymen from the field, and in the field it details ten per cent of the army to serve the rest, and they do not carry muskets nor fight. Women, as citizens, have always done, and always will do that work in the public defense for which their sex peculiarly fits them, and men do no more. The care of the young warriors, the nameless and innumerable duties of the hospital and home, are just as essential to the national safety as fighting in the field. A nation of men alone could not carry on a contest any longer than a nation of women. Each would be obliged to divide its forces and delegate half to the duties of the other sex.

But while the physical services of war are equally divided between the sexes, the moral forces are stronger with women. It was the women of the South, we are constantly and doubtless very truly told, who sustained the rebellion, and certainly without the women of the North the Government had not been saved. From the first moment to the last, in all the roaring cities, in the remote valleys, in the deep woods, on the country hill-sides, on the open prairie, wherever there were wives, mothers, sisters, lovers, there were the busy fingers which, by day and by night, for four long years, like the great forces of spring-time and harvest, never failed. The mother paused only to bless her sons, eager for the battle; the wife to kiss her children's father, as he went; the sister smiled upon her brother, and prayed for the lover who marched away. Out of how many hundreds of thousands of homes and hearts they went who never returned. But those homes were both the inspiration and the consolation of the field. They nerved the arm that struck for them. When the son and husband fell in the wild storm of battle, the brave woman-heart broke in silence, but the busy fingers did not falter. When the comely brother and lover were tortured into idiocy and despair, that woman-heart of love kept the man's faith steady, and her unceasing toil repaired his wasted frame. It was not love of the soldier only, great as that was; it was knowledge of the cause. It was that supreme moral force operating through innumerable channels like the sunshine in nature, without which successful war would have been impossible. There are thousands and thousands of these women who ask for a voice in the government they have so defended. Shall we refuse them?

[Pg 303]

I appeal again to my honorable friend, the Chairman of the Committee. He has made the land ring with his cry of universal suffrage and universal amnesty. Suffrage and amnesty to whom? To those who sought to smother the government in the blood of its noblest citizens, to those who ruined the happy homes and broke the faithful hearts of which I spoke. Sir, I am not condemning his cry. I am not opposing his policy. I have no more thirst for vengeance than he, and quite as anxiously as my honorable friend do I wish to see the harvests of peace waving over the battle-fields. But, sir, here is a New York mother, who trained her son in fidelity to God and to his country. When that country called, they answered. Mother and son gave, each after his kind, their whole service to defend her. By the sad fate of war the boy is thrown into the ghastly den at Andersonville. Mad with thirst, he crawls in the pitiless sun toward a muddy pool. He reaches the dead-line, and is shot by the guard—murdered for fidelity to his country. "I demand amnesty for that guard, I demand that he shall vote," cries the honorable Chairman of the Committee. I do not say that it is an unwise demand. But I ask him, I ask you, sir, I ask every honorable and patriotic man in this State, upon what conceivable ground of justice, expediency, or common sense shall we give the ballot to the New York boy's murderer and refuse it to his mother?

Mr. Chairman, I have thus stated what I conceive to be the essential reasonableness of the amendment which I have offered. It is not good for man to be alone. United with woman in the creation of human society, their rights and interests in its government are identical, nor can the highest and truest development of society be reasonably conceived, so long as one sex assumes to prescribe limits to the scope and functions of the other. The test of civilization is the position of women. Where they are wholly slaves, man is wholly barbarous; and the measure of progress from barbarism to civilization is the recognition of their equal right with man to an unconstrained development. Therefore, when Mr. Mill unrolls his petition in Parliament to secure the political equality of women, it bears the names of those English men and women whose thoughts foretell the course of civilization. The measure which the report of the Committee declares to be radically revolutionary and perilous to the very functions of sex, is described by the most sagacious of living political philosophers as reasonable, conservative, necessary, and inevitable; and he obtains for it seventy-three votes in the same House in which out of about the same whole number of voters Charles James Fox, the idol of the British Whigs, used to be able to rally only forty votes against the policy of Pitt. The dawn in England will soon be day here. Before the American principle of equal rights, barrier after barrier in the path of human progress falls. If we are still far from its full comprehension and further from perfect conformity to its law, it is in that only like the spirit of Christianity, to whose full glory even Christendom but slowly approaches. From the heat and tumult of our politics we can still lift our eyes to the eternal light of that principle; can see that the usurpation of sex is the last form of caste that lingers in our society; that in America the most humane thinker is the most practical man, and the organizer of justice the most sagacious statesman.

Mr. Gould, of Columbia, followed with a long speech in opposition, and the discussion^[104] continued through several days; but Mr. Curtis's amendment, in the Committee of the Whole, received 24 ayes against 63 nays; and on the final vote in the Convention, 19 ayes^[105] against 125 nays.

[Pg 304]

Mr. Greeley, seemingly to atone for the disappointment of the women of the State in his adverse report, published the following editorial in *The Tribune* of July 26th, 1867:

WOMEN IN POLITICS.

The Constitutional Convention of our State, yesterday, negatived—yeas 19, nays 125—the proposition that women should share with men the duties and responsibilities of voters at elections. This decision was preceded by an earnest, protracted discussion, in which the right and expediency of extending the elective franchise to women were most eloquently urged by George William Curtis, and less elaborately by several others. The judgment pronounced yesterday by the Convention must therefore be regarded as final.

We do not, however, regard it as a verdict against a participation in public affairs by women. On the contrary, we hold that woman's influence not only is, but should be felt in legislation and government, and must increase in power as the race becomes more enlightened and humane. We only insist that she shall speak and be heard distinctly as woman, not mingled and confused with man. To make women voters at our elections as now held, and eligible to office in competition with men, would be far better calculated to corrupt woman than to reform man and purify politics. To have women mingle freely with men in primary meetings, caucuses, nominating conventions, investigating committees, juries, etc., etc., is not in our judgment calculated to elevate woman more

than to reform existing abuses in legislation and practical politics. We should greatly prefer a system like this:

Let the women of our State, after due discussion and consultation, hold a convention composed of delegates from the several counties, equal in number to the members of Assembly. To this Convention let none but women be admitted, whether as officers or spectators. Let this convention, keeping its debates wholly private, decide what department of legislative government may be safely assigned and set apart to woman. We would suggest all that relates to the family; marriage, divorce, separation from bed and board, the control and maintenance of children, education, the property rights of married women, inheritance, dower, etc., etc., as subjects that could wisely and safely be set apart to be legislated upon by woman alone. And we believe that if she (not a few women, but the sex) shall ever suggest and require such an apportionment of legislative powers and duties, man will cheerfully concede it.

[Pg 305]

"But would you have woman hold elections like ours"? No! we would not! We would have her teach us how to take the sense of the electors far more quietly and cheaply. When a department of legislation shall be assigned to woman, we would have her collect through school-district, or kindred organizations, the names of all female citizens who possess the qualifications, other than of sex, required from male voters at our elections. These being duly, lucidly registered, let, then, women in each Assembly district be designated to collect the votes of its women. Let them simply advertise the address to which votes should be sent and appoint a week wherein to collect them. Now, let every female citizen write her ballot and enclose it, signing her name to the address indicated; and due time having been allowed for votes to arrive by mail or otherwise, let the votes be duly canvassed, and the result ascertained and declared, and certificates of election issued accordingly.

Under this plan, the invalid, the bed-ridden, the bereaved, and even the absent, could vote as well as others, and the cost of holding an election throughout the State need not reach \$10,000. Such are the outlines of our views regarding woman in politics. They are doubtless susceptible of improvement; but we think not by effacing in politics the natural and time-honored distinctions between women and men. A female legislature, a jury of women, we could abide; a legislature of men and women, a jury promiscuously drawn from the sexes we do not believe in.

The New York *Independent* published the following criticism on Mr. Greeley's report a few days after its publication:

CONSTITUTIONAL CONVENTION.

BY ELIZABETH CADY STANTON.

Your committee does not recommend an extension of the elective franchise to woman. However defensible in theory, we are satisfied that public sentiment does not demand, and would not sustain, an innovation so revolutionary and sweeping; so openly at war with a distribution of duties and functions between the sexes as venerable as the Government itself, and involving transformations so radical in social and domestic life. Should we prove to be in error on this head, the Convention may overrule us by changing a few words in the first section of our proposed article.

In the above extract from the majority report of the Committee on Suffrage we have substantially four reasons why the committee did not recommend an extension of the elective franchise to women.

- 1st. Public sentiment does not demand it.
- 2d. It would be an innovation revolutionary and sweeping.
- 3d. It is at war with a distribution of duties and functions between the sexes.
- 4th. The enfranchisement of women would disturb relations as venerable as government itself, and radically change our domestic life.

Shades of Jeremy Bentham and Sidney Smith forgive! After publishing to the world that immortal oration of Noodledom, and refuting for all time such fallacies as the above, how amazing that Radical Republicans in the capital of the Empire State should repeat in the ears of the nineteenth century stale platitudes from the effete civilizations of the Old World—that to their starving wives and mothers, knocking at the door of the political citadel, instead of bread and the ballot, they should give stones and twenty years more of degradation in disfranchisement. But if it be true that public sentiment is not prepared for this just and beneficent measure, then it is the duty of our leaders, instead of stereotyping the ignorant prejudices of the people into statutes and constitutions, to educate this public sentiment, by the utterance of sound ideas, by the example of honest action. When God gives new truths to the few, it is that they may win the response of the many. There is no blunder more constantly made by politicians than the assumption that the people are never ready for an onward step.

[Pg 306]

The people were ready for emancipation so long before the Government declared it that, when it did come, the measure called forth but little enthusiasm. It is not so much the will of the people that troubles the politician as the safety of the party in power. This committee denies the ballot to woman, and gives it to the black man, for the same reason—party success; not because they think public sentiment is ready for either, for in their uncertainty they dare not submit the question of the black man separately to a vote of the people. "But the measure is so revolutionary and sweeping." When we abjured King George, and declared all men equal, we inaugurated a very revolutionary measure, undermined kingdoms and empires, deranged the political, commercial, and social interests of two continents, and upset innumerable family relations, by crowding husbands and fathers into untimely graves. Had the Honorable Suffrage Committee been in Boston Harbor, they

would have objected to throwing the tea overboard as too revolutionary a measure; they would have scouted Jefferson's radical declaration as absurd, in view of the royal facts on every throne in Europe, and the divine command, "Honor the king." After revolutionizing, as we have just done, the entire system of labor at the South, the social and political status of a race, and in pressing a measure for which public sentiment seemed unprepared, deluging the land in blood, how futile is such reasoning as the above in the mouths of those who inaugurated this second revolution.

Again, "The enfranchisement of woman is at war with the distribution of duties and functions between the sexes." The plea of tyrants in all ages. Says the English peer, "I'll make laws and govern; let the peasant till the earth and provide the sinews of war." Says the proud slaveholder, "I'll read and write and think; let the negro hoe the sugar, rice, and corn." Says the New York Suffrage Committee, "We will do the voting; let women pay the taxes. We will be judges, jurors, sheriffs; and give woman the right to be hung on the gallows." Napoleon once said to Madame de Stael, "Why will you women meddle with politics?" "Sire," she replied, "if you will hang us, we must ask the reason why."

The functions of the sexes! What particular function does it require to vote? In the discussion on this point, we hear of property, education, morality, sanity; yet "white males" vote without these, and women possessing all are denied the right. While different men have different duties, different functions, different spheres, ranging from the heights of Parnassus to the bowels of the earth, why legislate all women into a nutshell? Because a man is a father, must he needs be nothing else? Are lawyers, merchants, tailors, cobblers, bootblacks less skilled in their specialties because they vote? Because some women are mothers, shall all women concentrate every thought in that direction? and can those who are mothers be nothing else? Have not those who are training up sons and daughters an interest beyond the home, in the great outer world, where they are soon to act their part? If women should vote one day in the year, must every duty and function of their being be subordinated to that one act during the whole 365?

[Pg 307]

Many men, possessing the right of suffrage, never exercise it: many more use it indifferently once a year, or sell it to the highest bidder; and on what principle does the theory rest, that if woman had this right, she would desert husband, child, and home, and reserve all her love and care, her smiles and enthusiasm, for the ballot-box? No; woman's love for man is not based on the statutes of the State, nor the maternal instinct on the second article of the Constitution. Whatever distribution of duties and functions are fixed by nature we need no legislation to enforce. So long as the fact of motherhood does not release woman from taxation, and the necessity of earning her own bread, it should not deprive her of that right most needed for her protection. If the 40,000 drunkards' wives in this State have the necessary functions to provide food, clothes, and shelter for worthless husbands and helpless children, they have the necessary functions to go to the polls and vote for such social and sanitary laws as shall end the vice of intemperance.

"But," says the Committee, "this measure would disturb relations as venerable as government itself."

So said objectors twenty years ago in this State when woman was first secured in her rights of property. Some of our most distinguished lawyers prophesied a social convulsion on the adoption of that measure. But it came without earthquake or tornado. In a single hour, by a stroke of the pen, the women of the Empire State were crowned property-holders. But only those who had felt the iron teeth of the law took note of the onward legislation. It was a mighty wave on the shores of progress, that made scarce a ripple on the surface, washing the feet of the lonely traveler on the sand, though unheeded by the multitude on the bosom of its waters.

The ballot in the hand of woman will bring neither the millennium nor pandemonium the next day; but it will surely right many wrongs. It will open to her the colleges, the professions, the profitable and honorable walks of life, and give her better wages for her work. In securing to woman self-respect, independence and power, we shall purify and exalt our social relations. Helpless and dependent, woman must ever be the victim of society. "Give a man a right over my subsistence," says Alexander Hamilton, "and he has a right over my whole moral being."

February 13, 1868, Mr. Graves offered a resolution: "That the article on suffrage be recommitted to be revised, by striking out the word 'male' after the word 'every' in the first line of Section 1, Article II."

Mr. GRAVES said: In offering this resolution I am not unmindful of the opinion that has been expressed in this Convention on the question. Yet, sir, I see a willingness expressed on all sides, to extend the suffrage to the black man at the South and the equally ignorant foreigner, alike without education, without knowledge of our laws and Constitution, incapable of appreciating the genius of republican institutions, and who, neither by manner, by effort, by example, by influence, can do aught to promote the best interests of this Government.

[Pg 308]

If this constitution as it now is shall be approved by the people, you allow the black men of the South, fresh from the chains of slavery, to go to the ballot-box and vote on all the great questions involving the interests of this nation, while you deny the same right to educated, patriotic women—our own wives and mothers, who are educating our children, who give tone and character to society, and who are first and foremost in all moral movements.

You deny them the right to select officers who are to discharge the duties of government, and, worse still, a voice in the laws they are compelled to obey. Yes, sir, you say to the drunken husband who spends his time in whisky saloons, who goes reeling home at night to abuse his wife and children, that he is fit to vote on the interests of the family and the town, while you deny that right to the clear-headed, industrious wife, who feeds, clothes and shelters the worthless husband and educates the half-orphaned children.

What a travesty on common sense and justice is such legislation! I know there are men in this Convention shaking in their boots for fear their mothers, wives, and daughters shall have equal power with themselves; cowardly men without gallantry, who fear that woman's voice in legislation

might end some of the pet vices of society—might be more potent than their own.

Mr. SEAVER rose to a point of order, and asked, "Who are the men shaking in their boots?"

Mr. GRAVES retorted, "Wounded birds will flutter."

Mr. VEDDER wanted the gentleman's words recorded.

Mr. GRAVES: I was about to say that educated women should be permitted to go to the ballot-box, and by their votes help to maintain our form of government. Why is it that every father in this country is educating his daughter as well as his son in all branches of science? Why does he expend his money in preparing his daughter for the most responsible positions, and then deny her the right to exercise her powers in the most intricate and exalted of sciences—that of government? I know it is said that the right of suffrage conferred on woman would destroy all domestic peace; which is to say a man can not tolerate an equal at his fireside. Does domestic peace exist in the exact ratio of a woman's inferiority to the man she calls her husband? The intelligent, educated wife must exert an influence for good over the husband. The wise, far-seeing, self-disciplined mother must exert an influence for good over her children; why, then, may not this influence be equally potent in the State?

The resolution was lost.

The struggle in New York ended, all thoughts were turned towards Kansas, where, as already shown, the friends of woman suffrage were doomed to another disappointment. However, the year was one of active effort; tracts and petitions were diligently circulated; a thorough campaign made in Kansas; a series of meetings held in all the chief cities from Leavenworth to New York, and a newspaper established, demanding far more time and money than its founders anticipated. Thus the intervening months were fully occupied until the May Anniversaries, when all religious and reformatory associations were accustomed to hold their annual meetings in New York city.

[Pg 309]

EQUAL RIGHTS ANNIVERSARY.

The American Equal Rights Association held its annual meeting in Cooper Institute, New York, May 14, 1868. Its officers^[106], with but few changes, were the same as before.

The HUTCHINSON FAMILY, the branch of John, was present, and with their sister, Abby Hutchinson Patten, opened the meeting with their song, "We Come to Greet You." Lucy Stone read a letter from John Stuart Mill, expressing sympathy with the movement. Letters were also read from Rev. Robert Collyer of Chicago, Maria Giddings, the daughter of Hon. Joshua R. Giddings, of Ohio, Frances Dana Gage, and several others. Miss Anthony invited all delegates of Equal Rights Societies to seats on the platform; she also moved that Mrs. Rose, Mrs. Stanton, Mr. Burleigh and Mr. Foster be a committee to prepare resolutions.

HENRY B. BLACKWELL reported the success of the campaign of the women of this Society in Kansas, where Rev. Olympia Brown, Lucy Stone, Mrs. Stanton and Susan B. Anthony had canvassed. Their eloquence and determination gave great promise of success; but in an inopportune moment, Horace Greeley and others saw fit in the Constitutional Convention to report unfavorably on the proposition to extend suffrage to the women of the Empire State, and that influenced the sentiment of the younger Western States, and their enterprise was crushed. Even the Republicans in Kansas, after witnessing this example, set their faces against the extension of suffrage to women. The negroes got but a few more votes than did the women.

LUCY STONE gave a resume of the progress of the cause in this country and in England. Col. Higginson and Mrs. Rose made excellent remarks. "Keep the ball rolling" was gracefully rendered by Mrs. Abby Hutchinson Patton, the whole audience joining in the chorus. Mrs. Stone presented two forms of petition to Congress; one to extend suffrage to women in the District of Columbia and the Territories, the other for the submission of a proposition for a 16th Amendment to prohibit the States from disfranchising citizens on account of sex. Frederick Douglass made an acceptable speech in favor of the petitions. The President announced that Mrs. Patten headed the subscription list to aid the association in its work for the coming year with \$50. Miss Anthony presented the various tracts published by the Society, and *The Revolution*, urging the friends of the cause to aid in the circulation of the paper, as it was the only one owned and edited by women, wholly devoted to the cause of Equal Rights. Rev. Dr. Blanchard, of Brooklyn, opened the evening session with prayer; a resolution was proposed and adopted, on the death of James Mott, husband of Lucretia Mott, President of the first Woman's Rights Convention at Seneca Falls.

[Pg 310]

Rev. OLYMPIA BROWN: It is said that Nature is against us. In the Massachusetts Legislature, Mr. Dana, Chairman of the Committee before whom we had a hearing, said: "Nature is against it. It will take the romance out of life to grant what you desire"! If the romance of life is a falsehood and a fiction, we want to get back to truth, nature and God. We all love liberty and desire to possess it. No one worthy the name of man or woman is willing to surrender liberty and become subservient to another. Woman may be shut out of politics by law, but her influence will be felt there. Some of our leading reformers work for other objects first; the enfranchisement of the negro, the eight hour law, the temperance cause; and leave the woman suffrage question in the background; but woman will be enfranchised in spite of them. It is no use to tell us to wait until something else is done. *Now* is the accepted time for the enfranchisement of woman. The abolition of slavery was thought to be premature, but that mistake is now clearly seen. Now is the time for every disfranchised class to make known its wants. The Republican party is no better than the Democratic. It sacrificed principle and nominated a man for President to *save the party*, whom they were afraid the Democrats would nominate if they did not! The Republican party controlled Kansas, and yet repudiated woman's rights in the canvass of last year. We want a party (and would like the Republican party) who will adopt a platform of Universal Suffrage for every color and every sex. "The Republican party must be saved," is the cry; but its great danger is in not being true to principle. We will push on, keeping in view the rights of our common nature until woman is the peer of man in every sphere of life.

ELIZABETH A. KINGSLEY, of Philadelphia, CHARLES BURLEIGH, REV. HENRY BLANCHARD and Mrs. ROSE made brief addresses.

FREDERICK DOUGLASS deprecated the seeming assertion of Rev. O. B. Frothingham, that one good cause was in opposition to another. I champion the right of the negro to vote. It is with us a matter of life and death, and therefore can not be postponed. I have always championed woman's right to vote; but it will be seen that the present claim for the negro is one of the most *urgent* necessity. The assertion of the right of women to vote meets nothing but ridicule; there is no deep seated malignity in the hearts of the people against her; but name the right of the negro to vote, all hell is turned loose and the Ku-klux and Regulators hunt and slay the unoffending black man. The government of this country loves women. They are the sisters, mothers, wives and daughters of our rulers; but the negro is loathed. Women should not censure Mr. Phillips, Mr. Greeley, or Mr. Tilton, all have spoken eloquently for woman's rights. We are all talking for woman's rights, and we should be just to all our friends and enemies. There is a difference between the Republican and Democratic parties.

[Pg 311]

OLYMPIA BROWN: What is it?

FREDERICK DOUGLASS: The Democratic party has, during the whole war, been in sympathy with the rebellion, while the Republican party has supported the Government.

OLYMPIA BROWN: How is it now?

FREDERICK DOUGLASS: The Democratic party opposes impeachment, and desires a white man's government.

OLYMPIA BROWN: What is the difference in *principle* between the position of the Democratic party opposing the enfranchisement of 2,000,000 negro men, and the Republican party opposing the emancipation of 17,000,000 white women?

FREDERICK DOUGLASS: The Democratic party opposes suffrage to both: but the Republican party is in favor of enfranchising the negro, and is largely in favor of enfranchising woman. Where is the Democrat who favors woman suffrage? (A voice in the audience, "Train!") Yes, he hates the negro, and that is what stimulates him to substitute the cry of emancipation for women. The negro needs suffrage to protect his life and property, and to ensure him respect and education. He needs it for the safety of reconstruction and the salvation of the Union; for his own elevation from the position of a drudge to that of an influential member of society. If you want women to forget and forsake frivolity, and the negro to take pride in becoming a useful and respectable member of society, give them both the ballot.

OLYMPIA BROWN: Why did Republican Kansas vote down negro suffrage?

FREDERICK DOUGLASS: Because of your ally, George Francis Train!

OLYMPIA BROWN: How about Minnesota without Train? The Republican party is a party and cares for nothing but party! It has repudiated both negro suffrage and woman suffrage.

FREDERICK DOUGLASS: Minnesota lacked only 1,200 votes of carrying negro suffrage. All the Democrats voted against it, while only a small portion of the Republicans did so. And this was substantially the same in Ohio and Connecticut. The Republican party is about to bring ten States into the Union; and Thaddeus Stevens has reported a bill to admit seven, all on the fundamental basis of constitutions guaranteeing negro suffrage forever.

OLYMPIA BROWN again insisted that the party was false, and that now was the time for every true patriot to demand that no new State should be admitted except on the basis of suffrage to women as well as negroes.

LUCY STONE controverted Mr. Douglass' statement that women were not persecuted for endeavoring to obtain their rights, and depicted in glowing colors the wrongs of women and the inadequacy of the laws to redress them. Mrs. Stone also charged the Republican party as false to principle unless it protected women as well as colored men in the exercise of their right to vote.

[Pg 312]

The Tribune said the resolutions adopted declare that suffrage is an inalienable right without qualification of sex or race; that our State and National Governments are anti-Republican in form, and anti-Democratic in fact; that the only way to decide whether women want to vote is to give them an opportunity of doing so; that the Republicans are bound to extend the application of manhood suffrage to women; that Reconstruction will fail to secure peace, unless it gives women the right to vote; they invite the National Conventions of both parties to put a woman suffrage plank in their platforms; petition^[107] Congress to extend suffrage to the women of the District of Columbia, and to propose a Constitutional Amendment prohibiting political distinctions on account of sex; assert that the laws depriving married women of the equal custody of their children and of the control of their property, are a disgrace to civilization; and thank the men of Kansas who voted for Woman Suffrage.

FOOTNOTES:

[92] Following this hearing, Mr. Folger presented a resolution in the Senate for the women of the State to vote for delegates to the Constitutional Convention, and nine members voted in its favor.

[93] The *Albany Evening Journal* of January 24th, says: "Mrs. Stanton had a large audience to hear her argument in favor of so amending the Constitution as to permit women and colored men to vote and hold office. She said all that could be said and said it well in support of her position, but it is still a problem whether the Judiciary Committee were convinced. Like most men of old-fashioned notions, they are slow to believe that women would be elevated, either in usefulness, or dignity, by being transferred from the drawing room and the nursery to the ballot-box and the forum!!

[94] Horace Greeley, Westchester Co., Leslie W. Russel, Lawrence Co., William Cassidy, Albany Co., William H. Merrill, Wyoming Co., George Williams, Oneida Co., John G. Schumaker, Kings Co., Isaac L. Eudress, Livingston Co.

[95] *June 20, 1867.*—Mr. CORBETT presented a memorial from citizens of Syracuse for securing the right of suffrage for women on equal terms with men.

Mr. GRAVES—Petition of Mrs. F. D. Fish and 180 other citizens—worthy and intelligent men and women—of the city of Utica, asking equal suffrage for men and women.

Referred to the Committee on Suffrage.

June 26, 1867.—Mr. RATHBUN—Petition for universal suffrage for women as well as men.

C. E. PARKER—Petition for citizens of Tioga County.

Mr. CURTIS—A petition from Mrs. Daniel Cady, of Johnstown, and 200 others, asking to have "male" stricken from the State Constitution.

E. G. LAPHAM presented a petition.

Mr. EZRA GRAVES presented thirty-seven petitions—Brooklyn, 1; Mt. Morris, 4; Troy, 1; Lima, 1; New York City, 8; Buffalo, 3; Skaneateles, 2; Lockport, 1; Poughkeepsie, 1; Dutchess County, 1; Utica, 1; Fairfield, Herkimer Co., 1. In all, 2,040 persons asking for equal suffrage.

Friday, June 28th.—C. C. DWIGHT—Mrs. Eliza Wright Osborn and 22 others, of Auburn, asking suffrage for women. Mr. COOKE—Mrs. Lina Vandenburg and 350 others. Mr. ARCHER—Sundry citizens. Mr. MEAD—Mrs. E. A. Kingsbury and 20 others. Mr. SCHOONMAKER—M. I. Ingraham and others. Mr. HOUSTON—Lucia Sutton. Mr. RATHBUN—Mrs. A. H. Sabin and 20 others. J. BROOKS—Emma Suydam and 15 others.

Mr. GRAVES—Two memorials. 1st. Schoharie County, 204 men and women for constitutional amendment prohibiting sale of intoxicating liquors. 2d. Lucia Humphrey and 30 others for equal suffrage. All went to Committee on Suffrage, except Mr. Graves' first, which went to Committee on Adulterated Liquors.

[96] Mr. GREELEY, June 26th, from the Committee on Suffrage, offered a resolution that "The use of this hall on the 27th, Thursday evening of this week, be granted to the Standing Committee on the Right of Suffrage, that they may accord a public hearing to the advocates of female suffrage," which was adopted.

[97] The *Albany Evening Journal* of June 28, 1867, says, editorially:

WOMANHOOD SUFFRAGE.—The Assembly Chamber was well filled last evening to listen to Mrs. Stanton and Miss Anthony. Mrs. Stanton made a stirring appeal, and Miss Anthony followed. In response to queries, she said she expected that women would yet serve as jurors and be drafted. Several hundred had fought in the late war, but when their sex was discovered they were dismissed in disgrace; and to the shame of the Government be it said, they were never paid for their services.

[98] Mr. Folger offered a resolution—That the use of this Chamber be granted to the American Equal Rights Association for a meeting on the evening of Wednesday, the 10th inst.

[99] GEO. FRANCIS TRAIN BEFORE THE CONSTITUTIONAL CONVENTION AT ALBANY.—The Constitutional Convention at Albany has not had many variations from its customary state of topics, but it is a noteworthy fact that no New York paper mentioned that Geo. Francis Train addressed the Convention for two hours on the subject of woman voting and the financial policy of the nation. Mr. Train having been the only man to volunteer his services in Kansas and before the Convention, it is worthy of note, when the argument advanced by our chivalrous press is a sneer, a sarcasm, or an insult, that Mr. Train's defense of women voting was received by the Convention by loud and repeated applause. The following was the resolution, passed unanimously, offering the hall:

STATE OF NEW YORK, IN CONSTITUTIONAL CONVENTION, }
ALBANY, December 4, 1867. }

On motion of Mr. Ballard:

Resolved, That the use of the Assembly Chamber be granted to Geo. Francis Train, Esq., at 4 P.M. this day.

By order. LUTHER CALDWELL, *Secretary*.

[100] In 1846 the question of negro suffrage was submitted to a popular vote, and negated by 223,884 to 85,306; in 1850 it was again defeated by a vote of 337,984 to 197,503; a similar submission was provided for by a concurrent resolution of the Legislature of 1859, which by neglect of the State officer to provide for its publication, was defeated; but its fate may fairly be regarded as further evidence of the indifference of the public toward a change.

[101] *July 1st.*—Mr. FOWLER presented a petition from Miss Laura Bosworth and others for woman suffrage.

July 9th.—From Gerrit Smith and 180 others of Madison County, for female suffrage.

Mr. ENDRESS—Emma C. Lawrence and 50 others of Westchester, for female suffrage.

Mr. MURPHY—Thomas N. Cashow and 20 others, of Kings County, for woman suffrage.

Mr. FULLERTON—Mary J. Quackenbosh and many others, from Newburgh.

Mr. VAN CAMPEN—Mary E. Mead and many others, of Westchester County.

Mr. BEADLE—Mrs. W. S. Shute, Mary C. Bristol, and 120 others from Horse Heads.

Mr. HAMMOND—Mrs. J. C. Holmes and many others from Westchester County.

July 10th.—Mr. TUCKER—A petition from a large number of men and women for extending the right of suffrage to woman.

Mr. GRAVES—Fifty-four ladies of New York City, asking suffrage for women.

July 11th.—Mr. CURTIS—From Charles J. Seymour, Mrs. Mary Newman and 500 others from Broome County, for equal suffrage.

July 12th.—Mr. CORBETT—Henry Ward Beecher, Edwin A. Studwell, and many others, of Kings County, for woman suffrage.

July 16th.—Mr. FOLGER presented a petition from Emily P. Collins, of Rochester, and others, asking that women be granted the privilege of voting, that in 1869 the proposition be submitted for all who can read and write.

July 18th.—Mr. GREELEY—From Mrs. Louisa Howland and many others, of Mt. Vernon, Westchester County, for woman suffrage.

Mr. CURTIS—From Mrs. Eliza Benton and others of New York City, asking for equal suffrage. Another from Caroline E. Hubbard and 20 others, of Westchester County.

July 31st.—Mr. POTTER—Lydia Baldwin, F. Brucklin, and others, of Erie County, asking for the extension of the suffrage to women.

Mr. GRAVES—Jane E. Turner, Rev. C. H. Bebee, and 56 others, Bridgewater, Oneida County. Another from Julia M. Sherwood and 22 others, Westchester County, asking for woman suffrage.

[102]The ladies suggested to Mr. Curtis to present Mrs. Greeley's petition last, and with emphasis, that it might attract the attention of the reporters, and thus have Mrs. Greeley's petition and Mr. Greeley's report to antidote each other, and appear side by side in the Metropolitan journals. After the Convention adjourned that day, some of the ladies lingered in the vestibule to congratulate Mr. Greeley on his conservative report; but he had disappeared through some side door, and could not be found. A few weeks after he met Mrs. Stanton and Miss Anthony at one of Alice Cary's Sunday evening receptions. They noticed him slowly making his way toward them, and prepared for the coming storm. As he approached, both arose, and with extended hands, exclaimed most cordially, "Good evening, Mr. Greeley." But his hands hung limp and undemonstrative by his side, as he said in low and measured words, "You two ladies are the most maneuvering politicians in the State of New York. You set out to annoy me in the Constitutional Convention, and you did it effectually. I saw in the manner my wife's petition was presented, that Mr. Curtis was acting under instructions. I saw the reporters prick up their ears and knew that my report and Mrs. Greeley's petition would come out together, with large headings in the city papers, and probably be called out by the newsboys in the street."

Turning to Mrs. Stanton, he said, "You are so tenacious about your own name, why did you not inscribe my wife's maiden name, Mary Cheney Greeley on her petition?" "Because," I replied, "I wanted all the world to know that it was the wife of Horace Greeley who protested against her husband's report." "Well," said he, "I understand the animus of that whole proceeding, and now let me tell you what I intend to do. I have given positive instructions that no word of praise shall ever again be awarded you in the *Tribune*, and that if your name is ever necessarily mentioned, it shall be as Mrs. Henry B. Stanton!" And so it has been ever since.

From that time Mr. Greeley was seemingly hostile to the woman suffrage movement, just as he was toward the anti-slavery cause, after the Abolitionists in rolling up 60,000 votes for James G. Birney, defeated Henry Clay, and gave the ascendancy to the Democrats by electing Polk. Clay being a strong Protectionist was a great favorite with Mr. Greeley, and his defeat was a sore disappointment, and for years he denounced Abolitionists individually and collectively in his scathing editorials. Still in his happier moods he firmly believed in the civil and political equality of both women and negroes.

[103]This amendment was on the following section of Mr. Greeley's Report:

SECTION I. Every man of the age of twenty-one years who shall have been an inhabitant of this State for one year next preceding an election, and for the last thirty days a citizen of the United States, and a resident of the election district where he may offer his vote, shall be entitled to vote at such election, in said district and not elsewhere, for all officers elected by the people.

Provided, That idiots, lunatics, persons under guardianship, felons, and persons convicted of bribery, unless pardoned or otherwise restored to civil rights, shall not be entitled to vote....

[104]The Albany *Evening Journal* of July 25, 1867, in speaking of the "Suffrage

Discussion," said: "All men and women have the right to life, liberty, and the pursuit of happiness. If when deprived of the ballot the consequence is that this inalienable right is abridged, then society owes it to the class thus practically enslaved to bestow suffrage upon them. At the South there is no safety for the negro from oppressive laws but in the ballot. It is idle to argue ignorance. Political enfranchisement is the best educator."

[105]Beals, Bell, Corning, Curtis, Duganne, Farnum, Field, Folger, Fowler, Graves, Hadley, Hammond, Kinney, Lapham, M. H. Lawrence, Pond, Tucker, Vedder, Wales.

[106]President—Lucretia Mott.

Vice-Presidents—Elizabeth Cady Stanton, N.Y.; Frederick Douglass, N.Y.; Henry Ward Beecher, N.Y.; Martha C. Wright N.Y.; Elizabeth B. Chace. R.I.; C. Prince, Ct; Frances D. Gage, N.Y.; Robert Purvis, Penn.; Parker Pillsbury, N.H.; Antoinette Brown Blackwell, N.J.; Josephine S. Griffing, D.C.; Thomas Garrett, Del.; Stephen H. Camp, Ohio; Euphemia Cochrane, Mich.; Mary A. Livermore, Ill.; Mrs. Isaac H. Sturgeon, Mo.; Amelia Bloomer, Iowa; Helen Ekin Starrett, Kansas; Virginia Penny, Kentucky; Olympia Brown, Mass.

Corresponding Secretary—Mary E. Gage.

Recording Secretaries—Henry B. Blackwell, Hattie Purvis.

Treasurer—John J. Merritt.

Executive Committee—Lucy Stone, Edward S. Bunker, Elizabeth R. Tilton, Ernestine L. Rose, Robert J. Johnston, Edwin A. Studwell, Anna Cromwell Field, Susan B. Anthony, Theodore Tilton, Margaret E. Winchester, Abby Hutchinson Patton.

[107]

ST. LOUIS, May 4, 1868.

MRS. E. C. STANTON—*Dear Friend*: Our gentlemen friends urge us to memorialize Congress on the question of Suffrage in the District. Well knowing how a single petition is suffocated, would it not be well for all the States to unite, and be presented at the same time? New York, being the banner State, must head the move and be spokesman. Out list of names is waiting the interminable Impeachment to be handed in (oh, for old Ben. Wade in the White House), but it seems to me one State should not go alone; if all the State organizations were notified to send in their lists immediately to whoever you think will be most likely to do justice to the cause, we could make quite a formidable display combined.

Your sincere friend,
MRS. FRANCIS MINOR,
President of the St. Louis Woman's Suffrage Association.

ENFRANCHISEMENT IN THE DISTRICT.—MAY 21, 1868.—*To the Friends of Equal Rights*: The whole government of the District of Columbia is to be revised by Congress, in consequence of the expiration of local charters, within the next nine months. A rare opportunity is thus afforded to bring the enfranchisement of woman to the attention of Congress and the country. We urge you to send in petitions as fast as possible, with as many signatures as you can obtain. They should be sent to Mrs. Josephine S. Griffing, 213 North Capitol street, Washington, D. C., who will acknowledge their receipt and attend to their presentation.

FORM OF PETITION.

To the Senate and House of Representatives of the United States in Congress Assembled:

The undersigned —, of the — of —, in the State of —, respectfully petition, that in your revision of the government of the District of Columbia, you will protect the women of the District from being debarred the exercise of their right of suffrage.



Jane Prichard Jones

CHAPTER XXI.

[Pg 313]

RECONSTRUCTION.

The Fourteenth and Fifteenth Amendments—Universal Suffrage and Universal Amnesty the Key-note of Reconstruction—Gerrit Smith and Wendell Phillips Hesitate—A Trying Period in the Woman Suffrage Movement—Those Opposed to the word "Male" in the Fourteenth Amendment Voted Down in Conventions—The Negro's Hour—Virginia L. Minor on Suffrage in the District of Columbia—Women Advised to be Silent—The Hypocrisy of the Democrats preferable to that of the Republicans—Senator Pomeroy's Amendment—Protests against a Man's Government—Negro Suffrage a Political Necessity—Charles Sumner Opposed to the Fourteenth Amendment, but Voted for it as a Party Measure—Woman Suffrage for Utah—Discussion in the House as to who Constitute Electors—Bills for Woman Suffrage presented by the Hon. George W. Julian and Senators Wilson and Pomeroy—The Fifteenth Amendment—Anna E. Dickinson's Suggestion—Opinions of Women on the Fifteenth Amendment—The Sixteenth Amendment—Miss Anthony chosen a Delegate to the Democratic National Convention July 4, 1868—Her Address Read by a Unanimous Vote—Horatio Seymour in the Chair—Comments of the Press—The *Revolution*.

THE war settled two questions: 1st. That we are a Nation, and not a mere confederacy of States. 2d. That all "persons" born or naturalized in the United States are "citizens," and stand equal before the law. Freedom, United States citizenship, the limit of State authority, and national protection of the fundamental rights of citizens in the several States, are clearly set forth in the following amendments:

THIRTEENTH AMENDMENT, DECEMBER 18, 1865.

"1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

"2. Congress shall have power to enforce this article by appropriate legislation."

FOURTEENTH AMENDMENT, JULY 28, 1868.

Section 1. "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

[Pg 314]

Section 2. "Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged,

except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

Section 3. "No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an Executive or Judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or give aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability."

.

Section 5. "The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

FIFTEENTH AMENDMENT, MARCH 30, 1870.

Section 1. "The right of citizens of the United to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude."

Section 2. "The Congress shall have power to enforce this article by appropriate legislation."

The women understood the principles involved in these amendments, and accepted the logical conclusions. Under the first they applied to Congress for protection against the tyranny of the States in depriving them of the right of suffrage, but they were remanded to the States, and were told that Congress had no jurisdiction in the matter. Under the second, when women claimed the rights of citizens as tax-payers who helped to support the Government, they were told that neither the fathers nor their sons ever thought of women in framing their Constitutions, and that some special legislation was needed before their rights of citizenship could be recognized or accorded.

During the prolonged debates on these amendments, those who watched the progress of political sentiment and understood the drift of events, struck the key-note of reconstruction in "universal suffrage and universal amnesty," but they were speedily silenced or condemned. Abraham Lincoln saw that this was the true policy, and counseled it in private. But he was influenced by those who misjudged the signs of the times, and for the success of his party and his own re-election, he yielded to weak counselors. Horace Greeley, with the suffering and humiliation of the South, as well as the guilt and selfishness of the North before him, declared "universal suffrage and universal amnesty" to be the true basis of reconstruction, but a few cracks of the party whip brought him into line. Henry Ward Beecher foreshadowed the same policy in an able letter, which called down upon him the nation's scorn and denunciation, for which he was stabbed by the friends of his own household. He was the one leading man in the nation who, in all his public speeches, demanded universal suffrage in the reconstruction. And by universal suffrage Mr. Beecher meant political equality for all, without distinction of race, color, or sex. Women would have been dull scholars indeed had they not readily seen that the watchword "universal suffrage" stripped of the limitations that lay in the minds of party politicians, included women also.

[Pg 315]

Under Section 1 of the Fourteenth Amendment they saw that being "persons" and born in the United States, they were "citizens," whom the National Government was bound to protect against the tyranny of the State.

Section 2 called their attention to another principle of justice, that those who were counted in the basis of representation should have a voice in the rulers whose election their numbers helped to secure. To be sure, the word "male" thrown in seemed to nullify all applications of the several amendments to one sex, nevertheless the women understood the breadth of the principle, and made their demands for an equal recognition on the ground that they too were counted in the basis of representation.

Again, in the discussion on removing the "political disabilities" of those who had made war on the Government, when the injustice of taxing that large class denied the suffrage was pointed out and the exercise of that right demanded for thousands of rebels, the women saw the application of that principle to themselves, and echoed the old war-cry in our first Revolution, "taxation without representation is tyranny." In the exhaustive discussions on the emancipation and enfranchisement of the black man and the restoration of the rebels to political equality, the fundamental principles of republican government were more clearly comprehended by the American people than ever before. Hence, it was in harmony with the order of events that educated women, appreciating the genius of our institutions, with their interest in politics intensified by all the complications of the war, should think and reason and express their opinions on all these great questions of popular thought. They saw that "universal suffrage and universal amnesty" was the broad, safe foundation for the new republic. They saw that the enfranchisement of the women of the South would not only double the vote, but give a new impulse to thought and education throughout the Southern States, and mitigate the hostility they would naturally feel in seeing their slaves suddenly made their political superiors, their rulers, law-makers, judges, and jurors! They saw that with the incoming tide of ignorant voters from Southern plantations and from the nations of the Old World, that the Government needed the intelligent votations and moral influence of woman to outweigh the ignorance and vice fast crowding round our polling booths.

[Pg 316]

Seeing all this, they pressed with earnestness the well-considered demand for woman's enfranchisement, not from any selfish or personal considerations, but for the elevation of all womankind, and to vindicate the principles that underlie republican government. They who have the responsibility of action are usually more timid in counsel than those who can exert only an indirect influence. Hence the statesmen of that period did not dare to trust their own principles to their logical results, and instead of the broad demand of equal rights for all, they proposed reconstruction on the basis of "manhood suffrage"; a half-way measure that satisfied nobody, glossed over by the party in power as "universal suffrage," "equal suffrage," "impartial suffrage," until compelled to call the proposition by its true name, "manhood suffrage."

Having served the Government during the war in such varied capacities, and taken an active part in the discussion of its vital principles on so many reform platforms, women naturally felt that in reconstruction their rights as citizens should be protected and secured. They who had so diligently rolled up petitions for the emancipation and enfranchisement of the slaves now demanded the same liberties, not only for the white women of the nation, but for the newly made freed-women from Southern plantations, who had borne more grievous burdens and endured keener sufferings in the flesh and far more aggravating humiliations in spirit, than the man slave could ever know. And yet Abolitionists who had drawn their most eloquent appeals for emancipation from the hopeless degradation of woman in slavery, ignored alike the African and the Saxon in reconstruction, and refused to sign the petition for "woman suffrage." Even such just and liberal men as Gerrit Smith and Wendell Phillips, in their haste to see the consummation of the black man's freedom, to which they had devoted their life-long efforts, lost sight of the ever-binding principles of justice, and accepted an amendment to the National Constitution that made all men rulers, all women subjects. Gerrit Smith, who had often said, "It is always safe to do right"; "now is the time for action, you can not be sure of to-morrow"; "speak the truth though the heavens fall," acted from policy rather than principle in refusing to sign the following petition:

[Pg 317]

To the Senate and House of Representatives in Congress assembled:

The undersigned, citizens of the State of New York, earnestly but respectfully request, that in any change or amendment of the Constitution you may propose to extend or regulate suffrage, there shall be no distinctions made between men and women.

PETERBORO, Dec. 30, 1868.

MY DEAR SUSAN B. ANTHONY:—I this evening received your earnest letter. It pains me to be obliged to disappoint you. But I can not sign the petition you send me. Cheerfully, gladly can I sign a petition for the enfranchisement of women. But I can not sign a paper against the enfranchisement of the negro man, unless at the same time woman shall be enfranchised. The removal of the political disabilities of race is my first desire—of sex, my second. If put on the same level and urged in the same connection neither will be soon accomplished. The former will very soon be, if untrammelled by the other, and its success will prepare the way for the accomplishment of the other.

With great regard, your friend,

GERRIT SMITH.

To which letter Mrs. Stanton replied in *The Revolution* Jan. 14, 1869:

The above is the petition to which our friend Gerrit Smith, as an abolitionist, can not conscientiously put his name, while Republicans and Democrats are signing it all over the country. He does not clearly read the signs of the times, or he would see that there is to be no reconstruction of this nation, except on the basis of universal suffrage, as the natural, inalienable right of every citizen. The uprising of the women on both continents, in France, England, Russia, Switzerland, and the United States, all show that advancing civilization demands a new element in the government of nations. As the aristocracy in this country is the "male sex," and as Mr. Smith belongs to the privileged order, he naturally considers it important for the best interests of the nation, that every type and shade of degraded, ignorant manhood should be enfranchised, before even the higher classes of womanhood should be admitted to the polls. This does not surprise us. Men always judge more wisely of objective wrongs and oppressions, than of those in which they are themselves involved. Tyranny on a Southern plantation is far more easily seen by white men at the North than the wrongs of the women of their own households.

[Pg 318]

Then, again, when men have devoted their lives to one reform, there is a natural feeling of pride, as well as an earnest principle, in seeing that one thing accomplished. Hence, in criticising such good and noble men as Gerrit Smith and Wendell Phillips for their apathy on woman's enfranchisement at this hour, it is not because we think their course at all remarkable, nor that we have the least hope of influencing them, but simply to rouse the women of the country to the fact that they must not look to these men as their champions at this hour. While philosophy and science alike point to woman as the new power destined to redeem the world, how can Mr. Smith fail to see that it is just this we need to restore honor and virtue in the Government? There is sex in the spiritual as well as the physical, and what we need to-day in government, in the world of morals and thought, is the recognition of the feminine element, as it is this alone that can hold the masculine in check.

Again; Mr. Smith refuses to sign the petition because he thinks to press the broader question of "universal suffrage" would defeat the partial one of "manhood suffrage"; in other words, to demand protection for woman against her oppressors, would jeopardize the black man's chance of securing protection against his oppressors. If it is a question of precedence merely, on what principle of justice or courtesy should woman yield her right of enfranchisement to the negro? If men can not be trusted to legislate for their own sex, how can they legislate for the opposite sex, of whose wants and needs they know nothing? It has always been considered good philosophy in pressing any measure to claim the uttermost in order to get something. Being in Ireland at the time of the Repeal excitement, we asked Daniel O'Connell one day if he expected to secure a repeal of the Union. "Oh, no!" said he, "but I claim everything that I may be sure of getting something." But their intense

interest in the negro blinded our former champions so that they forsook principle for policy, and in giving woman the cold shoulder raised a more deadly opposition to the negro than any we had yet encountered, creating an antagonism between him and the very element most needed to be propitiated in his behalf. It was this feeling that defeated "negro suffrage" in Kansas.

But Mr. Smith abandons the principle clearly involved, and intrenches himself on policy. He would undoubtedly plead the necessity of the ballot for the negro at the south for his protection, and point us to innumerable acts of cruelty he suffers to-day. But all these things fall as heavily on the women of the black race, yea far more so, for no man can ever know the deep, the damning degradation to which woman is subject in her youth, in helplessness and poverty. The enfranchisement of the men of her race, Mr. Smith would say, is her protection. Our Saxon men have held the ballot in this country for a century, and what honest man can claim that it has been used for woman's protection? Alas! we have given the very hey day of our life to undoing the cruel and unjust laws that the men of New York had made for their own mothers, wives, and daughters.

As to the "rights of races," on which so much stress is laid just now, we have listened to debates in anti-slavery conventions, for twenty years or more, and we never heard Gerrit Smith plead the negro cause on any lower ground than his manhood; his individual, inalienable right to freedom and equality, and thus, we conjure every thoughtful man to plead woman's cause to-day. Politicians will find, when they come to test this question of "negro supremacy" in the several States, that there is a far stronger feeling among the women of the nation than they supposed. We doubt whether a constitutional amendment securing "manhood suffrage" alone could be fairly passed in a single State in this Union. Women everywhere are waking up to their own God-given rights, to their true dignity as citizens of a republic, as mothers of the race.

[Pg 319]

Although those who demand "woman's suffrage" on principle are few, those who would oppose "negro suffrage" from prejudice are many, hence the only way to secure the latter, is to end all this talk of class legislation, bury the negro in the citizen, and claim the suffrage for all men and women, as a natural, inalienable right. The friends of the negro never made a greater blunder than when, at the close of the war, they timidly refused to lead the nation in demanding suffrage for all. If even Wendell Phillips and Gerrit Smith, the very apostles of liberty on this continent, failed at that point, how can we wonder at the vacillation and confusion of politicians at this hour. We had hoped that the elections of '67, with their overwhelming majorities in every State against negro suffrage, would have proved to all alike, how futile is compromise, how short-sighted is policy. We have pressed these considerations so often on Mr. Phillips and Mr. Smith during the last four years, that we fear we have entirely forfeited the friendship of the one, and diminished the confidence of the other in our good judgment; but time, that rights all wrongs, will surely bring them back to the standpoint of principle.

As soon as we had a mouthpiece in *The Revolution* we found that many noble women in every State understood the situation, and saw that while the question of reconstruction was under debate, woman was false to herself not to put in her claims. In face of all opposition, those who did see the policy and justice of claiming this time as the woman's hour also, made the most persistent, brave fight possible. Again were appeals and petitions sent to Congress and the people, but now for woman's enfranchisement. When the whole nation was as it were resolved into its original elements, and the fundamental rights of citizens the topic for discussion in the halls of legislation and at every fireside, the time seemed so opportune for the settlement of the broad question of representation, that the persistency and determination of a few women to secure their rights was neither surprising nor unreasonable.

This was one of the most trying periods in the woman suffrage movement. Negro suffrage being a party measure, a political necessity and the culmination of the anti-slavery conflict, Republicans and Abolitionists could bid each other a most sincere and heartfelt Godspeed. And with them, too, stood the majority of the woman suffrage associations. Wives and daughters of Republicans and Abolitionists, imbued with the ideas of politicians, "one measure at a time," "one reform for a generation," lost sight of the true philosophy, that justice is always in order, and the fact that "universal suffrage" was the one reform that belonged specifically to the period of reconstruction. But women educated to self-sacrifice and self-abnegation readily accepted the idea that it was divine and beautiful to hold their claims for rights and privileges in abeyance to all orders and classes of men. They forgot that the highest patriotism, and the best interests of man himself demanded the enfranchisement of woman.

[Pg 320]

The few who insisted on absolute right stood firmly together under a steady fire of ridicule and reproach even from their life-long friends most loved and honored. They knew their position was unassailable, for they had well learned the lesson taught in the early days of anti-slavery and the Republican party, that all compromises with principle are dangerous. Statesmen and reformers alike admitted that the demands of the women were just and proper, though not opportune. But when the whole question of suffrage was up for discussion, there could not be a better time to get all the agitation possible in regard to woman's claims. The subject once settled on the narrow ground of class, it would not be renewed for a generation. Time has proved their fears well grounded. Nearly twenty years have passed, and there has been no such agitation and excitement as then on the question. If all the women, to say nothing of the Republicans and Abolitionists who claimed to believe in the truth of the idea, had stood firm, woman would have been enfranchised with the negro. But few could withstand the persecution, the ridicule, the pathetic appeals to keep silent, and in a large measure when the Anti-Slavery Society disbanded the woman suffrage movement became the toy of the Republican party, and has been trifled with ever since, like the cat with the mouse in the fable.

But Democrats seeing the inconsistency of Republicans, did advocate our cause, present our petitions in Congress, and frank our documents to all parts of the country. And because these

women, denied help and encouragement from other sources, accepted aid from the Democrats, they were called "Copperheads";^[108] disloyal to the Government. Women who had been complimented by the Republican press as "wise," "prudent," "noble," while rolling up 300,000 petitions for emancipation, were now said to be "selfish," "impracticable," "unreasonable," because forsooth they demanded some new liberties for themselves. More over said the Republicans, "these Democrats are hypocritical, they do not believe in the extension of suffrage to any class." To this the women replied, "If the Democrats advocate a grand measure of public policy which they do not believe, they occupy much higher ground than Republicans who refuse to press the same measure which they claim to believe. At all events the hypocrisy of Democrats serves us a better purpose in the present emergency than does the treachery of Republicans."

[Pg 321]

[Pg 322]

But with all their long-time friends against them; such as Charles Sumner and Henry Wilson in the Senate, William Lloyd Garrison and Gerrit Smith in reform, Horace Greeley and most of the Liberals in the press, the position of the women seemed so untenable to the majority that at times a sense of utter loneliness and desertion made the bravest of them doubt the possibility of maintaining the struggle or making themselves fairly understood. And yet, what was done was sound in principle and wise in policy. Every argument made by Republicans and Abolitionists for the enfranchisement of the negro was pertinent for woman. As Mr. Sumner said to us years after he made that great speech on "Equal rights to all," "substitute sex for color, and you have the best speech I could make on your platform." Our cause was wise too in policy, for never before had we such an opportunity to compel intelligent opposition in the halls of legislation and in conventions of the people. Black men were at the white heat of anxiety and expectation; Abolitionists, with bated breath, watched every move and vote in Congress; Republicans felt that on the success or defeat of "negro suffrage" hung the life or death of their party; and all alike feared the slightest influence that might turn the scale, and deplored the seeming coalition of the women and the Democrats. Hence what an hour to proclaim our principles of government upon their broadest basis, and to keep up the discussion of woman suffrage at every point with so formidable an opposition!

Few^[109] only were equal to the emergency. Even in the Equal Rights Conventions the slightest opposition to the XIV Amendment called out hisses and denunciation, and all resolutions on that point were promptly voted down. Mrs. Stanton and Miss Anthony were waylaid again and again in the ante-rooms, and implored to avoid all discussions on the pending amendments, and were persistently opposed by black men, Abolitionists, Republicans and women who did not understand either the principle or policy involved in the discussion. This opposition of the few did not grow out of any hostility to "negro suffrage," for they were all Abolitionists, and had labored untiringly for the emancipation of the slaves; but they were opposed to the enfranchisement of another class of ignorant men to be lifted above their heads, to be their law-makers and Governors; to prescribe the moral code and political status of their daughters. The hue and cry against those who claimed that "that was the woman's hour," for accepting the aid of Democrats in the establishment of a paper through which they could plead their own case, were so many plausible pretexts in the mouths of those who could not consistently attack their principles of action. But from this opposition on all sides true woman suffragists learned their power to stand alone, and to maintain the right against large and honorable majorities.

[Pg 323]

Again said our professed friends we can carry "negro suffrage" now; it is a political necessity; do not trammel us with another issue—this done, depend upon it, men have too much chivalry to forget the services of the loyal women all through the war, and through the long political struggle in Congress. Women in our conventions echoed the same assuring sentiments, and voted down resolutions of protest and rebuke. They were deceived with the plausible promises made by Republicans and Abolitionists—promises still unredeemed, for Republicans have been busy ever since trying to save the life of their party; and Abolitionists, with few exceptions, have thrown their influence into Labor Reform, Temperance, Finance, and Literature. But of what do you complain, asked our statesmen. Of many things, we replied:

1st. Our National Constitution was broad and liberal in letter and spirit, put no limits on suffrage, made no distinctions in sex, until the Republicans, by their amendments, introduced the word "male," and thus blocked woman's path to equality.

2d. Republicans in Congress either suppressed our petitions for suffrage, or presented them under protest, after holding them for weeks in their possession.

3d. By their speeches and votes in Congress, and their decisions in the courts on questions involving our civil and political rights, they have stultified their own grand declarations of the equal rights of citizens in a republic.

When the XIV Amendment was first proposed, the Hon. Charles Sumner opposed it, because, he said, there was already enough of Justice, Liberty, and Equality in the Constitution to protect the humblest citizen under our flag. He had always taken the ground that the Constitution was an Anti-Slavery document, hence to vote for an amendment was to contradict his former position. We opposed the amendments because, in the Constitution as it was there were no distinctions of sex recognized, while the amendments declaring "manhood suffrage," established an aristocracy of sex. However, in due season, Mr. Sumner withdrew his opposition; and without changing his opinion, voted for the amendments because negro suffrage was a party measure, and the political necessity of the hour. We, having no party, no votes, no political right but to petition and discuss the measures up for consideration, saw no reason for changing our opinions, hence we used the

[Pg 324]

best possible means to keep up the agitation until the amendments were passed, and beyond reconsideration. Nevertheless, in the midst of this general hostility, the sound policy of the agitation carried on against the Republican party and its measures was evident in the numerous bills some of its liberal members soon after presented in Congress. In *The Revolution*, December 10, 1868, we find the following:

NOW'S THE HOUR.—Not the "negro's hour" alone, but everybody's hour. All honor to Senator Pomeroy! He has taken the first step to redeem the Constitution from all odious distinctions on account of race or sex. He lost no time in presenting, at the opening of Congressional proceedings, the following as an amendment to the Federal Constitution to regulate suffrage throughout the country:

Article 15. The basis of suffrage in the United States shall be that of citizenship; and all native or naturalized citizens shall enjoy the same rights and privileges of the elective franchise; but each State shall determine by law the age of a citizen and the time of residence required for the exercise of the right of suffrage which shall apply equally to all citizens; and also shall make all laws concerning the times, places, and manner of holding elections.

Laid on the table and ordered to be printed.

Now let the work of petitioning and agitating for this amendment be prosecuted with a vigor and energy unknown before. And let Senator Pomeroy be honored with receiving and presenting to the Senate such a deluge of names as shall convince him that his noble step in the direction of a true democracy, is appreciated; and such too as shall be a rebuke to all half-way measures that would leave woman (white and colored) behind the colored male; and moreover, that shall convince Congress and the whole government that we can be trifled with no longer on a subject so vital to the peace, prosperity, and perpetuity of our own people, and the establishment of free institutions among the nations of the earth.

CONGRESS WIDE AWAKE.—Last week we gave good account of Mr. Julian, of Indiana, on behalf of suffrage for woman. This week we can report similar progress in the Senate also. The following is Senator Wilson's bill to amend an act entitled an act to regulate the elective franchise in the District of Columbia:

Be it enacted, etc., That the word "male" in the first section of the act entitled "An act to regulate the elective franchise in the District of Columbia, passed on the 8th day of January, 1867," be struck out, and that every word in said act applicable to persons of the male sex shall apply equally to persons of the female sex, so that hereafter women, who are inhabitants of the said District of Columbia and citizens of the United States, may vote at all elections and be eligible to civil offices in said District on the same terms and conditions in all respects as men.

[Pg 325]

Mr. Julian, in the House, on leave, introduced the following bill further to extend the right of suffrage in the District of Columbia:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That from and after the passage of this act the right of suffrage in the District of Columbia shall be based upon citizenship; and all citizens of the United States, native and naturalized, resident in said District, who are twenty-one years of age, of sound mind, and who have not forfeited this right by crime, shall enjoy the same equally, irrespective of sex.

SEC. 2, And be it further enacted, That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. Julian, on leave, introduced the following bill further to extend the right of suffrage in the Territories of the United States:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That from and after the passage of this act the right of suffrage in all the Territories of the United States, now or hereafter to be organized, shall be based upon citizenship; and all citizens of the United States, native or naturalized, resident in said Territories, who are twenty-one years of age, of sound mind, and who have not forfeited their right by crime, shall enjoy the same equally, irrespective of sex.

SEC. 2, And be it further enacted, That all acts or parts of acts, either by Congress or the legislative assemblies of said Territories, inconsistent with the provisions of this act are hereby declared null and void.

WOMAN SUFFRAGE IN UTAH.—March 25, 1869.—Mr. Julian introduced the following bill into Congress to discourage polygamy in Utah by granting the right of suffrage to the women of that Territory:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That from and after the passage of this act the right of Suffrage in the Territory of Utah shall belong to, and may be exercised by, the people thereof, without any distinction or discrimination whatever founded on sex.

The bill was read twice, referred to the Committee on Territories, and ordered to be printed.

The New York *Herald* is no more than an average of the voice of the intelligent portion of the press in the following excerpts from its columns: Senator Wilson has introduced a bill so to amend the suffrage laws of the District of Columbia as to give to women of all colors and races, as well as men, the right of suffrage. As Congress has exclusive powers of legislation over the District of Columbia in all cases whatsoever, here is a fair chance to try the two houses upon this very interesting question. There are a few out-spoken members of the Senate in favor of Woman Suffrage, and first and foremost among them is "Old Ben Wade," who goes for the whole programme of negroes' rights and women's rights. Senator Pomeroy, of Kansas, has so far advanced in the cause of Woman Suffrage that he has proposed to make it a part of the supreme law of the land. But we like the idea of Mr. Wilson of first trying the experiment in the District of Columbia.

We remember the time when, in full view from the west front of the Capitol, there was a regular slave pen which was also a market where negroes were bought and sold. The abolitionists first raised a hue and cry against that pen, and they kept it up to 1850, when among the compromise measures of Henry Clay passed that year was a provision abolishing the slave trade in the District. Some twelve years later, during the rebellion, the bolder and broader experiment was tried of abolishing slavery *in toto* in said District. These measures over a reserved bit of territory over which Congress possesses absolute authority were deemed judicious experiments and were demanded for the sake of consistency, in view of the legislation resolved upon in Southern reconstruction. So now, in view of a constitutional amendment establishing not only manhood suffrage, but womanhood suffrage throughout the United States, Mr. Wilson doubtless thinks it wise first to try the experiment of Woman Suffrage in the aforesaid District, to see how it will work. As the District of Columbia has not only survived but has flourished and continues to flourish under emancipation and negro suffrage, we can not imagine why there should be any hesitation in trying therein the experiment of Woman Suffrage. At all events let Senator Wilson push forward his bill, so that the country may know, so that General Grant may know, and so that the women may know who in the Senate in favor of negroes' rights will dare to oppose woman's rights.

CONGRESS.—DECEMBER 16, 1869.—In the House, some discussion arose on a question involving the equality of woman to hold appointments in the government. It was on a bill providing for the taking of the census. A motion was made to amend an amendment by changing the word elector (voter) to resident.

MR. LAWRENCE, of Ohio, said: I am opposed to the amendment of the gentleman from New York. The effect will be to exclude every female from any appointment, and although I suppose there will not be many female applicants for office under this bill, I see no reason why we should exclude them. (Laughter.) I know no reason why a soldier's widow or any other female properly qualified might not receive an appointment to any office the duties of which she may be as capable of performing as those of our own sex. If reasons exist let them be given. I will inquire of the gallant gentleman from New York whether he wishes to exclude this portion of his constituents and mine from the privilege of holding office under this bill? (Renewed laughter.)

MR. WOOD: My amendment says elector, not electress, and until the ladies have the privilege of electors of the United States I propose to exclude them.

MR. LAWRENCE: I am opposed to that. Merit and capacity to serve the people to the best advantage, after a proper consideration of claims, should be the test for office.

MR. GARFIELD, of Ohio: The word "elector" in the amendment of the gentleman from New York (Mr. Wood) would exclude Alaska altogether. There are no electors in Alaska. I would suggest that he substitute the word "resident," which would avoid the difficulty to which I have referred.

The question being put on Mr. Wood's amendment,

MR. GARFIELD, of Ohio, moved to amend the proposed amendment by inserting the word "resident" instead of "elector."

The question being put on Mr. Garfield's amendment to Mr. Wood's amendment, it was agreed to. The question being put on Mr. Wood's amendment, as amended, it was agreed to. So far, then, woman is not to be proscribed.

As in the war women bravely assumed duties in many departments of labor unknown to them before, so in the reconstruction they gave more earnest thought to questions of public policy, and made many valuable suggestions. A well written speech on "Reconstruction and Universal Suffrage," was delivered by Mrs. M. C. Walling, of Texas, in the Senate chamber of the Capitol at Washington, May 10th, 1866; The first and last time that a woman was ever granted the privilege of speaking there.

To Anna Dickinson belongs the honor of suggesting a XV amendment. Although the XIV amendment to the National Constitution gave to that document for the first time a concise definition of a "citizen," and forbade any State to abridge the privileges or immunities of citizens of the United States, yet this amendment was found inadequate to protect the political rights of the colored men; and the Republican party was anxiously casting about for a method of perfecting their work, when the puzzle was solved by a proposition for a XV amendment, which should prohibit disfranchisement on account of race, color, or previous condition of servitude. The suggestion for this amendment originated at the National Loyalists' Convention held at Philadelphia, September, 1866, in a consultation between Anna Dickinson, Frederick Douglass, and Theodore Tilton, and was in time accepted by the Republican party. It was reported in Congress Feb. 26, 1869, and received the necessary ratification March 30, 1870. Thus a woman and a colored man were two important factors in perfecting the work of reconstruction through a constitutional provision prohibiting disfranchisement on account of race, color, or previous condition of servitude.

As when the XIV amendment was pending, the efforts of women were directed toward securing the omission of the invidious word "male," so on the submission of the XV amendment their efforts were again directed toward securing the enfranchisement of woman by the introduction of the word "sex" in the last line of Section 1. But Congress with the usual short-sightedness of injustice, refused to secure the political freedom of one half the entire people, even forgetting to enfranchise a portion of the colored race from their "previous condition of servitude" because of sex.

The sound position taken by Anna Dickinson at this period is substantiated by Frederick

Douglass, not only in his "Life and Times," but in the following letters:

WASHINGTON, D. C., Jan. 31, 1882.

DEAR MRS. STANTON:— ... Mrs. Gage's version of the origin of the 15th Amendment is in substance true. To dear Anna E. Dickinson and brave Theodore Tilton belongs the credit of forcing that amendment upon the attention of the Nation at the right moment and in the right way to make it successful. I have given Miss Dickinson the credit you award her in my "Life and Times," and have made myself one of your earliest converts in the same.

Very truly yours,

FRED'K. DOUGLASS.

WASHINGTON, D. C., Feb. 6, 1882.

MY DEAR MRS. STANTON:—Referring, since reading your note, to what I have said of the National Loyalist Convention, held in Philadelphia in 1866, I find that I have done but very scant justice to Anna E. Dickinson and Theodore Tilton. Their courage, skill and sagacity, were never displayed to greater advantage than on that occasion. I have, as you will see, mentioned the main facts, but I have given but a meagre view of the moral conditions surrounding it. Bold and prompt action was needed, and the man and the woman were equal to the occasion. From the first Miss Dickinson, Mr. Tilton and myself felt that any reconstruction at the South leaving the freedmen without the ballot, would leave them in the absolute power of the old master-class. Hence from the first we conferred together as to the manner of bringing the subject to the attention of the Convention. We looked to the Committee on Resolutions to bring up the subject, but waited in vain. They had nothing for us but well rounded platitudes and glittering generalities about the Union and the relation of the States to the National Government all well enough in ordinary times, but totally inappropriate in respect of the real situation of the country at the moment. When it became known that Mr. Tilton and myself meant to bring forward the subject, we were besought not to do a thing so impolitic. We were implored not to load the Republican party with this new burden. We were told of the advantage it would give the Democratic party against us; how it would intensify and concentrate the prejudice already felt for the negro. It was evident that negro suffrage was the one great dread of the Convention. The proposal to discuss it was deplored as a blunder which would cost us dearly. This apprehension was mainly confined to the delegates from the border States, and as they had the control of the Convention, they managed to keep out the disturbing question of negro suffrage till the last day.

Seeing the evident purpose to this end, Mr. Tilton, after consulting with Miss Dickinson and myself, introduced the suffrage question. His action was received as a very large fire-brand, and caused a storm of tumult and confusion, in the midst of which the President, Mr. Speed, and other officers left their places on the platform, declaring the Convention adjourned. At this critical juncture, with the tact and skill of a veteran, Mr. Tilton seized the helm, declared the Convention not adjourned, and moved that Honorable John Minor Botts take the Chair. The Border States delegates took their hats and heels out of the Convention without standing upon the order of their going, while the men from the Gulf States nobly stood their ground. The Convention was still large. The going out of the Border States unfettered the platform. Anna E. Dickinson came on the stand with all her wonted ability, and thrilled the audience by her eloquent plea for negro suffrage. Hers was the speech, not of a brilliant declaimer, but the solid logic of a statesman. When she sat down I felt that the battle was more than half won. Next after Miss Dickinson came Theodore Tilton. It was plain from the moment he took the stand that the situation suited him, and that we were to hear from him that day such words of wisdom, truth and soberness as only genius could supply. We were not disappointed. He was the full master of the subject and the occasion, I followed Mr. Tilton, and resolutions favoring what has since become the 15th Amendment were passed with very little opposition.

[Pg 329]

You will notice on page 480 of my book, that I don't forget my walk with you from the house of Mr. Joseph Southwick, where you quietly brought to my notice your arguments for womanhood suffrage. That is forty years ago. You had just returned from your European tour. From that conversation with you I have been convinced of the wisdom of woman suffrage, and have never denied the faith....

Very truly yours,

FRED'K. DOUGLASS.

When Anna Dickinson, Frederick Douglass, and Theodore Tilton pressed the question of negro suffrage on the Loyalists' convention, they were met by the same arguments and appeals against it, that were urged upon those who pressed woman suffrage when the Fourteenth Amendment was pending. Douglass knew that any reconstruction without political equality for the black man was a delusion; the women saw as clearly that any reconstruction without political equality for them was a delusion also, and their determination to have some recognition under government sprung from the same love of freedom and self-respect that moved Douglass when, with equal determination, he walked in the procession, and took his seat as a delegate, as he had a right to do, though warned that he would stir up a mob, and be a firebrand in the convention. The description of this scene by Mr. Douglass himself is a suggestive study for all oppressed classes:

I was residing in Rochester at the time, and was duly elected as a delegate from that city to attend this convention. The honor was a surprise and a gratification to me. It was unprecedented for a city of over 60,000 white citizens, and only about 200 colored residents, to elect a colored man to represent them in a national political convention, and the announcement of it gave a shock to the country of no inconsiderable violence. Many Republicans, with every feeling of respect for me personally, were unable to see the wisdom of such a course. They dreaded the clamor of social equality and amalgamation which would be raised against the party, in consequence of this startling innovation. They, dear fellows, found it much more agreeable to talk of the principles of liberty as glittering generalities, than to reduce those principles to practice.

When the train on which I was going to the convention reached Harrisburgh, it met and was attached to another from the West crowded with Western and Southern delegates on the way to the convention, and among them were several loyal Governors, chief among whom was the Governor of

[Pg 330]

Indiana, Oliver P. Morton, a man of Websterian mould in all that appertained to mental power. When my presence became known to these gentlemen, a consultation was immediately held among them, upon the question as to what was best to do with me. It seems strange now, in view of all the progress which has been made, that such a question could arise. But the circumstances of the times made me the Jonah of the Republican ship, and responsible for the contrary winds and misbehaving weather. Before we reached Lancaster, on our eastward bound trip, I was duly waited upon by a committee of my brother delegates, which had been appointed by other honorable delegates, to represent to me the undesirableness of my attendance upon the National Loyalists' Convention. The spokesman of these sub-delegates was a gentleman from New Orleans with a very French name, which has now escaped me, but which I wish I could recall, that I might credit him with a high degree of politeness and the gift of eloquence. He began by telling me that he knew my history and my works, and that he entertained a very high respect for me, that both himself and the gentlemen who sent him, as well as those who accompanied him, regarded me with admiration; that there was not among them the remotest objection to sitting in the convention with me, but their personal wishes in the matter they felt should be set aside for the sake of our common cause; that whether I should or should not go into the convention was purely a matter of expediency; that I must know that there was a very strong and bitter prejudice against my race in the North as well as at the South; and that the cry of social and political equality would not fail to be raised against the Republican party if I should attend this loyal national convention. He insisted that it was a time for the sacrifice of my own personal feeling, for the good of the Republican cause; that there were several districts in the State of Indiana so evenly balanced that a very slight circumstance would be likely to turn the scale against us, and defeat our Congressional candidates and thus leave Congress without a two-thirds vote to control the headstrong and treacherous man then in the presidential chair. It was urged that this was a terrible responsibility for me or any other man to take.

I listened very attentively to this address, uttering, no word during its delivery; but when it was finished, I said to the speaker and the committee, with all the emphasis I could throw into my voice and manner: "Gentlemen, with all respect, you might as well ask me to put a loaded pistol to my head and blow my brains out, as to ask me to keep out of this convention, to which I have been duly elected. Then, gentlemen, what would you gain by this exclusion? Would not the charge of cowardice, certain to be brought against you, prove more damaging than that of amalgamation? Would you not be branded all over the land as dastardly hypocrites, professing principles which you have no wish or intention of carrying out? As a mere matter of policy or expediency, you will be wise to let me in. Everybody knows that I have been duly elected as a delegate by the city of Rochester. The fact has been broadly announced and commented upon all over the country. If I am not admitted, the public will ask, 'Where is Douglass? Why is he not seen in the convention?' and you would find that inquiry more difficult to answer than any charge brought against you for favoring political or social equality; but, ignoring the question of policy altogether, and looking at it as one of right and wrong, I am bound to go into that convention; not to do so, would contradict the principle and practice of my life." With this answer, the committee retired from the car in which I was seated, and did not again approach me on the subject; but I saw plainly enough then, as well as on the morning when the Loyalist procession was to march through the streets of Philadelphia, that while I was not to be formally excluded, I was to be ignored by the Convention.

[Pg 331]

I was the ugly and deformed child of the family, and to be kept out of sight as much as possible while there was company in the house. Especially was it the purpose to offer me no inducement to be present in the ranks of the procession of its members and friends, which was to start from Independence Hall on the first morning of its meeting. In good season, however, I was present at this grand starting point. My reception there confirmed my impression as to the policy intended to be pursued toward me. Few of the many I knew were prepared to give me a cordial recognition, and among these few I may mention Gen. Benj. F. Butler, who, whatever others may say of him, has always shown a courage equal to his convictions. Almost everybody else whom I met seemed to be ashamed or afraid of me. On the previous night I had been warned that I should not be allowed to walk through the city in the procession; fears had been expressed that my presence in it would so shock the prejudices of the people of Philadelphia, as to cause the procession to be mobbed.

The members of the convention were to walk two abreast, and as I was the only colored member of the convention, the question was, as to who of my brother members would consent to walk with me? The answer was not long in coming. There was one man present who was broad enough to take in the whole situation, and brave enough to meet the duty of the hour; one who was neither afraid nor ashamed to own me as a man and a brother; one man of the purest Caucasian type, a poet and a scholar, brilliant as a writer, eloquent as a speaker, and holding a high and influential position—the editor of a weekly journal having the largest circulation of any weekly paper in the city or State of New York—and that man was Mr. Theodore Tilton. He came to me in my isolation, seized me by the hand in a most brotherly way, and proposed to walk with me in the procession. I have been in many awkward and disagreeable positions in my life, when the presence of a friend would have been highly valued, but I think I never appreciated an act of courage and generous sentiment more highly than I did that of this brave young man, when we marched through the streets of Philadelphia on this memorable day.

Well! what came of all these dark forebodings of timid men? How was my presence regarded by the populace? and what effect did it produce? I will tell you. The fears of the loyal Governors who wished me excluded to propitiate the favor of the crowd, met with a signal reproof, their apprehensions were shown to be groundless, and they were compelled, as many of them confessed to me afterwards, to own themselves entirely mistaken. The people were more enlightened and had made more progress than their leaders had supposed. An act for which those leaders expected to be pelted with stones, only brought to them unmeasured applause. Along the whole line of march my presence was cheered repeatedly and enthusiastically. I was myself utterly surprised by the heartiness and unanimity of the popular approval. We were marching through a city remarkable for the depth and bitterness of its hatred of the abolition movement; a city whose populace had mobbed anti-slavery meetings, burned temperance halls and churches owned by colored people, and burned down Pennsylvania Hall because it had opened its doors to people of different colors upon terms of equality. But now the children of those who had committed these outrages and follies, were applauding the very principles which their fathers had condemned. After the demonstrations of this

[Pg 332]

first day, I found myself a welcome member of the convention, and cordial greeting took the place of cold aversion. The victory was short, signal, and complete.

This experience shows how little knowledge politicians have of what lies in the hearts of the people; that even statesmen seldom appreciate the many steps in progressive thought already achieved, before there is any popular demonstration. It shows, too, the commanding influence of personal dignity and lofty self-respect, incapable of being either flattered or coerced to take any position among men but one of absolute equality. And this was exactly the position taken by those women who opposed the Fourteenth Amendment. The Loyalists' Convention was held at a most critical period in the Nation's life; the policy and action of all the Southern States centered in its deliberations. Though Mr. Douglass would not hold the rightful representation of his race in abeyance to the success of the Convention, the pacification of the South, the policy of the border States, nor the life of the Nation, yet he too criticised the women who took precisely the same position in maintaining the dignity of sex against the action of the Republican party and the whole Northern policy of reconstruction. What to either class was the nation's life, so long as the flag gave them no protection against the humiliating distinctions of caste? What to them were boasted republican institutions, so long as their rights, privileges, and immunities as citizens were denied? White men could only be taught the lesson of a common humanity by just such resistance as these oppressed classes made. Protests and petitions, falling like seeds here and there on good ground, at last moved some liberal Republicans to action, and several bills recognizing the political existence of women were duly presented. The best results of the war have been the struggle and determination of black men and women for recognition in the reconstruction, for they have compelled the nation's consideration of the vital principles of republican government, and secured for both classes many rights and privileges heretofore unknown.

[Pg 333]

The congressional action throughout this session proves that if all the friends of woman suffrage had been steadfast to their principles, and made a simultaneous effort against any further extension of "manhood suffrage" until woman too was recognized, the measure might have been carried; at least the agitation could have been prolonged and intensified in the halls of legislation fourfold. But in the general confusion as to what might or might not be sound policy, the most liberal took each onward step with doubt and hesitation. However, the persistent hostility to the amendments kept up the agitation in Congress, which at last culminated in a proposition for a Sixteenth Amendment, for which the National Woman Suffrage Association has, with one short interval, ever since petitioned.

THE SIXTEENTH AMENDMENT.—March 15, 1869, will be held memorable in all coming time as the day when the Hon. George W. Julian submitted a "Joint Resolution" to Congress to enfranchise the women of the Republic by proposing a Sixteenth Amendment to the Federal Constitution, which reads as follows:

ART. 16. The Right of Suffrage in the United States shall be based on citizenship, and shall be regulated by Congress; and all citizens of the United States, whether native or naturalized, shall enjoy this right equally without any distinction or discrimination whatever founded on sex.

Since our famous Bill of Rights was given to the world declaring all men equal, there has been no other proposition, in its magnitude, beneficence, and far-reaching consequences, so momentous as this. The specific work now before us, is to press the importance of this Amendment on the consideration of the people, and to urge Congress to its speedy adoption. Suffrage associations should be formed at once and newspapers established in every State to press Woman's Enfranchisement, and petitions should be circulated in every school district from Maine to California, praying the adoption of the Sixteenth Amendment, that when the Forty-second Congress assembles it may understand the work before it.—*The Revolution*, April 29, 1869.

Petitions for a Sixteenth Amendment were immediately printed and sent throughout the nation, and have been steadily rolling into Congress for the last thirteen years from all the State and National Woman Suffrage Associations. The Fortieth Congress was the first in which an amendment to the National Constitution in the interests of woman was ever proposed. In a series of editorials in *The Revolution* there was a decided expression of hostility towards the Fifteenth Amendment during all the time it was pending in Congress. In the issue of October 21, 1869, Mrs. Stanton said:

All wise women should oppose the Fifteenth Amendment for two reasons. 1st. Because it is invidious to their sex. Look at it from what point you will, and in every aspect, it reflects the old idea of woman's inferiority, her subject condition. And yet the one need to secure an onward step in civilization is a new dignity and self-respect in women themselves. No one can think that the pending proposition of "manhood suffrage" exalts woman, either in her own eyes or those of the man by her side, but it does degrade her practically and theoretically, just as black men were more degraded when all other men were enfranchised.

[Pg 334]

2d. We should oppose the measure, because men have no right to pass it without our consent. When it is proposed to change the constitution or fundamental law of the State or Nation, all the people have a right to say what that change shall be.

If women understood this pending proposition in all its bearings, theoretically and practically, there would be an overwhelming vote against the admission of another man to the ruling power of this nation, until they themselves were first enfranchised. There is no true patriotism, no true nobility in tamely and silently submitting to this insult. It is mere sycophancy to man; it is licking the hand that forges a new chain for our degradation; it is indorsing the old idea that woman's divinely ordained position is at man's feet, and not on an even platform by his side.

By this edict of the liberal party, the women of this Republic are now to touch the lowest depths of their political degradation.

JUNE 3, 1869.

THE FIFTEENTH AMENDMENT.—It is not to be believed that the nation which is now engaged in admitting the newly liberated negro to the plenitude of all political franchise, will much longer retain woman in a state of *helotage*, which is more degrading than ever, because being no longer shared by any of the male sex, it constitutes every woman the inferior of every man.—JOHN STUART MILL.

It is this thought, so clearly seen and concisely stated by this distinguished English philosopher and statesman, that I have endeavored to press on the hearts of American reformers for the last four years. I have seen and felt, with a vividness and intensity that no words could express, the far-reaching consequences of this degradation of one-half the citizens of the republic, on the government, the Saxon race, and woman herself, in all her political, religious, and social relations. It is sufficiently humiliating to a proud woman to be reminded ever and anon in the polite world that she's a political nonentity; to have the fact gracefully mourned over, or wittily laughed at, in classic words and cultured voice by one's superiors in knowledge, wisdom and power; but to hear the rights of woman scorned in foreign tongue and native gibberish by everything in manhood's form, is enough to fire the souls of those who think and feel, and rouse the most lethargic into action.

If, with weak and vacillating words and stammering tongue, our bravest men to-day say freedom to woman, what can we hope when the millions educated in despotism, ignorant of the philosophy of true government, religion and social life, shall be our judges and rulers? As you go down in the scale of manhood, the idea strengthens at every step, that woman was created for no higher purpose than to gratify the lust of man. Every daily paper heralds some rape on flying, hunted girls; and the pitying eyes of angels see the holocaust of womanhood no journal ever notes. In thought I trace the slender threads that link these hideous, overt acts to creeds and codes that make an aristocracy of sex. When a mighty nation, with a scratch of the pen, frames the base ideas of the lower orders into constitutions and statute laws, and declares every serf, peasant and slave the rightful sovereigns of all womankind, they not only degrade every woman in her own eyes, but in that of every man on the footstool. A cultivated lady in Baltimore writes us a description of a colored republican reunion, held in that city a few evenings since, in which a colored gentleman offered the following toast: "Our wives and daughters—May the women of our race never unsex themselves by becoming strong-minded."

[Pg 335]

E. C. S.

MARCH 11, 1869.

DRAWING THE LINES.—If the fifteenth article of Constitutional Amendments ever gets ratified and becomes the rule of suffrage, it will have at least one good effect. Woman will then know with what power she has to contend. It will be male versus female, the land over. All manhood will vote not because of intelligence, patriotism, property, or white skin, but because it is male, not female. All womanhood will be newly outraged and debased, not for ignorance, disloyalty, poverty, or a black skin, but because it is female, not male. Julia Ward Howe, of Boston, has some good thoughts in the *Galaxy* for March on this subject, in part as below:

"The Irish or German savage, after three years' cleansing, is admitted to the general enrollment of the community. The colored man, cleaner at the start than these, the natural ally of republican principles, trained to an understanding of freedom by a long experience of its opposite, stands next upon the record. Voting to him is a military necessity. It is the only weapon with which he can meet those whom law, custom, and prejudice have hitherto trebly armed against him. This admitted right of elective franchise to all men, brings one scarcely anticipated condition. It arrays now the whole male and female sexes in a new and unforeseen condition. The right of the elective franchise is now the recognition of the inalienable right of all men to the proper administration of their interests, and in America this right is founded upon the right of human intelligence to its own exercise, the right of human labor to its own recompense. The generous culture which allows woman in this country so large an extension of thought, and the social necessities which place in her hands so many of the nicer tasks hitherto kept for those of the other sex, alike commission her to claim and make good her right to the most simple, general and explicit method of expressing her will in the arena where wills are counted and respected."

END OF THE SUFFRAGE AGITATION.—"The adoption of the Fifteenth Amendment will put an end to further agitation of the subject, for a long time at least, and thus leave the government of the country free to deal with its material interests, and with the more pressing questions of public policy and administration which will arise from time to time. We do not concur with those who predict that the question of suffrage for women will speedily demand public action or engross public attention, or that the right of men to hold office without distinction of color or race, will absorb any great degree of public time or public thought for a long while to come. Until some decided practical advantage is to be gained by a dominant political party, neither of these questions will be pressed to a decision; and both of them have, in our judgment, commanded more attention already than they will soon command again. With the adoption of the Fifteenth Amendment, we may fairly look upon the suffrage agitation as at an end, for the present political generation at all events; and that consideration, of itself, affords a very powerful argument in favor of its adoption."

[Pg 336]

Such is the conclusion of the *New York Times*. It is, too, the belief, hope, and intention of a large number of party leaders, both Republican and Democrat. But such reckon without their host. They seem to have no idea with whom they have to deal. Woman may not achieve her rights next year; may not vote for President in 1872. But if President Grant means by "let us have peace," an end to the struggle for Woman Suffrage, he must pray to some other than the God of Heaven, or the politicians of his party and country; for the latter can't stop the agitation, and the former won't. So President Pierce actually proclaimed peace with slavery at his inauguration; but John Brown was already whetting his sword, and the Almighty was forging his thunderbolts for that vessel of wrath, long fitted for destruction, and the day of peace is not even yet.

P. P.

PAULINA WRIGHT DAVIS ON THE FIFTEENTH AMENDMENT.—MY DEAR MRS. STANTON: Nothing but the great crisis pending in our movement would have drawn me from my retirement again into public strife and turmoil, but I feel it a duty to enter my protest with yours against the Fifteenth Amendment. Last winter, in Boston, I could only give my vote against it, for no Sixteenth had been proposed. It seemed almost a childish, selfish thing to do, when all the eloquence of a Boston platform was arrayed on the other side, and other women rose and said they were ready to step aside and let the colored man have his rights first. Not one said we will step aside and let the negro woman (whom I affirm, as I ever have, is better fitted for self-government than the negro man) have her rights before we press our claim, I could not but think it an easy thing for them to do, never having had the right they demanded. But if they truly believe that it will do for humanity what is claimed for it, I do not see why it should be called magnanimous for a woman to say, I yield to man just what he has always asserted as his, the right to rule. You have taken a bold stand, and I thank God for it. Though still in the minority, there is hope; for with a radical truth one shall chase a thousand, and two put ten thousand to flight; and ere very long, before another convention, I trust many more will see with us that the Fifteenth Amendment, without the Sixteenth, is a compromise worse by far for the nation than any other ever passed. They could be repealed, this can not. Once settled, the waves of corruption will swamp our little bark freighted with all humanity, the women of all shades of color, and subject to every variety of tyranny and oppression, from the cramped feet of the Chinese to the cramped brains and waists of our own higher order of civilization.

It seems specially strange to those of us who so well remember the motto of the old Abolitionists, "Immediate and unconditional emancipation," now to hear a half measure advocated. It was that stern principle of justice which attracted and held me in the old organization when those dearest to me went into the Liberty party. I had been trained in that school which taught children that they must do right for right's sake, without hope of reward or fear of punishment, leaving the consequences with the All wise Ruler of events. Among the early Abolitionists this uncompromising spirit was manifest, and to me it was the real gospel.

[Pg 337]

I remember well the strong opposition to some who advocated the election of John C. Fremont, in 1856, among whom was Frederick Douglass. He was then denounced as a compromiser asking for a half loaf. He still asks for the half loaf; but others who stood firmly then for the whole have now come down to his plane, and desire above all things to finish up the anti-slavery work and have the negro man out of the way, and so give the Sixteenth Amendment the go-by, claiming manhood suffrage because it is the order of nature that man, however ignorant, debased and brutal he may be, shall always be first, because he always has been, yielding the whole argument to physical force, leaving the negro woman wholly out of the question, giving her over to the tyranny of the husband, which is nearly, if not quite, equal to that of the master. The anti-slavery platform still carefully guards itself against the woman question, while on the Suffrage platform the Fifteenth Amendment is considered essential. Miss Couzins was the only one who put the two amendments fairly before the Convention in Boston. After presenting the issues of the two amendments she trenched lightly on another topic still more offensive. She plead for the outcast woman in a most womanly way, but it did not prove to be a popular theme; but I think she is too true, pure, and noble not to do the same again and again.

Last evening Miss Peckham, Mrs. Churchill, and Miss Couzins presented the suffrage question to a select audience in Providence. Each in her own way and from her own stand-point spoke well. I have not time to give you as elaborate a notice as I should like to of each, but will do so after the convention which the State Association propose holding next week, on Monday, the 14th, in Westerly, R. I. If you have helps to send us we shall welcome them cordially.

Yours ever truly,

P. W. DAVIS.

JULY 22, 1869.

FIFTEENTH AMENDMENT—ITS LUDICROUS SIDE.—Almost every question has its ludicrous side. The champions of the Fifteenth Amendment to the Constitution present an illustration. Conceding woman's equal right to the ballot with man, they still resist her claims on the ground that this is not her hour, but man's hour. "The black man's hour." As though justice and right were determined by clocks and almanacs. And as though some sort of terrible crisis could not be urged always. Admitting even that in fitness for the franchise, the white women, especially of the North, are eminently superior to the average of Southern men, of any color, they still demand that woman's claim be postponed to their favorite Fifteenth Amendment, which presumes every man in the nation of whatever color, grade, or race, the superior of woman, however exalted by culture, by wealth, by refinement, by patriotism, or whatever virtues, gifts, or graces. An Amendment, it is called, while preparing the way to lift into lordship absolute, every man, however mean and vile, over every woman, however divine her character!

And then these "Amenders" presume to charge with "selfishness," "ignorance," "conservatism," and nobody knows what else, those who are laboring night and day, in season, out of season, and at all seasons, under a banner on which was inscribed at the formation of their Association, "Equal Rights to all citizens; ESPECIALLY THE RIGHT OF SUFFRAGE, IRRESPECTIVE OF RACE, COLOR OR SEX." Without pretending that the Association, or any of its members, has violated, in letter or in spirit, a word of this constitutional pledge, leading Abolitionists are charging "injustice," "insincerity," and "treachery to the cause of liberty," on actors in the Equal Rights Association, besides ignorance, selfishness, and conservatism, because they will not turn aside from their holy purpose to promote a measure that basely, grossly insults one-half, and that the best half of the human race. Were the subject not too serious for mirth, such accusations, coming from such a source, would be simply ludicrous. As it is, many will laugh at such absurdity. The Fifteenth Amendment, at best, is but a trick, a device (as was the Fourteenth with its word *male* three times burned into a single period), of as corrupt and unprincipled a school of politicians as ever disgraced the name of legislation, to save themselves and their party in place and power. It is told us in all seriousness, that the word *male* is not in the Fifteenth Amendment, as though that atoned for its infamy, and rendered it worthy of woman's support. Why should the word *male* be in it? Three times solemnly muttered in the

[Pg 338]

Fourteenth, it needed no repetition in the Fifteenth.

Another ludicrous view of this subject, is the zeal with which so many women are laboring to hoist all mandom into power over them. Power as omnipotent as ignorance, prejudice, and love of domination can possibly create. A little reflection, one would think, might show and satisfy the blindest that the opposition they encounter already is quite sufficient, without augmenting it a thousand fold, and anchoring it fast in the constitution of the country. True, they are assured by radical Republicans that as soon as the negro man is secured, the colored woman and the white woman also shall be equally distinguished. Had this age an *Æsop*, he would tell again his story of the goat and the fox at the bottom of the well. How to get out, of course, was the question. After long and anxious thought, a happy expedient struck the fox. "Do you, friend goat, rear yourself up against the wall, as near the top as possible, and from the tip of your horns I can spring out, and then it will be quite easy to pull you up by the horns also." No quicker spoken than done. Out leaped the fox, and was safe. Then the goat demanded his release, as promised. "You old fool!" answered Reynard! "Had you half as much brain as beard, you would know that I would never risk my life to save yours," and away he ran. The whole history of American politics is assurance, but pre-eminently so is the history of present parties, that a party victory would scarcely be risked to save all womankind from consuming fire. A very few such elections as the late one in Virginia, would subdue immensely the present Republican ardor on the colored man's rights.

But most ludicrous of all is it to hear old anti-slavery leaders and teachers referring to the past for defense of their present hostility, and challenging us to re-read that history and be ashamed of our present course. But when in the past did Wendell Phillips ever teach that a half loaf is better than no bread, if poisoned, or if it were snatched or stolen from a family of starving orphans? It was not in 1839, nor '49, nor '59, that he held or inculcated such a philosophy. The motto of the Anti-Slavery *Standard* was and is "Without Concealment—Without Compromise." Now under that sublime evangel women are instructed to bridge over the gulf to colored male enfranchisement with their own imperiled, nay, sacrificed equal rights. Better now the "half loaf," festering, putrid with the poison of compromise, than no bread! Better that the black man have his half loaf, though he steal it from his mother and sisters, more hungry, starving, and dying, than himself!

[Pg 339]

Oh, no! it was never so in the past. Terrible to conservatism as to slavery itself, was the mighty war-cry of the Abolitionists for twenty years. "No union with slaveholders!" No compromise with injustice for an election, or for an hour, not even for a good ultimate purpose! Colonization proposed a double purpose, the final extinction of slavery, and a meanwhile redemption of Africa from the midnight gloom and horror of heathenism. "Get thee behind me, Satan," was the thundering response and just rebuke of it by the Abolitionists! "Let us compromise with the South, and buy up their slaves," said Elihu Burritt and his overgrown mushroom convention, at Cleveland. "Our curse on your slave trade, foreign and domestic," was the answering response of the Garrisonian Invincibles. Many of the oldest leaders and officers of the society refused even to help an escaped slave-mother buy her children of her old master. "Let us form a Republican party," said foxy politicians, and fight the extension of slavery into Kansas, or any other new territory with ballot, bullet, and battle-axe, if need be, but leaving the damnable system in the States with its 4,000,000 of victims and their posterity still chained under constitutional guarantee and the army and navy of the nation. "No union with slaveholders," rung out the lips and lungs of the Abolitionists, in tones that shook the land from Maine to Mexico! "Fremont and Jessie" harnessed by constitutional compromise to the Juggernaut car of slavery, were not to be preferred by them to Beelzebub Buchanan himself. "No union with slave-holders," though Gabriel were candidate and chief captain of their hosts!

Now what do we behold? Wendell Phillips has shivered the English language all to pieces in attempts to describe the baseness and utter worthlessness of the Republican party. The president has sold "the poisonous porridge called his soul," to Virginia rebels and New York and Pennsylvania aristocrats and bondholders, and yet Mr. Phillips persists in demanding that woman lay her own right of suffrage at the presidential and Republican party feet, while they so mould and manipulate the black male element, as by it, if possible, to save themselves from utter rout and destruction. Thanks be to God, some of us learned the old anti-slavery lesson from Wendell Phillips better. And we dare take our appeal from the Wendell Phillips of to-day, to him of twenty years ago. And we do "dare to look our past history in the face." And moreover, we look with triumph, and with hearts swelling with fervent gratitude that our anti-slavery teachers schooled us so well. What is it but ludicrous (if mirth be possible on such a question) for those who are thus seeking the enfranchisement of but half of even the fragmentary colored race, to charge with selfishness, compromise, and treachery, the association, or any of its members, that are earnestly laboring to extend the ballot to every American citizen, irrespective of all distinctions of race, complexion or sex? Can such accusers look each other in the face and not laugh? Cato wondered that two augurs could meet with gravity. What would he do here? And still more preposterous, if not ludicrous, is it, when woman voluntarily stops and becomes the agent of her own degradation, and with her own hands builds barriers against her own advancement; piling up opposition, Pelion upon Ossa, when the majority against her, even in New York and New England, is already appalling? And then for us to be referred to the teachings and experiences of the past for lessons in compromise, cold, calculating compromise, such as Abolitionists ever blasted with the breath of their nostrils, and scourged from their presence with fiery indignation! The Equal Rights Association is not to be turned aside by any seductive devices from its high and holy purpose of enfranchisement for all American citizens, KNOWING NO RACE, NO COLOR, NO SEX.

[Pg 340]

P. P.

OCT. 7, 1869.

DEAR REVOLUTION:—Pardon a few plain words from an earnest friend of human suffrage.

Your course opposing the Fifteenth Amendment and Political (combined with moral) Temperance action, seems to me absolutely suicidal, and must and will logically leave you to the tender mercies of negro-drivers or haters and rumsellers and their sympathizers. How much human suffrage can hope for at their hands, judge ye!

P. S.—To say I am utterly astonished and grieved at *The Revolution* therein but feebly expresses my feelings. But we shall see what you will effect by it.

The Revolution criticises, "opposes," the fifteenth amendment, not for what it is, but for what it is not. Not because it enfranchises black men, but because it does not enfranchise all women, black and white. It is not the little good it proposes, but the greater evil it perpetuates that we deprecate. It is not that in the abstract we do not rejoice that black men are to become the equals of white men, but that we deplore the fact that two millions black women, hitherto the political and social equals of the men by their side, are to become subjects, slaves of these men. Our protest is not that all men are lifted out of the degradation of disfranchisement, but that all women are left in. *The Revolution* and the National Woman's Suffrage Association make woman's suffrage their test of loyalty, not negro suffrage, not Maine law or prohibition. Do you believe women should vote? is the one and only question in our catechism.

In this period of reconstruction the Woman Suffrage Associations sent their first delegates to National political conventions. The appointment of Susan B. Anthony to the Democratic Presidential Convention was a new and unlooked-for sensation.

The Revolution, NEW YORK, July 9, 1868.

SUSAN B. ANTHONY IN TAMMANY HALL.—Our readers will remember, some time ago, it was announced in all the daily journals that Susan B. Anthony was appointed a delegate to the Democratic Convention, to represent the woman's suffrage movement in this country. She accordingly applied by letter for a hearing in the Convention. Her letter was presented to the Convention by the President, ex-Governor Horatio Seymour, read by the clerk in a loud, clear voice, received a most respectful and enthusiastic hearing, and was referred to the Committee on Resolutions.

[Pg 341]

As our readers would, no doubt, like to know what radical doctrines the Democratic party are now sufficiently developed to applaud, we give the letter below. Let no one say that our devotion to the education of this party for the last four years has been in vain:

WOMAN'S SUFFRAGE ASSOCIATION, 37 PARK ROW, }
ROOM 20, NEW YORK, July 4, 1868. }

ELIZABETH CADY STANTON, MRS. HORACE GREELEY, } *Central Com.*
SUSAN B. ANTHONY, ABBY HOPPER GIBBONS, }

To the President and Members of the National Democratic Convention:

GENTLEMEN:—I address you by letter to ask the privilege of appearing before you during the sittings of this Convention, to demand the enfranchisement of the women of America, the only class of citizens wholly unrepresented in the Government, the only class (not guilty of crime) taxed without representation, tried without a jury of their peers, governed without their consent. And yet in this class are found many of your most noble, virtuous, law-abiding citizens, who possess all the requisite qualifications of voters. Women have property and education. We are not "idiots, lunatics, paupers, criminals, rebels," nor do we "bet on elections." We lack, according to your constitutions, but one qualification—that of sex—which is insurmountable, and, therefore, equivalent to a deprivation of the suffrage; in other words, the "tyranny of taxation without representation."

We desire to lay before you this violation of the great fundamental principle of our Government for your serious consideration, knowing that minorities can be moved by principles as majorities are only by votes. Hence we look to you for the initiative step in the redress of our grievances.

The party in power have not only failed to heed our innumerable petitions, asking the right of suffrage, poured into Congress and State Legislatures, but they have submitted a proposition to the several States to insert the word "male" in the Federal Constitution, where it has never been, and thereby put up a new barrier against the enfranchisement of woman. This fresh insult to the women of the Republic, who so bravely shared the dangers and sacrifices of the late war, has roused us to more earnest and persistent efforts to secure those rights, privileges, and immunities that belong to every citizen under Government. As you hold the Constitution of the fathers to be a sacred legacy to us and our children forever, we ask you to save it from this desecration, which deprives one-half our citizens of the right of representation in the Government. Over this base proposition the nation has stood silent and indifferent. While the dominant party has with one hand lifted up two million black men and crowned them with the honor and dignity of citizenship, with the other it has dethroned fifteen million white women—their own mothers and sisters, their own wives and daughters—and cast them under the heel of the lowest orders of manhood.

We appeal to you, not only because you, being in a minority, are in a position to consider principles, but because you have been the party heretofore to extend the suffrage. It was the Democratic party that fought most valiantly for the removal of the "property qualification" from all white men, and thereby placed the poorest ditch-digger on a political level with the proudest millionaire. This one act of justice to workingmen has perpetuated your power, with but few interruptions, from that time until the war. And now you have an opportunity to confer a similar boon on the women of the country, and thus possess yourselves of a new talisman that will insure and perpetuate your political power for decades to come.

[Pg 342]

While the first and highest motive we would urge on you, is the recognition in all your action of the great principles of justice and equality that are the foundation of a republican government, it is not unworthy to remind you that the party that takes this onward step will reap its just reward. It needs but little observation to see that the tide of progress in all countries is setting toward the enfranchisement of woman, and that this advance step in civilization is destined to be taken in our day.

We conjure you, then, to turn from the dead questions of the past to the vital issues of the hour. The brute form of slavery ended with the war. The black man is a soldier and a citizen. He holds the bullet and the ballot in his own right hand. Consider his case settled. Those weapons of defense and self-protection can never be wrenched from him. Yours the responsibility now to see that no new chains be forged by bondholders and monopolists for enslaving the labor of the country.

The late war, seemingly in the interest of slavery, was fought by unseen hands for the larger liberties of the whole people. It was not a war between North and South, for the principle of class and caste knows neither latitude or longitude. It was a war of ideas—of Aristocracy and Democracy—of Capital and Labor—the same that has convulsed the race through the ages, and will continue to convulse future generations, until Justice and Equality shall reign upon the earth.

I desire, therefore, an opportunity to urge on this Convention the wisdom of basing its platform on universal suffrage as well as universal amnesty, from Maine to California, and thus take the first step toward a peaceful and permanent reconstruction.

In behalf of the Woman's Suffrage Association,

Respectfully yours,

SUSAN B. ANTHONY.

The comments of the daily city press^[110] on this "innovation" were as varied as amusing. During the reading of this document, several members of the Equal Rights Association occupied conspicuous seats in the Convention. This was the first time in the history of that party that any effort had been made to secure the attendance of their mothers, wives, and daughters. But observing that women had been an element of enthusiasm in Republican meetings all through the war and the period of reconstruction, and seeing the improved tone and manner their presence had given to the speeches, and the general conduct of the proceedings, it was thought best to secure the same influence henceforth in Democratic conventions. The attempt at this time was quite satisfactory and successful. A large number of handsomely-dressed ladies helped to swell the immense audience that assembled in Tammany Hall, one of the most spacious and elegant auditoriums in the city, to be dedicated on that day, July 4th, 1868, to Democratic principles.

[Pg 343]

[Pg 344]

As there were strong hopes that that party was about to take some new departure; some onward step; even to nominate for their leader so radical a man as Salmon P. Chase, a large number of Radicals and Liberals were present. Had the Democrats made that nomination, and put a woman suffrage plank in their platform, they would probably have carried the election. But they timidly clung to their old moorings, nominated a man who had an unpopular war record, and submitted a platform without one vital principle with which to rouse the enthusiasm of the people.

Thus was the movement inaugurated of sending women as delegates to both Republican and Democratic Presidential conventions, giving rise to the agitation of the suffrage question on new platforms. With what success the example has been followed, the records from time to time fully show.

FOOTNOTES:

[108]GOING OVER TO THE COPPERHEADS.—As we have received several letters from radical friends, warning us that we are going over to the copperheads, for their comfort and instruction we will state some part of our political creed.

1. We believe that suffrage is a natural right that belongs to every man and woman of sound mind, without any qualification of property, education, or sex, and moreover, that no reconstruction is worthy the name that does not secure this right to the humblest citizen under government.
2. We believe that both the spirit and the letter of the Federal Constitution and the Declaration of Independence give Congress the right to secure a republican form of government in every State in the Union, and if they had done their duty at the end of the war and proclaimed universal suffrage and universal amnesty, North and South, the Republican party would not have been floundering about in the fogs and mists of statesmanship to-day, without one inspiring party cry, or one grand motto inscribed upon their banners, to carry them through the coming Presidential campaign.
3. We believe that behind the rights of the Federal Government and the rights of the several States are fundamental rights more sacred than either, namely the rights of the individual to life, liberty, and happiness; that out of these rights all just governments flow, and whatever hinders the growth of the individual, restricts his liberty, and destroys his happiness, is tyranny, and it is his sacred duty to resist it to the death, as it is that of the State to resist the Federal Government, in order to secure larger liberty for its whole people. Rebellion in defense of justice, mercy, and the higher law is always in order. Inasmuch as the rights of the individual are above all constitutions, customs, creeds, and codes, it is the duty of the general government to protect these rights against all intermediate authorities.
4. While we have always demanded emancipation and enfranchisement for the African race, we have no great enthusiasm for "negro suffrage" as a party cry, because it is too narrow and partial for the hour. In '56, Republicans asked aid and comfort of Abolitionists, because they were opposed to the extension of slavery, but the Abolitionists, who demanded "immediate emancipation," scouted the proposition; non-extension, said they, is by no means grappling with the principle; shutting up slavery where it is, is a step in the right direction, and will eventually strangle the whole system, but to educate the people into an idea we need the enthusiasm of a principle. When we

say "slavery is a sin," and therefore demand "immediate emancipation," we end the evil and its extension in the same breath. So we say, to-day, to the Abolitionists and Republicans, we can not accept your platform, because it is not based on the idea that suffrage is a natural right, we admit that "negro suffrage" is a step in the right direction, but to educate the people to this partial demand even, we need the enthusiasm of a principle, which you do not proclaim, so long as you ask simply the extension of suffrage to two million men, instead of its universal application to every citizen of the republic. As the greater includes the less, when we say universal enfranchisement, we claim all that the most radical Abolitionists and Republicans claim and much more. Now, if the copperheads are educated up to this point, we are happy to give them the right hand of fellowship, and shall hope to be one of the delegates to the Tammany Hall Convention. We have read their platform, as set forth in four mortal columns of the *World*, and really do not see much to choose between it and the Chicago platform. In fact, with the two Democratic candidates, Gen. Grant and Chief-Justice Chase, and their twin platforms, stump orators will have a hard task to prove why the people should prefer one candidate or party to the other. The aristocratic principle—the government of the many by the few—has been tried six thousand years in every latitude and longitude, and under every imaginable form, and the nations based on this principle have all alike perished. We have proclaimed the true democratic idea on this continent, but never lived it. Now the work of this generation is to realize what the fathers declared a government of equality. The ballot is the symbol of this idea, and it is not too much to demand to-day that it be placed in the hand of every citizen. It is not too much to ask that this idea, baptized in the blood of two revolutions, be now made the corner-stone of the republic, the test of loyalty to the Union, to justice, to humanity.—E. C. S. *The Revolution*, June 11, 1868.

[109]Lucretia Mott, Martha C. Wright, Robert Purvis, Olympia Brown, Josephine Griffing, Parker Pillsbury, Paulina Wright Davis, Matilda Joslyn Gage, Susan B. Anthony, Elizabeth Cady Stanton, Ernestine L. Rose, Clarina Howard Nichols.

[110](*New York Herald*, July 1, 1868): THE WOMEN'S RIGHTS WOMEN AND THE DEMOCRATIC CONVENTION.—The Central Committee of the Woman's Suffrage Association has prepared a woman's rights platform for the coming National Democratic Convention. This association was given the cold shoulder and completely ignored by the radicals at Chicago, and the Democrats have therefore a splendid opportunity to take wind out of the Republican sails on "womanhood suffrage" against "manhood suffrage," and for white women especially, as better qualified for an intelligent exercise of the suffrage than the thousands of black men just rescued from the ignorance of negro slavery. The Democratic Convention can turn the radical party out of doors upon this issue alone if only bold enough to take strong ground upon it in favor of at least the same political rights to white women that Congress has given to Southern niggers.

(*World*, July 1, 1868): The Woman's Suffrage Central Committee have spoken with a kindness which will be appreciated at its proper value; they propose to anticipate and obviate the labors of the National Democratic Convention by preparing a platform for the party in advance. To this platform we elsewhere give the benefit of our circulation. The document will not be amenable to censure for any lack of explicitness or novelty, and will doubtless receive all the attention to which its intrinsic merits entitle it, and which its exceptional comprehensiveness will challenge. *Place aux dames!*

(*Evening Telegram*, July 2, 1868): THE WOMAN'S PLATFORM.—The Woman's Suffrage Association present to the Tammany Hall Fourth of July Democratic National Convention a platform of principles which contains some good sound planks and proves at all events that an educated white woman is more fit to be intrusted with the ballot than is the brutalized and ignorant negro who has been invested with political power by the radicals of Congress. The platform is the work of Elizabeth Cady Stanton and Susan B. Anthony, and the red men of the wigwam and their associates might do worse than indorse and adopt it entire. Besides, this declaration of principles on the part of the strong-minded females opens up a new feature in the campaign and may get rid of a serious difficulty. Why should not the Democratic Convention take the cow by the horns, nominate Elizabeth Cady Stanton or Susan B. Anthony as their candidate for the Vice-Presidency, and thus strike out at once in a bold revolutionary policy that would entirely overshadow the radicals and their niggers' rights and sweep the country from Maine to California? We invite the attention of Belmont and the National Committee to the suggestion. Chase and Stanton would be a wonderfully strong ticket and a remarkable association of names, and so, for that matter, would be Chase and Anthony. Besides, it might really bring about a great reform in the character of the Senate to be presided over by a female. There would be fewer disgraceful scenes in that body, and even Chandler, Nye, and poor maudlin Yates would feel the influence of woman's presence, and learn to behave themselves decently.

(*Sun*, July 2, 1868): *The Revolution* for this week is full of suggestive and entertaining, if not instructive, reading matter. Whether or not women ought to vote, it is very clear that those of the sex who are associated under the leadership of Mrs. Stanton and Miss Anthony can write in the most saucy and piquant fashion, and, moreover, know how to disarm by their wit and good humor the most ill-natured of their adversaries.

(*Tribune*, July 2, 1868): WOMAN SUFFRAGE.—It is said that strong ground will be taken against the admission of Miss Susan B. Anthony as a delegate at large to represent the interests of American women in the Convention; but as that lady's ticket is already "impeticosed," and as she has a will of her own, and a number of brawny friends who will not see her deprived of her rights as a publisher, a woman, and an American citizen, it may be inferred that Miss Anthony will take a seat in due form, and will make herself heard when her turn comes.

(*World*, July 2, 1868): The ladies of the spirited woman's rights weekly, called *The Revolution*, with Miss Susan B. Anthony at their head, are setting their caps for the Democratic party. Availing themselves of the privilege conferred on their charming sex by leap-year, they are making the first advances if not a downright "proposal." Miss Anthony greets the National Convention by hanging out a fresh new sign in flaming red, brighter than the blushes of Aurora, and all the way up three flights of stairs to her office, visitors will encounter red signs to the right of them, red signs to the left of them, like the cannon at Balaklava. A conservative stranger needs all the courage of the immortal Light Brigade to run the gauntlet of the blazing word "*Revolution*" staring at him on so many sides. Miss Anthony has taken uncommon pains to make her paper this week captivating and irresistible, as will be seen by the advertisement she has inserted in this morning's *World* for the benefit of members of the Convention. But if she were a confiding miss of "sweet sixteen," instead of the "strong-minded woman" that she is, and the blushes of all those brilliant signs were transfused into her own lovely cheeks, we suspect (such is the infirmity or the perversity of "those odious men") that she would make more conquests than she can reasonably expect to do with the intellectual blaze and brilliancy of this week's *Revolution*—splendid new signs and all. We fear the time is rather distant when gallant young democrats will not surrender to soft eyes and modest feminine ways sooner than to a good piece of argumentation in a female mouth. Miss Anthony will be the author of a "Revolution" indeed, if she succeeds in persuading the well-dressed beaux to prefer wives to whom they would go to school. The members of the Convention are more mature, though we doubt if they are much more sensible. But Miss Anthony is not of a temper to be discouraged by small obstacles, and we applaud the spirit with which she attempts to "make hay while the sun shines."

(*Evening Express*, July 2, 1868): "THE REVOLUTION" AND "THE WOMAN."—The women—naturally enough malcontent when the inferior race of negroes is given the ballot; when Coolies are promised the ballot, and even Indians can not be refused equal and universal suffrage as "men and brethren"—insist now, more and more, upon women being taken into the Radical party. The Democracy acknowledge their right to equality with negroes and Coolies and Comanches—not much of an acknowledgment, by the way, but something in the way of progress, and far ahead of the Radicals. The last number of *The Revolution* is irresistible in argument against the Negro Suffrage Radicals, who will not give women equal rights with negroes.

CHAPTER XXII.

[Pg 345]

NATIONAL CONVENTIONS—1869.

First Convention in Washington—First hearing before Congress—Delegates Invited from Every State—Senator Pomeroy, of Kansas—Debate between Colored Men and Women—Grace Greenwood's Graphic Description—What the Members of the Convention Saw and Heard in Washington—Robert Purvis—A Western Trip—Conventions in Chicago, Milwaukee, St. Louis, Springfield and Madison—Editorial Correspondence in *The Revolution*—Anniversaries in New York and Brooklyn—Conventions in Newport and Saratoga.

IN the Autumn of 1868 a call^[111] was issued for the first Woman Suffrage Convention ever held in Washington. It was a period of intense excitement, as many important measures of reconstruction were under consideration. The XIV Amendment was ratified, the XV was still pending, and several bills were before Congress on the suffrage question. Petitions and protests against all amendments to the Constitution regulating suffrage on the basis of sex were being sent in by thousands in charge of the Washington Association, of which Josephine S. Griffing was President. A large number of persons from every part of the Union were crowding into the Capital. Many Southerners being present to whom the demand for woman suffrage was new, the arguments were listened to with interest, while the tracts and documents were eagerly purchased and distributed among their friends at home. All these things combined to make this Convention most enthusiastic and influential, not only in its immediate effect on those present, but from the highly complimentary reports of the press scattered over the nation. We find a brief summing up of the Convention in letters to *The Revolution*.

EDITORIAL CORRESPONDENCE.

WASHINGTON, JANUARY 22, 1869.

DEAR REVOLUTION:—The first National Woman's Suffrage Convention ever held in Washington, closed on Wednesday night. There were representatives from about twenty States, and the deepest interest was manifested through all the sessions, increasing to the end^[112]. On the morning of the Convention the business committee assembled in the ante-room of Carroll Hall, to discuss resolutions, officers, etc. As Senator Pomeroy, of Kansas, was present, it was decided that he should open the meeting and preside as long as his public duties would permit. This gave us assurance of a healthy repose in the chair, which greatly helps to take off the chill in opening a convention. After a grave discussion of resolutions, permanent officers, etc., Mr. Pomeroy led the way to the platform, called the meeting to order, and made an able speech, taking the broad ground that as suffrage is a natural, inalienable right, it must, of necessity, belong to every citizen of the republic, black and white, male and female. Mrs. Mott was chosen President, resolutions were reported, and when everything was in fine working order (except the furnace) Mr. Pomeroy slipped off to his senatorial duties, to watch the grand Kansas swindle now on the tapis, and to protect, if possible, the interests

[Pg 346]

of the people.

Whatever elements or qualities combine to render any popular convention every way successful, were most felicitously blended in this gathering in Washington. In numbers, interest, earnestness, variety and especially ability, there was surely little left to be desired. As to numbers in attendance, from Maine, California, and all the way between, it is sufficient to say that although the first session was most encouragingly large, there was a constant increase till the last evening, when the spacious hall was crowded in every part, until entrance was absolutely impossible, long before people ceased coming. Of the interest in the proceedings, it may be said that it was proposed to hold three sessions each day, with a brief recess at noon. But twelve o'clock and all o'clock were forgotten, and the day session continued until after four; the only regret seeming then to be that there were not more hours, and that human nature had not greater power of endurance.

The harmony that prevailed was all that could reasonably have been expected (if not even desired), considering the nature of the questions in hand, and the large number and variety of opinions entertained and expressed in the different sessions. On the one vital point, that suffrage is the inalienable right of every intelligent citizen who is held amenable to law, and is taxed to support the government, there was no difference expressed. The issue that roused the most heated debate was whether the colored man should be kept out of the right of suffrage until woman could also be enfranchised. One young, but not ineffectual speaker, declared he considered the women the bitterest enemies of the negro; and asked, with intense emotion, shall they be permitted to prevent the colored man from obtaining his rights? But it was not shown that women, anywhere, were making any effort toward that result. One or two women present declared they were unwilling that any more men should possess the right of suffrage until women had it also. But these are well known as most earnest advocates of universal suffrage, as well as the long-tried and approved friends of the colored race.

[Pg 347]

The discussion between colored men on the one side and women on the other, as to whether it was the duty of the women of the nation to hold their claims in abeyance, until all colored men are enfranchised, was spicy, able and affecting. When that noble man, Robert Purvis of Philadelphia, rose, and, with the loftiest sense of justice, with a true Roman grandeur, ignored his race and sex, rebuked his own son for his narrow position, and demanded for his daughter all he asked for his son or himself, he thrilled the noblest feelings in his audience. Is has been a great grief to the leading women in our cause that there should be antagonism with men whom we respect, whose wrongs we pity, and whose hopes we would fain help them to realize. When we contrast the condition of the most fortunate women at the North, with the living death colored men endure everywhere, there seems to be a selfishness in our present position. But remember we speak not for ourselves alone, but for all womankind, in poverty, ignorance and hopeless dependence, for the women of that oppressed race too, who, in slavery, have known a depth of misery and degradation that no man can ever appreciate.

That there were representatives of both political parties present, was very apparent, and sometimes forms of expression betrayed a little unnecessary partisan preference; but there was not one who bore any part in the long and intensely exciting discussions, who could be justly charged with any wish, however remote, to hold personal prejudice or party preference above principle and religious regard to justice and right. There was one feature in the convention that we greatly deplore, and that was an impatience, not only with the audience, but with some on the platform whenever any man arose to speak. We must not forget that men have sensibilities as well as women, and that our strongest hold to-day on the public mind is the fact that men of eloquence and power on both continents are pleading for our rights. While we ask justice for ourselves, let us at least be just to the noble men who advocate our cause. It is certainly generous in them to come to our platforms, to help us maintain our rights, and share the ridicule that attends every step of progress, and it is clearly our duty to defend their rights, at least when speaking in our behalf.

We had a brief interview with Senator Roscoe Conkling. We gave him a petition signed by 400 ladies of Onondaga County, and urged him to make some wise remarks on the subject of woman's suffrage when he presented it. We find all the New York women are sending their petitions to Senator Pomeroy. He seems to be immensely popular just now. We think our own Senators need some education in this direction. It would be well for the petitions of the several States to be placed in the hands of their respective Senators, that thus the attention of all of them might be called to the important subject. It is plain to see that Mr. Conkling is revolving this whole question in his mind. His greatest fear is that coarse and ignorant women would crowd the polls and keep the better class away.

Parker Pillsbury's speech on "The Mortality of Nations," was one of the best efforts of his life, and as grand an argument on the whole question of Republican government as was ever made on the woman suffrage platform. Although he had been one of the earliest and most enthusiastic Abolitionists, yet the enfranchisement of woman had always in his mind seemed of equal importance to that of the black man. In Mr. Pillsbury's philosophy on both questions, the present was ever the time for immediate and absolute justice.

[Pg 348]

One great charm in the convention was the presence of Lucretia Mott, calm, dignified, clear and forcible as ever. Though she is now seventy-six years old, she sat through all the sessions, and noted everything that was said and done. It was a satisfaction to us all that she was able to preside over the first National Woman's Suffrage Convention ever held at the Capitol. Her voice is stronger and her step lighter than many who are her juniors by twenty years. She preached last Sunday in the Unitarian Church to the profit and pleasure of a highly cultivated and large audience. We were most pleased to meet ex-Governor Robinson, the first Governor of Kansas, in the convention. He says there is a fair prospect that an amendment to strike out the word "male" from the Constitution will be submitted again in that State, when, he thinks, it will pass without doubt. Mrs. Minor, President of the Woman's Suffrage Association of Missouri, and Mrs. Starrett of Lawrence, Kansas, gave us a pleasant surprise by their appearance at the convention. They took an active part in the deliberations, and spoke with great effect. Senator Wilson was present, though he did not favor us with a speech. We urged him to do so, but he laughingly said he had no idea of making himself a

target for our wit and sarcasm. We asked him, as he would not speak, to tell us the "wise, systematic, and efficient way" of pressing woman's suffrage. He replied, "You are on the right track, go ahead." So we have decided to move "on this line" until the inauguration of the new administration, when, under the dynasty of the chivalrous soldier, "our ways will, no doubt, be those of pleasantness, and all our paths be peace." New Jersey was represented by Deborah Butler of Vineland, the only live spot in that benighted State, and we thought her speech quite equal to what we heard from Mr. Cattell in the Senate. During the evening sessions, large numbers of women from the several departments were attentive listeners. Lieutenant-Governor Root of Kansas read the bill now before Congress demanding equal pay for women in the several departments where they perform equal work with the men by their side. He offered a resolution urging Congress to pass the bill at once, that justice might be done the hundreds of women in the District, for their faithful work under government.

Mrs. Stanton's speech the first evening of the convention gave a fair statement of the hostile feelings of women toward the amendments; we give the main part of it. Of all the other speeches, which were extemporaneous, only meagre and unsatisfactory reports can be found.

Mrs. STANTON said:—A great idea of progress is near its consummation, when statesmen in the councils of the nation propose to frame it into statutes and constitutions; when Reverend Fathers recognize it by a new interpretation of their creeds and canons; when the Bar and Bench at its command set aside the legislation of centuries, and girls of twenty put their heels on the Cokes and Blackstones of the past.

[Pg 349]

Those who represent what is called "the Woman's Rights Movement," have argued their right to political equality from every standpoint of justice, religion, and logic, for the last twenty years. They have quoted the Constitution, the Declaration of Independence, the Bible, the opinions of great men and women in all ages; they have plead the theory of our government; suffrage a natural, inalienable right; shown from the lessons of history, that one class can not legislate for another; that disfranchised classes must ever be neglected and degraded; and that all privileges are but mockery to the citizen, until he has a voice in the making and administering of law. Such arguments have been made over and over in conventions and before the legislatures of the several States. Judges, lawyers, priests, and politicians have said again and again, that our logic was unanswerable, and although much nonsense has emanated from the male tongue and pen on this subject, no man has yet made a fair, argument on the other side. Knowing that we hold the Gibraltar rock of reason on this question, they resort to ridicule and petty objections. Compelled to follow our assailants, wherever they go, and fight them with their own weapons; when cornered with wit and sarcasm, some cry out, you have no logic on your platform, forgetting that we have no use for logic until they give us logicians at whom to hurl it, and if, for the pure love of it, we now and then rehearse the logic that is like a, b, c, to all of us, others cry out—the same old speeches we have heard these twenty years. It would be safe to say a hundred years, for they are the same our fathers used when battling old King George and the British Parliament for their right to representation, and a voice in the laws by which they were governed. There are no new arguments to be made on human rights, our work to-day is to apply to ourselves those so familiar to all; to teach man that woman is not an anomalous being, outside all laws and constitutions, but one whose rights are to be established by the same process of reason as that by which he demands his own.

When our Fathers made out their famous bill of impeachment against England, they specified eighteen grievances. When the women of this country surveyed the situation in their first convention, they found they had precisely that number, and quite similar in character; and reading over the old revolutionary arguments of Jefferson, Patrick Henry, Otis, and Adams, they found they applied remarkably well to their case. The same arguments made in this country for extending suffrage from time to time, to white men, native born citizens, without property and education, and to foreigners; the same used by John Bright in England, to extend it to a million new voters, and the same used by the great Republican party to enfranchise a million black men in the South, all these arguments we have to-day to offer for woman, and one, in addition, stronger than all besides, the difference in man and woman. Because man and woman are the complement of one another, we need woman's thought in national affairs to make a safe and stable government.

The Republican party to-day congratulates itself on having carried the Fifteenth Amendment of the Constitution, thus securing "manhood suffrage" and establishing an aristocracy of sex on this continent. As several bills to secure Woman's Suffrage in the District and the Territories have been already presented in both houses of Congress, and as by Mr. Julian's bill, the question of so amending the Constitution as to extend suffrage to all the women of the country has been presented to the nation for consideration, it is not only the right but the duty of every thoughtful woman to express her opinion on a Sixteenth Amendment. While I hail the late discussions in Congress and the various bills presented as so many signs of progress, I am especially gratified with those of Messrs. Julian and Pomeroy, which forbid any State to deny the right of suffrage to any of its citizens on account of sex or color.

[Pg 350]

This fundamental principle of our government—the equality of all the citizens of the republic—should be incorporated in the Federal Constitution, there to remain forever. To leave this question to the States and partial acts of Congress, is to defer indefinitely its settlement, for what is done by this Congress may be repealed by the next; and politics in the several States differ so widely, that no harmonious action on any question can ever be secured, except as a strict party measure. Hence, we appeal to the party now in power, everywhere, to end this protracted debate on suffrage, and declare it the inalienable right of every citizen who is amenable to the laws of the land, who pays taxes and the penalty of crime. We have a splendid theory of a genuine republic, why not realize it and make our government homogeneous, from Maine to California. The Republican party has the power to do this, and now is its only opportunity. Woman's Suffrage, in 1872, may be as good a card for the Republicans as Gen. Grant was in the last election. It is said that the Republican party made him President, not because they thought him the most desirable man in the nation for that office, but they were afraid the Democrats would take him if they did not. We would suggest, there may be the same danger of Democrats taking up Woman Suffrage if they do not. God, in his providence, may have purified that party in the furnace of affliction. They have had the opportunity, safe from

the turmoil of political life and the temptations of office, to study and apply the divine principles of justice and equality to life; for minorities are always in a position to carry principles to their logical results, while majorities are governed only by votes. You see my faith in Democrats is based on sound philosophy. In the next Congress, the Democratic party will gain thirty-four new members, hence the Republicans have had their last chance to do justice to woman. It will be no enviable record for the Fortieth Congress that in the darkest days of the republic it placed our free institutions in the care and keeping of every type of manhood, ignoring womanhood, all the elevating and purifying influences of the most virtuous and humane half of the American people....

I urge a speedy adoption of a Sixteenth Amendment for the following reasons:

1. A government, based on the principle of caste and class, can not stand. The aristocratic idea, in any form, is opposed to the genius of our free institutions, to our own declaration of rights, and to the civilization of the age. All artificial distinctions, whether of family, blood, wealth, color, or sex, are equally oppressive to the subject classes, and equally destructive to national life and prosperity. Governments based on every form of aristocracy, on every degree and variety of inequality, have been tried in despotisms, monarchies, and republics, and all alike have perished. In the panorama of the past behold the mighty nations that have risen, one by one, but to fall. Behold their temples, thrones, and pyramids, their gorgeous palaces and stately monuments now crumbled all to dust. Behold every monarch in Europe at this very hour trembling on his throne. Behold the republics on this Western continent convulsed, distracted, divided, the hosts scattered, the leaders fallen, the scouts lost in the wilderness, the once inspired prophets blind and dumb, while on all sides the cry is echoed, "Republicanism is a failure," though that great principle of a government "by the people, of the people, for the people," has never been tried. Thus far, all nations have been built on caste and failed. Why, in this hour of reconstruction, with the experience of generations before us, make another experiment in the same direction? If serfdom, peasantry, and slavery have shattered kingdoms, deluged continents with blood, scattered republics like dust before the wind, and rent our own Union asunder, what kind of a government, think you, American statesmen, you can build, with the mothers of the race crouching at your feet, while iron-heeled peasants, serfs, and slaves, exalted by your hands, tread our inalienable rights into the dust? While all men, everywhere, are rejoicing in new-found liberties, shall woman alone be denied the rights, privileges, and immunities of citizenship? While in England men are coming up from the coal mines of Cornwall, from the factories of Birmingham and Manchester, demanding the suffrage; while in frigid Russia the 22,000,000 newly-emancipated serfs are already claiming a voice in the government; while here, in our own land, slaves, but just rejoicing in the proclamation of emancipation, ignorant alike of its power and significance, have the ballot unasked, unsought, already laid at their feet—think you the daughters of Adams, Jefferson, and Patrick Henry, in whose veins flows the blood of two Revolutions, will forever linger round the campfires of an old barbarism, with no longings to join this grand army of freedom in its onward march to roll back the golden gates of a higher and better civilization? Of all kinds of aristocracy, that of sex is the most odious and unnatural; invading, as it does, our homes, desecrating our family altars, dividing those whom God has joined together, exalting the son above the mother who bore him, and subjugating, everywhere, moral power to brute force. Such a government would not be worth the blood and treasure so freely poured out in its long struggles for freedom....

[Pg 351]

2. I urge a Sixteenth Amendment, because "manhood suffrage" or a man's government, is civil, religious, and social disorganization. The male element is a destructive force, stern, selfish, aggrandizing, loving war, violence, conquest, acquisition, breeding in the material and moral world alike discord, disorder, disease, and death. See what a record of blood and cruelty the pages of history reveal! Through what slavery, slaughter, and sacrifice, through what inquisitions and imprisonments, pains and persecutions, black codes and gloomy creeds, the soul of humanity has struggled for the centuries, while mercy has veiled her face and all hearts have been dead alike to love and hope! The male element has held high carnival thus far, it has fairly run riot from the beginning, overpowering the feminine element everywhere, crushing out all the diviner qualities in human nature, until we know but little of true manhood and womanhood, of the latter comparatively nothing, for it has scarce been recognized as a power until within the last century. Society is but the reflection of man himself, untempered by woman's thought, the hard iron rule we feel alike in the church, the state, and the home. No one need wonder at the disorganization, at the fragmentary condition of everything, when we remember that man, who represents but half a complete being, with but half an idea on every subject, has undertaken the absolute control of all sublunary matters.

[Pg 352]

People object to the demands of those whom they choose to call the strong-minded, because they say, "the right of suffrage will make the women masculine." That is just the difficulty in which we are involved to-day. Though disfranchised we have few women in the best sense, we have simply so many reflections, varieties, and dilutions of the masculine gender. The strong, natural characteristics of womanhood are repressed and ignored in dependence, for so long as man feeds woman she will try to please the giver and adapt herself to his condition. To keep a foothold in society woman must be as near like man as possible, reflect his ideas, opinions, virtues, motives, prejudices, and vices. She must respect his statutes, though they strip her of every inalienable right, and conflict with that higher law written by the finger of God on her own soul. She must believe his theology, though it pave the highways of hell with the skulls of new-born infants, and make God a monster of vengeance and hypocrisy. She must look at everything from its dollar and cent point of view, or she is a mere romancer. She must accept things as they are and make the best of them. To mourn over the miseries of others, the poverty of the poor, their hardships in jails, prisons, asylums, the horrors of war, cruelty, and brutality in every form, all this would be mere sentimentalizing. To protest against the intrigue, bribery, and corruption of public life, to desire that her sons might follow some business that did not involve lying, cheating, and a hard, grinding selfishness, would be arrant nonsense. In this way man has been moulding woman to his ideas by direct and positive influences, while she, if not a negation, has used indirect means to control him, and in most cases developed the very characteristics both in him and herself that needed repression. And now man himself stands appalled at the results of his own excesses, and mourns in bitterness that falsehood, selfishness and violence are the law of life. The need of this hour is not territory, gold mines, railroads, or specie payments, but a new evangel of womanhood, to exalt purity, virtue, morality, true religion, to lift man up into the higher realms of thought and action.

We ask woman's enfranchisement, as the first step toward the recognition of that essential element in government that can only secure the health, strength, and prosperity of the nation. Whatever is done to lift woman to her true position will help to usher in a new day of peace and perfection for the race. In speaking of the masculine element, I do not wish to be understood to say that all men are hard, selfish, and brutal, for many of the most beautiful spirits the world has known have been clothed with manhood; but I refer to those characteristics, though often marked in woman, that distinguish what is called the stronger sex. For example, the love of acquisition and conquest, the very pioneers of civilization, when expended on the earth, the sea, the elements, the riches and forces of Nature, are powers of destruction when used to subjugate one man to another or to sacrifice nations to ambition. Here that great conservator of woman's love, if permitted to assert itself, as it naturally would in freedom against oppression, violence, and war, would hold all these destructive forces in check, for woman knows the cost of life better than man does, and not with her consent would one drop of blood ever be shed, one life sacrificed in vain. With violence and disturbance in the natural world, we see a constant effort to maintain an equilibrium of forces. Nature, like a loving mother, is ever trying to keep land and sea, mountain and valley, each in its place, to hush the angry winds and waves, balance the extremes of heat and cold, of rain and drought, that peace, harmony, and beauty may reign supreme. There is a striking analogy between matter and mind, and the present disorganization of society warns us, that in the dethronement of woman we have let loose the elements of violence and ruin that she only has the power to curb. If the civilization of the age calls for an extension of the suffrage, surely a government of the most virtuous, educated men and women would better represent the whole, and protect the interests of all than could the representation of either sex alone. But government gains no new element of strength in admitting all men to the ballot-box, for we have too much of the man-power there already. We see this in every department of legislation, and it is a common remark, that unless some new virtue is infused into our public life the nation is doomed to destruction. Will the foreign element, the dregs of China, Germany, England, Ireland, and Africa supply this needed force, or the nobler types of American womanhood who have taught our presidents, senators, and congressmen the rudiments of all they know?

[Pg 353]

3. I urge a Sixteenth Amendment because, when "manhood suffrage" is established from Maine to California, woman has reached the lowest depths of political degradation. So long as there is a disfranchised class in this country, and that class its women, a man's government is worse than a white man's government with suffrage limited by property and educational qualifications, because in proportion as you multiply the rulers, the condition of the politically ostracised is more hopeless and degraded. John Stuart Mill, in his work on "Liberty," shows that the condition of one disfranchised man in a nation is worse than when the whole nation is under one man, because in the latter case, if the one man is despotic, the nation can easily throw him off, but what can one man do with a nation of tyrants over him? If American women find it hard to bear the oppressions of their own Saxon fathers, the best orders of manhood, what may they not be called to endure when all the lower orders of foreigners now crowding our shores legislate for them and their daughters. Think of Patrick and Sambo and Hans and Yung Tung, who do not know the difference between a monarchy and a republic, who can not read the Declaration of Independence or Webster's spelling-book, making laws for Lucretia Mott, Ernestine L. Rose, and Anna E. Dickinson. Think of jurors and jailors drawn from these ranks to watch and try young girls for the crime of infanticide, to decide the moral code by which the mothers of this Republic shall be governed? This manhood suffrage is an appalling question, and it would be well for thinking women, who seem to consider it so magnanimous to hold their own claims in abeyance until all men are crowned with citizenship, to remember that the most ignorant men are ever the most hostile to the equality of women, as they have known them only in slavery and degradation.

[Pg 354]

Go to our courts of justice, our jails and prisons; go into the world of work; into the trades and professions; into the temples of science and learning, and see what is meted out everywhere to women—to those who have no advocates in our courts, no representatives in the councils of the nation. Shall we prolong and perpetuate such injustice, and by increasing this power risk worse oppressions for ourselves and daughters? It is an open, deliberate insult to American womanhood to be cast down under the iron-heeled peasantry of the Old World and the slaves of the New, as we shall be in the practical working of the Fifteenth Amendment, and the only atonement the Republican party can make is now to complete its work, by enfranchising the women of the nation. I have not forgotten their action four years ago, when Article XIV., Sec. 2, was amended^[113] by invidiously introducing the word "male" into the Federal Constitution, where it had never been before, thus counting out of the basis of representation all men not permitted to vote, thereby making it the interest of every State to enfranchise its male citizens, and virtually declaring it no crime to disfranchise its women. As political sagacity moved our rulers thus to guard the interests of the negro for party purposes, common justice might have compelled them to show like respect for their own mothers, by counting woman too out of the basis of representation, that she might no longer swell the numbers to legislate adversely to her interests. And this desecration of the last will and testament of the fathers, this retrogressive legislation for woman, was in the face of the earnest protests of thousands of the best educated, most refined and cultivated women of the North.

Now, when the attention of the whole world is turned to this question of suffrage, and women themselves are throwing off the lethargy of ages, and in England, France, Germany, Switzerland, and Russia are holding their conventions, and their rulers are everywhere giving them a respectful hearing, shall American statesmen, claiming to be liberal, so amend their constitutions as to make their wives and mothers the political inferiors of unlettered and unwashed ditch-diggers, boot-blacks, butchers, and barbers, fresh from the slave plantations of the South, and the effete civilizations of the Old World? While poets and philosophers, statesmen and men of science are all alike pointing to woman as the new hope for the redemption of the race, shall the freest Government on the earth be the first to establish an aristocracy based on sex alone? to exalt ignorance above education, vice above virtue, brutality and barbarism above refinement and religion? Not since God first called light out of darkness and order out of chaos, was there ever made so base a proposition as "manhood suffrage" in this American Republic, after all the discussions we have had on human rights in the last century. On all the blackest pages of history there is no record of an act like this, in any nation, where native born citizens, having the same religion, speaking the same language, equal to their rulers in wealth, family, and education, have

[Pg 355]

been politically ostracised by their own countrymen, outlawed with savages, and subjected to the government of outside barbarians. Remember the Fifteenth Amendment takes in a larger population than the 2,000,000 black men on the Southern plantation. It takes in all the foreigners daily landing in our eastern cities, the Chinese crowding our western shores, the inhabitants of Alaska, and all those western isles that will soon be ours. American statesmen may flatter themselves that by superior intelligence and political sagacity the higher orders of men will always govern, but when the ignorant foreign vote already holds the balance of power in all the large cities by sheer force of numbers, it is simply a question of impulse or passion, bribery or fraud, how our elections will be carried. When the highest offices in the gift of the people are bought and sold in Wall Street, it is a mere chance who will be our rulers. Whither is a nation tending when brains count for less than bullion, and clowns make laws for queens? It is a startling assertion, but nevertheless true, that in none of the nations of modern Europe are the higher classes of women politically so degraded as are the women of this Republic to-day. In the Old World, where the government is the aristocracy, where it is considered a mark of nobility to share its offices and powers, women of rank have certain hereditary lights which raise them above a majority of the men, certain honors and privileges not granted to serfs and peasants. There women are queens, hold subordinate offices, and vote on many questions. In our Southern States even, before the war, women were not degraded below the working population. They were not humiliated in seeing their coachmen, gardeners, and waiters go to the polls to legislate for them; but here, in this boasted Northern civilization, women of wealth and education, who pay taxes and obey the laws, who in morals and intellect are the peers of their proudest rulers, are thrust outside the pale of political consideration with minors, paupers, lunatics, traitors, idiots, with those guilty of bribery, larceny, and infamous crimes.

Would those gentlemen who are on all sides telling the women of the nation not to press their claims until the negro is safe beyond peradventure, be willing themselves to stand aside and trust all their interests to hands like these? The educated women of this nation feel as much interest in republican institutions, the preservation of the country, the good of the race, their own elevation and success, as any man possibly can, and we have the same distrust in man's power to legislate for us, that he has in woman's power to legislate wisely for herself.

4. I would press a Sixteenth Amendment, because the history of American statesmanship does not inspire me with confidence in man's capacity to govern the nation alone, with justice and mercy. I have come to this conclusion, not only from my own observation, but from what our rulers say of themselves. Honorable Senators have risen in their places again and again, and told the people of the wastefulness and corruption of the present administration. Others have set forth, with equal clearness, the ignorance of our rulers on the question of finance....

The following letters were received and read in the Convention:

[Pg 356]

NEW YORK, Jan. 14, 1869.

MRS. JOSEPHINE S. GRIFFING,—*Dear Madam*.—Your favor of the 6th inst. is received. Permit me to assure you it would give me great pleasure to be present at your important convention of the 19th, but indisposition will not allow me that gratification.

Looking at all the circumstances; the position, the epoch, and the efforts now being made to extend the right to the ballot, your Convention is perhaps the most important that was ever held. It is a true maxim, that it is easier to do justice than injustice; to do right than wrong; and to do it at once, than by small degrees. How much better and easier it would have been for Congress, when they enfranchised all the men of the District of Columbia, had they included the women also; but better late than never. Let the National government, to which the States have a right to look for good example, do justice to woman now, and all the States will follow....

It was a terrible mistake and a fundamental error, based upon ignorance and injustice, ever to have introduced the word "male" into the Federal Constitution. The terms "male" and "female" simply designate the physical or animal distinction between the sexes, and ought to be used only in speaking of the lower animals. Human beings are men and women, possessed of human faculties and understanding, which we call mind; and mind recognizes no sex, therefore the term "male," as applied to human beings—to citizens—ought to be expunged from the constitution and laws as a last remnant of barbarism—when the animal, not mind, when might, not right, governed the world. Let your Convention, then, urge Congress to wipe out that purely animal distinction from the national constitution. That noble instrument was destined to govern intelligent, responsible human beings—men and women—not sex. The childish argument that all women don't ask for the franchise would hardly deserve notice were it not sometimes used by men of sense. To all such I would say, examine ancient and modern history, yes, even of your own times, and you will find there never has been a time when all men of any country—white or black—have ever asked for a reform. Reforms have to be claimed and obtained by the few, who are in advance, for the benefit of the many who lag behind. And when once obtained and almost forced upon them, the mass of the people accept and enjoy their benefits as a matter of course. Look at the petitions now pouring into Congress for the franchise for women, and compare their thousands of signatures with the few isolated names that graced our first petitions to the Legislature of New York to secure to the married woman the right to hold in her own name the property that belonged to her, to secure to the poor, forsaken wife the right to her earnings, and to the mother the right to her children. "All" the women did not ask for those rights, but all accepted them with joy and gladness when they were obtained; and so it will be with the franchise. But woman's claim for the ballot does not depend upon the numbers that demand it, or would exercise the right; but upon precisely the same principles that man claims it for himself. Chase, Sumner, Stevens, and many of both Houses of Congress have, time after time, declared that the franchise means "Security, Education, Responsibility, Self-respect, Prosperity, and Independence." Taking all these assertions for granted and fully appreciating all their benefits, in the name of security, of education, of responsibility, of self-respect, of liberty, of prosperity and independence we demand the franchise for woman.

[Pg 357]

Please present this hastily-written contribution to your Convention with best wishes.

Yours, dear madam, very truly,

ERNESTINE L. ROSE.

WILLIAM LLOYD GARRISON writes: Unable to attend the Convention, I can only send you my warm approval of it, and the object it is designed to promote. It is boastingly claimed in behalf of the Government of the United States that it is "of the people, by the people, and for the people." Yet reckoning the whole number at thirty-eight millions, no less than one-half—that is, nineteen millions—are political ciphers. A single male voter, on election day, outweighs them all!

AARON M. POWELL writes: I have no doubt that if a fair and honest vote can be had upon the question, submitted upon its own merits, in the Senate and House of Representatives, both the friends and opponents of the measure here, as in Great Britain when John Stuart Mill's proposition was first voted upon in Parliament, will be surprised at the revelation of its real strength.

Mrs. CAROLINE H. DALL writes: It mitigates my regret in declining your invitation to remember that these are not the dark days of the cause.

Senator FOWLER, of Tenn., writes: It is not possible that the people who have so enlarged the boundaries of the political rights of another race just emerged from slavery, will fail to recognize the claims of the women of the United States to equal rights in all the relations of life.

WM. H. SYLVIS says: I am in favor of universal suffrage, universal amnesty, and universal liberty.

ABBY HOPPER GIBBONS says: My father, Isaac T. Hopper, was an advocate for woman and her work, he believed in her thoroughly. His life long he was associated with many of the best women of his day. With the help of good men, we shall ere long stand side by side with ballot in hand.

PAULINA WRIGHT DAVIS: If women are the only unrecognized class as a part of the people, then woe to the nation! for there will be no noble mothers; frivolity, folly, and madness will seize them, for all inverted action of the faculties becomes intense in just the ratio of its earnestness.

HARRIET BEECHER STOWE writes: I am deeply interested in the work, and hopeful that a broader sphere is opening for woman, that as a class they may be trained in early life more as men are in education and business.

Gen. OLIVER O. HOWARD answers: Please express to the Committee my thanks for the invitation. I should be pleased to accept, but a lecture engagement in the West will compel me to be absent from the city.

JAMES M. SCOVILL, of New Jersey, says: I deeply desire to come. Go on in your great work. The Convention tells on the public mind.

GERRIT SMITH replies: I thank you for your invitation, though it is not in my power to attend the Convention. God hasten the day when the civil and political rights of woman shall be admitted to be equal to those of man.

SIMEON CORLEY, M.C., of South Carolina, writes: Having been an advocate of woman suffrage for a quarter of a century, I had the pleasure yesterday of enrolling my name and that of my wife on your list of delegates. To-day Hon. James H. Goss, M.C., of South Carolina, requested me to have you insert his name. I think you may safely count on the South Carolina delegation.

[Pg 358]

This Convention was the first public occasion when the women opposed to the XIV Amendment, measuring their logic with Republicans, Abolitionists, and colored men, ably maintained their position. The division of opinion was marked and earnest, and the debate was warm between Messrs. Douglass, Downing, Hinton, Dr. Purvis, and Edward M. Davis on one side, and the ladies, with Robert Purvis^[114] and Parker Pillsbury on the other. Edward M. Davis, the son-in-law of Lucretia Mott, was so hostile to the position of the women on the XIV Amendment that he refused to enroll his name as a member of the Convention. Nevertheless, Mrs. Mott in the chair, allowed him to criticise most severely the resolutions and the position of those with whom she stood. She answered his attacks with her usual gentleness, and advocated the resolutions.^[115] Robert Purvis, differing with his own son and other colored men, denounced their position with severity. Yet good feeling prevailed throughout, and the Convention adjourned in order and harmony.

[Pg 359]

The following objective view of the Convention, of the tone of the addresses, and the *personnel* of the platform, from the pen of one of our distinguished literary women—Sarah Clarke Lippincott—will serve to show that the leaders in the suffrage movement were not the rude, uncultured women generally represented by the opposition, but in point of intelligence, refinement, appearance, and all the feminine virtues, far above the ordinary standard. For the honor of this grand reform, we record the compliments occasionally bestowed.

[From the *Philadelphia Press*].

WASHINGTON, Jan. 21, 1869.

The proceedings were opened with prayer by Dr. Gray, the Chaplain of the Senate, a man of remarkably liberal spirit. This prayer, however, did not give perfect satisfaction. Going back to the beginning of things, the doctor unfortunately chanced to take, of the two Mosaic accounts of the creation of man and woman, that one which is least exalting to woman, representing her as built on a "spare rib" of Adam. Let us hope the reverend gentleman will "overhaul" his Genesis and "take a note."

On the platform was an imposing array of intellect, courage, and noble character. First there was dear, revered Lucretia Mott, her sweet, saintly face cloistered in her Quaker bonnet, her serene and gracious presence, so dignified yet so utterly unpretending, so self-poised yet so gentle, so peaceful yet so powerful, sanctioning and sanctifying the meeting and the movement.

[Pg 360]

Near her sat her sister, Mrs. Wright, of Auburn, a woman of strong, constant character and of rare

intellectual culture; Mrs. Cady Stanton, a lady of impressive and beautiful appearance, in the rich prime of an active, generous, and healthful life; Miss Susan B. Anthony, looking all she is, a keen, energetic, uncompromising, unconquerable, passionately earnest woman; Clara Barton, whose name is dear to soldiers and blessed in thousands of homes to which the soldiers shall return no more—a brave, benignant looking woman. But I will not indulge in personal descriptions, though Dr. Mary Walker in her emancipated garments and Eve-like arrangement or disarrangement of hair, is somewhat tempting.

Senator Pomeroy, acting as temporary chairman, called the Convention to order. Certain committees were appointed, and the Senator spoke for some twenty or thirty minutes, very happily and effectively, on the question of Woman's Rights under the Constitution—both as originally written and as amended. He argued that all born or naturalized Americans are citizens—that neither sex nor color has anything to do with citizenship rightfully. His reasoning seemed to us, who are interested, cogent and logical, and his spirit fearless and broad. Mrs. Stanton spoke on the general question with great force and pithiness. Of all their speakers she seemed to me to have the most weight. Her speeches are models of composition, clear, compact, elegant, and logical. She makes her points with peculiar sharpness and certainty, and there is no denying or dodging her conclusions. Mrs. Mott followed Mrs. Stanton, and at a later hour spoke again. She can not speak too often for the good of this or any cause. Her arguments are always gently put forward, but there is great force behind them—the force of reason and justice and simple truth. Her wit, too, though it gleams out softly and playfully, illuminates her subject as the keener, sharper light of satire never could illuminate it. She is always reasonable, gracious, and judicious. She never strives for effect, and is too conscientious to be sensational, yet no speaker among the younger women of this movement makes more telling points—no one knows so well every foot of the broad field of argument. In her practiced hand every weapon is ready on the instant, whether drawn from the armories of Scripture, history, literature, or politics. She reviewed the history of this movement from the beginning, paying warm tribute to the memory of its early advocates. She proved that for centuries the discontented, the indignant protest in the souls of women, which has culminated in this movement, has formed an element which has been secretly surging and seething under the surface of society. These were no new wrongs or needs of ours, she said; the women of the past, of all ages, had felt them; we are only giving voice to them.

A most eloquent letter from Mrs. Ernestine L. Rose was read, indorsing the Convention; also one from William Lloyd Garrison. Mrs. Griffing, of Washington, spoke with remarkable earnestness and fervor, and was followed by Mrs. Hathaway, of Boston. This lady said: "They say the majority shall rule. Well, there are, east of the Alleghanies, 400,000 more women than men. So the minority rule us." Upon the whole, I was quite willing to have this body of women orators and debaters compared with either of the great legislative bodies who meet over in yonder great marble temple of wisdom, eloquence, logic, and law.

[Pg 361]

Mrs. Starrett, of Kansas, a bright, ruddy, rosy woman, made a good, practical speech on the influence of the franchise upon the domestic life of women.

Mrs. Butler, of Vineland, N. J., made one of the most charming and womanly speeches, or talks, of the Convention, recounting her experience as one of the gallant band of women who, at the late fall elections, made an imposing demonstration at the polls in her lively and progressive town. Fearful threats had reached them of insult and violence from rough boys and men; but they met with absolutely nothing of the kind, though they did not approach the polls like the Neapolitan heroine who votes for Victor Emanuel, with pistols and daggers in their belts and war medals on their breasts. They were made way for as respectfully as though they had been about to enter a church door. Of course, their votes were thrown out, but it would not always be so. They would hope on and vote on. Touching the reforms that women intend to bring about when they shall "come into the kingdom," she said, "we will rule liquor out of the country;" a declaration which at the present critical stage of affairs, and in Washington, struck me as rather impolitic. "As to the question of woman first or the black man first," she said, "I mean both together"; evidently looking for a constitutional amendment gateway wide enough for the two to dash in abreast, neck-and-neck. "Oh, woman, great is thy faith!" This speaker related some sad stories illustrative of woman's legal disabilities, and dwelt feelingly on the old, palpable, intolerable grievance of inequality of wages, and on the bars and restrictions which woman encounters at every turn, in her struggle for an honorable livelihood.

In reply, Mrs. Mott, in her bright, sweet, deprecating way, cast a flood of sunlight on the dark pictures, by referring to the remodeling of the laws respecting the relation of husband and wife, in regard to property, and the right of the mother to her child, by the Legislatures of the various States and especially by that of the State of New York.

Miss Anthony followed in a strain not only cheerful, but exultant—reviewing the advance of the cause from its first despised beginning to its present position, where, she alleged, it commanded the attention of the world. She spoke in her usual pungent, vehement style, hitting the nail on the head every time, and driving it in up to the head. Indeed, it seems to me, that while Lucretia Mott may be said to be the soul of this movement, and Mrs. Stanton the mind, the "swift, keen intelligence," Miss Anthony, alert, aggressive, and indefatigable, is its nervous energy—its propulsive force.

Mrs. Stanton has the best arts of the politician and the training of the jurist, added to the fiery, unresting spirit of the reformer. She has a rare talent for affairs, management, and mastership. Yet she is in an eminent degree womanly, having an almost regal pride of sex. In France, in the time of the revolution or the first empire, she would have been a Roland or a De Stael. I will not attempt the slightest sketch of her closing speech, which was not only a powerful plea for disfranchised womanhood, but for motherhood. It was now impassioned, now playful, now witty, now pathetic. It was surpassingly eloquent, and apparently convincing, for the boldest and most radical utterances, brought from the great audience the heartiest applause. For *this*, I love the people. No great, brave, true thought can be uttered before an American audience without bringing a cordial and generous response. All are not ready, of course, to carry into action, into life, legislation, and law the sentiments of liberty and justice they applaud; but they feel that somewhere, in some nameless

[Pg 362]

Utopia far away, such things might be lived out. Thank heaven that Utopia is *possible* for humanity—a real, practical condition of our mortal life—only a little way before us, perhaps.

Many good, refined people turn a cold shoulder on this cause of woman's rights because their religious sentiment, or their taste, is shocked by the character or appearance of some of its public advocates. They say: "If we were only to see at their conventions that Quaker gentlewoman, Lucretia Mott, with her serene presence; Mrs. Stanton, with her patrician air; Miss Anthony, with her sharp, intellectual fencing; Lucy Stone, with her sweet, persuasive argument and lucid logic—it were very well; but to their free platform, bores, fanatics, and fools are admitted, to elbow them and disgust us." I suppose that such annoyances, to use a mild term, necessarily belong to a free platform, and that freedom of speech is one of the most sacred rights—especially to woman. Yet I think some authority there should be to exclude or silence persons unfit to appear before an intelligent and refined audience—some power to rule out utterly, and keep out, ignorant or insane men and women who realize some of the worst things falsely charged against the leaders of this movement. But to see the three chief figures of this great movement of Woman's Rights sitting upon a stage in joint council, like the three Parcae or Fates of a new dispensation—dignity and the ever-acceptable grace of scholarly earnestness, intelligence, and beneficence making them prominent—is assurance that the women of our country, bereft of defenders, or injured by false ones, have advocates equal to the great demands of their cause.

GRACE GREENWOOD.

EDITORIAL CORRESPONDENCE.

WASHINGTON, Jan. 22, 1869.

DEAR REVOLUTION:—We hear good accounts from all quarters of the effect of the Woman's National Suffrage Convention. From the numbers who called upon us, the courtesy of our rulers, the marked attentions paid us in society, and the many enthusiastic letters we daily receive, we are led to believe that woman's suffrage is becoming very popular. As both the editor and proprietor of *The Revolution* are in the sere and yellow leaf, the many attentions and compliments showered upon us are of course from no personal considerations, but so many tributes of respect to the ideas we represent; as such we gratefully accept all that come to us, and thank our hosts of friends for the words of good cheer we received in Washington. As we have never been cast down with scorn and ridicule, we shall never be puffed up with praise and admiration. In the future, as the past, the motto of the good Abbe de Lamennais shall be ours, "Let the weal and the woe of humanity be everything to us, their praise and their blame of no effect." In conversation with some of the members we found them quite jealous of the attentions Mr. Pomeroy was receiving from the women of the nation. This will never do, to be sowing seeds of discord where fraternal love should abound, and we hope the women of the several States will send their petitions to their own members. As Mr. Pomeroy has enough piled up in his committee room to keep him busy all winter, we advise him to distribute them among all the gallant gentlemen who would feel honored in presenting them. Then, too, there is much wisdom in the remarks made by the Hon. Roscoe Conkling, when he presented a woman's petition, on the danger of granting Mr. Pomeroy a monopoly of such privileges, lest he should grow lukewarm in the cause. True, we have looked in vain for any burst of eloquence from the Kansas gentleman, thus far, in the Senate, but it may be that he can not find words to express the depth of his sympathy for oppressed womanhood, hence the silent eloquence of action alone in behalf of the fair petitioners.

[Pg 363]

One gentleman remarked, "Why do you push Pomeroy forward in your movement? Julian is altogether the most reliable man." We replied, we always push those who come forward. We should have been very glad if Boutwell or Brooks, Wade or Wilson, Harlan or Henderson, Julian or Jenckes had had the courage to come to our platform, but as Mr. Pomeroy was the only member of Congress who did come, he stands before the public as our champion in Washington. These politicians are all alike. No doubt there are many men in both Houses as earnest on this question as Mr. Pomeroy, who are silent on personal considerations, while he is active for the same reason. In Kansas, woman suffrage is a popular question, hence it is safe for Senators from that State, looking to a re-election, to advocate it, and when the women of the several States are as wide awake as in Kansas, the members of Congress will vie with each other to do them honor. We chanced to lunch one day in Downing's saloon with the Hon. Sidney Clark, of Kansas, and Gen. McMillan, of Minnesota, both strongly opposed to the land swindle. The former has just made an able speech on that question. Mr. Clark is a tall, fine-looking man, and bears so striking a resemblance to the editor of the *Independent* that he is often accosted for him. The subject of discussion over Mr. Downing's fine oysters was woman suffrage. Although Mr. Clark rather gave us the cold shoulder in the Kansas campaign, he promises to atone for his error by renewed ardor when the proposition is again submitted.

Miss Anthony called on Senator Harlan, Chairman of the District Committee, who readily granted us a hearing, which was had on Wednesday, the 26th. Mr. H. being friendly to the idea, we shall look to him to report a bill favorable to woman suffrage in the District. Mr. Harlan has one of the most refined, spiritual faces in the Senate. Mr. Lawrence, of Ohio, who was on the committee for investigating the election frauds in New York, said, when he returned, that the greatest fraud he found there was that one-half the people were not allowed to vote at all.

Messrs. Aiken and Florence, of the *Sunday Gazette*, were deeply interested listeners throughout our Convention. On being introduced to Mr. Florence, we expressed the hope that he would now sharpen his pen and do valiant service for woman and help to atone for all the injustice and ridicule of the press in the past. He promptly pledged himself to defend our ideas valiantly in the future. And he has started well in writing a glowing editorial in his last paper, and giving two columns to our speech on "Manhood Suffrage." To Senator Trumbull, who is Chairman of the Judiciary Committee, all our petitions, appeals, and addresses are referred. We hope he will not sink under such a weight of responsibility, but read everything we send him with a holy unction to the committee, and report favorably to the Senate.

[Pg 364]

We learned from the Southern members that the South Carolina delegation will go solid for woman

suffrage. It has been a wonder to us that Southern white women did not see the necessity of their speedy enfranchisement, as a foreign race is, by the edicts of the Republican party, exalted above their heads—made their rulers, judges, jurors, and law-givers.

Friday evening, we went to Secretary McCulloch's and Mr. Colfax's receptions. There we saw Mrs. Colfax for the first time; tall, handsome, vigorous. We congratulated her on having won the most popular man in America, whereupon the Vice-President elect smiled and bowed profoundly, and we turned to greet glorious old Ben Wade and his noble wife. Finance seemed to be the theme on all sides, and we have our fears that the negroes, as well as the women, will be lost sight of, in these discussions about the currency. But this finance is a grave question, and the more we read and think on it, the more we are convinced that the need of money is the root of all evil. We were introduced to Professor Helyard and Gen. Eaton, members of a scientific society of gentlemen which meets once a week to discuss all that is in heaven above, on the earth beneath, and in the waters under the earth, without permitting a single one of Eve's daughters to listen to the wisdom. They have lately discussed the subject of earthquakes, and it was stated, we understand, that after the women began to hold conventions in this country, earthquakes became more frequent, occurring from 1850 in California, simultaneously with these conventions in several States, showing that old mother earth sympathizes with the sorrows of women. The fear of similar occurrences in the District fully accounts for the exclusiveness of these scientific gentlemen. Professor Helgard discoursed most eloquently on co-operative housekeeping. As we listened to the many good reasons he gave for cooking, washing, and ironing on a large scale, we felt the women of the nation might be benefited ultimately by these weekly cogitations, if not permitted to enjoy the society of the cogitators.

E. C. S.

The National Woman's Suffrage Convention held in Washington, January 18th and 19th, presented the following appeal to the District Committee:

TO THE CONGRESSIONAL COMMITTEE OF THE DISTRICT OF COLUMBIA.

HONORABLE GENTLEMEN: AS the Franchise bill is now under consideration, we would urge your committee to so amend it as to secure the right of suffrage to all the women of the District, and thus establish in the capital of the nation the first genuine republic the world has ever known. It would be a work of supererogation to warn you against the puerile proposition to disfranchise all the people of the District, by placing their municipal affairs under the direct control of Congress, for such retrogressive legislation is beneath the consideration of your honorable committee, and would never be tolerated by the American people. The tide of public opinion is setting to-day in the opposite direction; in all governments we see a steadily increasing tendency toward individual responsibilities—to the election of rulers by a direct voice of the people. In this general awakening, woman too has been roused to a sense not only of her own rights as a human being, but to her duties as a citizen under government.

[Pg 365]

It is especially fitting that the grand experiment of equality should be first tried in the District of Columbia, where such able debates on freedom have been heard during the last century; where slavery was first abolished by an act of Congress; and where the black man was first recognized as a citizen of the United States. But in removing all political disabilities from the male citizens of the District, you have established, for the first time in the history of nations, a government based on the aristocracy of sex; an aristocracy of all kinds the most odious and unnatural. While every type and shade of manhood is rejoicing to-day in all the rights, privileges, and immunities of citizens in the District, its noblest matrons are still living under the statute laws of a dark and barbarous age, running back to the old common law of England centuries ago, having no parallel in our day, but in the slave codes of the Southern States. Here a married woman has no right to the property she inherits, to the wages she earns, or to the children of her love, and from laws like these she has no appeal; no advocate in the courts of justice; no representative in the councils of the nation. Such is the result of class legislation, clearly proving that man has ever made laws for his own mother with as little justice and generosity as he has from time to time for different orders of his own sex. Suffering, as woman does, under the wrongs of Saxon men, you have added insult to injury by exalting another race above her head: slaves, ignorant, degraded, depraved, but yesterday crouching at your feet, outside the pale of political consideration, are to-day, by your edicts, made her lawgivers! Thus here in the District you have consummated this invidious policy of the nation, placing outside barbarians above your Pilgrim mothers, who have stood by your side from the beginning, sharing alike your dangers and triumphs in the great struggle on this continent for free institutions.

We urge you, therefore, to report favorably on Senator Wilson's amendment, because woman not only needs the ballot for her protection, but the nation needs her voice in legislation for the safety and stability of our institutions. We simply ask you to apply your theory of government, your declaration of rights, the principles enunciated by the great Republican party, the far-seeing wisdom with which step by step you have secured all men in their inalienable rights, to our case, and you will see that logic, justice, common sense, and constitutional law are all alike on our side of the question. We need not detain you to rehearse the fundamental principles of our government, your own interpretation of the constitution, or the right of Congress to regulate suffrage in the District, for all this has been argued before the nation and sealed by your own acts. With the argument all on our side, the only question that remains is, does woman herself demand the right of suffrage at this hour? If, honorable gentlemen, you will look abroad, and note the general uprising of women everywhere, in foreign nations as well as our own, you will realize that our demand is the great onward step of the century and not, as some claim, the idiosyncrasy of a few unbalanced minds. Man knows as little of the real feeling of the women of their household as did the proud Southerner of the slaves on his plantation. Woman fears man's ridicule more than the slave did the master's lash. Yes! woman waits to-day but for man's approval, to manifest the intense enthusiasm she feels in the no distant future, when she, too, shall be crowned sovereign of this great republic, where all are of the blood royal—all heirs apparent to the throne.

[Pg 366]

We are often asked the question, "On what do you base your assertion that the ballot can achieve so much for woman? It has not done much for man; in this country all white men vote, yet the masses

are wretchedly fed, housed, clothed, and poorly paid for their labor. Ignorant alike of social and political economy, their voting is a mere form; practically they have no more to do with the government than the masses in the old world who have no representation whatever." These wholesale philosophers, and we meet them every day, are incapable of any patient process of analytical reasoning. If the moment a man is endowed with the suffrage he does not spring up into knowledge, virtue, wealth, and position, then the right amounts to nothing. If a generation of ignorant, degraded men, does not vote at once with the wisdom of statesmen, then Universal Suffrage is a failure, and the despot and the dagger the true government. The careful reader of history will see that with every new extension of rights a new step in civilization has been taken, and that uniformly those nations have been most prosperous where the greatest number of the people have been recognized in the government. Contrast China with Russia, England with the United States. Where the few govern, the legislation is for the advantage of the few. Where the many govern, the legislation will gradually become more and more for the advantage of the many, as fast as the many know enough to demand laws for their own benefit. This knowledge comes from an education in politics; and a ballot in a man's hand and the responsibility of using it, is the first step in this education. Even if a man sells his ballot, there is power in possessing something that a politician must have or perish. The Southern slaves must have acquired a new dignity in the scale of being when Judge Kelley and Senator Wilson traveled all through the South to preach to them on political questions.

The thinking men of England, as they philosophize on the abuses of their government, see plainly that the only way to abolish an order of nobility, a law of primogeniture and an established church, is to give the masses a right by their votes to pitch this triple power into the channel; for all the bulwarks of aristocracy will, one by one, be swept away with the education and enfranchisement of the people. Gladstone, John Bright, and John Stuart Mill see clearly that the privileges of the few can be extended to the many only by the legislation of the many. All the beneficial results of the broad principles they are advocating to-day, may not be fully realized in a generation, but, to the philosophical mind, they are as true now as if already achieved. The greatest minds in this country, too, have made most exhaustive arguments to prove the power of the ballot, and recognized the equality of all citizens, in our Declaration of Rights, in extending suffrage to all white men, and in the proposition to farther extend it to all black men. The great Republican party (in which are many of the ablest men of the nation) declare that emancipation to the black man is a mockery, without the suffrage. When the thinking minds on both continents are agreed as to the power of the ballot in the hand of every man, it is surprising to hear educated Americans ask, "What possible value would suffrage be to woman?" When, in the British Parliament, the suffrage was extended to a million new voters, even Lord Derby and Disraeli, who were opposed to the measure, said at once, now, if this class are to vote, we must establish schools for their education, showing the increased importance of every man who has a voice in the government, and the new interest of the rulers in his education. Where all vote all must be educated; our public school system is the result of this principle in our government. When women vote, Harvard, Yale, and Princeton will throw wide open their doors.

[Pg 367]

Woman is not an anomalous being outside all law, that one need make any special arguments to prove that what elevates and dignifies man will educate and dignify woman also. When she exercises her right of suffrage, she will study the science of government, gain new importance in the eyes of politicians, and have a free pass in the world of work. If the masses knew their power, they could turn the whole legislation of this country to their own advantage, and drive poverty, rags, and ignorance into the Pacific Ocean. If they would learn wisdom in the National Labor Conventions and not sell their votes to political tricksters, a system of Finance, Trade, and Commerce, and Co-operation could soon be established that would secure the rights of Labor and put an end to the concentration of wealth in the hands of the few. Labor holds the ballot now, let it learn how to use it. Educated women know how to use it now, let them have it.

Immediately after the convention in Washington, Mrs. Stanton and Miss Anthony made their first tour through the Western States, speaking at various points in Missouri, Illinois, Wisconsin, and Ohio, having been invited to attend several State Conventions. The editorial correspondence in *The Revolution*, gives a brief summary of this Western trip, so valuable in its results, in the organization of many suffrage associations. These meetings aroused the women who had been absorbed by the war to new and higher duties, showing them that although the battles of freedom had been fought and settled by the sword, many questions growing out of the conflict were still to be adjusted by discussion and legislation, and that, all important as their work had been in helping to save the life of the nation, there were other duties to themselves as citizens on which the perpetuation of our free institutions as fully depended.

To awaken women everywhere to a proper self-respect, was the special mission of the suffrage movement, and it was a labor, for the very elect were in favor of negro suffrage first, woman suffrage afterwards, which meant the postponement of the latter question for another generation. The few who had the prescience to see the long years of apathy that always follow a great conflict, strained every nerve to settle the broad question of suffrage on its true basis while the people were awake to its importance, but the blindness of reformers themselves in playing into the hands of the opposition, made all efforts unavailing.

[Pg 368]

CHICAGO, Feb. 12, 1869.

DEAR REVOLUTION:—Sitting on the platform in the Chicago Convention, we remember that the mail to-night must take a word to you. After traveling forty hours on the railroad, sitting two days in convention and talking in all the leisure hours outside, our missives to you must be short, but not spicy, for we feel like a squeezed sponge at the present writing. Our journey hither, barring delays, was most charming. This was our first trip on the Erie Railroad, and although we had heard much of the majesty and beauty of the scenery through the valleys of the Delaware and Susquehanna, and the spacious, comfortable cars, the journey surpassed our expectations. The convention has been crowded and most enthusiastic throughout; judges, lawyers, clergymen, professors, all taking part in its deliberations. The women of this nation may congratulate themselves that their cause is near its triumph when such noble men as Edward Becher, Rev. Mr. Goodspeed, Robert Collyer, Prof.

Haven, Judge Waite, and Judge Bradwell come forward in public to advocate their cause. Mr. Beecher made an able speech yesterday, showing that "manhood suffrage" was not the demand of this hour, but suffrage for all the citizens of the republic. He pointed out the necessity of woman's voice in the legislation of the country, not only for her own safety, but for the preservation of our free institutions. The Secretary of the convention, Mrs. J. F. Willing of Rockford, is a most accomplished woman. She understands Greek, Latin, French, German, Italian, writes for several periodicals, and is the author of "Through the Dark to the Light," a new book, it is said, of much power and merit.

Library Hall has been literally packed throughout the convention; and, from the letters we have already received urging us to go hither and thither throughout the West, "The prairies seem to be all on fire with woman's suffrage." While politicians are trying to patch up the Republican party, now near its last gasp, the people in the West are getting ready for the new national party, to combine the best elements of both the old ones, soon to be buried forever out of sight. Woman's suffrage, greenbacks, free trade, homesteads for all, eight hours labor, and three per cent the legal interest, will be some of the planks in the platforms of the political parties of the future. Mrs. Livermore, the President of the Convention, discharged the duties of her office with great executive ability, grace, and patience. The women of Chicago are fortunate in having in her so wise and judicious a manager of their cause. She is a tall, dignified-looking woman, has a fine voice and pleasant address. William Wells Brown and Anna Dickinson enlivened the discussions of this afternoon. The former helped to annihilate "us" of *The Revolution* on the same resolutions we discussed at Washington, and Anna left Mr. Robert *Laird* Collyer, who had already had a passage at arms with Mrs. Livermore and Robert Collyer, without one logical weapon for his defense. This gentleman and Rev. Mr. Hammond, brother-in-law of Owen Lovejoy, not believing in woman's suffrage, were, unhappily for themselves, though to the great amusement of the audience, made the target for all the wit and satire of the platform. Mr. Hammond, in his death gasp, declared "he believed his Bible," which did not help his case, for everyone else on the platform affirmed the same faith, with only this difference, they did not believe Mr. Hammond's interpretation of the good book. Mrs. Myra Bradwell, editor of the Chicago *Legal News*, took a prominent part in the convention. She is a woman of great force and executive ability, and it is said her husband is indebted to her for his success in life.

[Pg 369]

A telegram from Mrs. Minor, President of the Woman's Suffrage Association in St. Louis, says that they have announced us to speak there on Monday evening. What will interest you more than all besides, is the unanimous passage of a resolution in the convention indorsing *The Revolution* as the national organ of the woman's suffrage movement. The Chicago press has graciously given many columns to reports of the convention.

E. C. S.

St. Louis, Feb. 18.

DEAR REVOLUTION:—While in Chicago we attended a reception at Mrs. William Doggett's, where we met Madame de Herricourt, a distinguished French lady, who published an able work on woman some years since, in which she severely criticised several French writers, Michelet among the rest, for their sentimental nonsense about the sex. She is a very brilliant woman, with a large head, a bright, expressive face, and a stout figure, rather below the medium height. We discussed several French writers, among others, Victor Hugo, and fully agreed as to his women—that they were all lamentable failures. It is strange that a writer who can paint such strong men should so utterly fade out whenever he attempts a woman, and, the strangest part of it is, that he does not see it himself, and get some gifted woman to draw his female characters. To make such grand men as Jean Valjean and Gilliette love such types of womanhood as Victor Hugo creates, always did seem to us a desecration of that sentiment. We called to see Sidney Howard Gay, one of the editors of the Chicago *Tribune*, and found him writing with his left hand, as, owing to a severe fall, his right hand had forgotten its cunning. If the grand position the Chicago *Tribune* takes on Woman Suffrage, is the result of this accident, we wish all our Republican editors in the East would take a left handed tilt at our question. Sunday night we left Chicago for St. Louis in the palace cars, where we slept as comfortably as in our own home and breakfasted on the train in the morning. The dining-room was exquisitely arranged and the cooking excellent. The kitchen was a gem, and the cook, in the neatness and order of his person and all his surroundings, was a pink of male perfection. It really did seem like magic, to eat, sleep, read the morning papers, and talk with one's friends in bed-room, dining-room and parlor, dashing over the prairies at the rate of thirty miles an hour. While men can keep house in this charming manner, the world will not be utterly desolate when women *do* vote. As we consider the great versatility in the talents of our noble countrymen, we are lost in admiration. They seem as much at home in watching the gyrations of an egg or oyster in hot water as the revolutions of the heavenly bodies; in making pins and buttons to unite garments that time and haste may have put asunder as in spanning continents with railroads and telegraphs.

[Pg 370]

As we reached the eastern bank of the Mississippi, we were met by a delegation of ladies and gentlemen to escort us to St. Louis, where we found pleasant apartments in the Southern Hotel, which is extremely well kept, and where one is always sure of a "christian" cup of coffee. The tea and coffee in all the hotels on the route are the most miserable concoctions of hayseed and chicory that were ever palmed off on a long-suffering, patient people. We had an enthusiastic meeting in St. Louis, and found great interest manifested in the question of woman suffrage among many of its leading citizens. The ladies were in high spirits, as they had just returned from Jefferson, where they had been most graciously received by their legislators. Miss Phoebe Couzins had made an address at the capitol which was well received. She is a young lady of great beauty and talent, both as a writer and speaker, and is called the Anna Dickinson of the West. She is studying law, and hopes to be admitted to the senior class in the law school next year. Her mother, a woman of rare capacity, is a candidate for the Post Office of St. Louis. We hope she will get it. Tuesday evening we had a reception in the parlors of the hotel. Among others, we were happy to meet Mrs. Tittman, a highly cultivated German lady, sister of Professor Helyard, whom we met in Washington. She announced that two of the German papers had come out in favor of woman suffrage that morning and confessed that they were converted the night before. We were surprised to hear that the paper controlled by Carl Schurz and Emile Pretorius had not taken that position long ago. But, from the

character and influence of the German ladies there, it is evident that the German politicians must come to terms. Mrs. Minor, President of the Missouri Woman Suffrage Association, invited us to drive around and see the parks, gardens and new streets of the city.

We drove to the Polytechnic, and were received by Mr. Baily (Librarian) and Mr. Devoll, ex-superintendent of schools. He said that he was ready to vote for educated suffrage, without distinction of sex.

The ladies then proposed to go to the Merchants' Exchange and see the bulls and bears. Accordingly we drove there, ascended into the galleries, and looked down upon a great crowd of men standing round long lines of tables covered with tin pie-plates. At first we thought they were lunching, but we soon perceived that the tins contained different kinds of grains and flour, which wise ones were carefully examining. As we stood there, laughing at the idiosyncrasies of the sons of Adam, lo! two most polished gentlemen approached our charmed circle, and announced that they were a committee from the merchants on the floor to invite us to come down and address them. We descended with Mr. John J. Roe and Mr. Merritt and were introduced to the President of the Board, George P. Plant, and Mr. Blow, who escorted us to a temporary platform, and called the house to order. We made a short speech, and then there were loud calls from all parts of the house for Miss Couzins. She stepped forward and made a few pleasant remarks, when we all bowed graciously to the gallant gentlemen who conferred this great honor upon us, and retired.

[Pg 371]

SPRINGFIELD, Feb. 21.

DEAR REVOLUTION:—We have been resting here at the capital of Illinois a few days. Of our meeting in the Opera House we will say nothing about it, except that we had the Governor and members of the Legislature as attentive listeners, and the Lieut.-Governor for presiding officer, who made an admirable speech indorsing woman's suffrage. Mrs. Livermore made an able argument, though Robert *Laird* Collyer says we never have any logic on our platform, as if we had not been so logical in all our positions for the last twenty years that the dear men had no answer to make. Poor fellows! as they saw their outposts, one after another taken, their fortresses riddled through and through, their own guns turned on their defenseless heads, and such fifty-pounders as "taxation without representation," "all men created equal," "no just government can be formed without the consent of the governed," hurled at them, no wonder they left logic and took up ridicule; and now, when we meet them with their own weapons, they say we can not reason. The drunken man always imagines the lamp-posts dancing. Poor R. L. C., in the Chicago Convention, really thought his platitudes logic, and our logic sentiment.

On arriving at Springfield, we found the Chicago delegation all ready to besiege the Legislature. Among them were Mrs. Mary A. Livermore, Mr. Bradwell and his pretty wife Myra, who edits the Chicago *Legal News*. We have met several members of the bar and judges of the Supreme Court, among others Judge Lawrence and Judge Breese. All these gentlemen of the bar are in favor of amending the laws and constitutions. One thing is certain, unless these Republicans wheel in and do their duty, the Democrats in the West will take up woman's suffrage. We would advise the Western men to come into the measure generously and gracefully, and not be so obstinate and mulish as our Eastern lords have been. There is no escape, and where is the use of courting disgrace and defeat?

Sharon Tyndale, Ex-Secretary of State, escorted us to the House and Senate, and introduced us to the heads of the departments. We had two pleasant interviews with Gov. Palmer. He talks very reasonably in regard to the enfranchisement of women, although he says he does not quite indorse it yet, but as he has a very clear, honest mind, he will soon convince himself that what the ballot has done towards elevating man it will do for woman also.

The telegrams are flying in all directions for us to come here, there, everywhere. Western women are wide-awake to-day. The question of submitting an amendment to the Constitution to strike out the word "male," is under consideration. The poor "white male" is doomed.

E. C. S.

[Pg 372]

CHICAGO, March 1.

DEAR REVOLUTION:—From Springfield, I went to Bloomington, lectured before the Young Men's Association to a large audience, and met there many liberal men and women. I found that the Rev. Mr. Harrison had just fired a gun in the town paper on the lack of logic in the Chicago Convention and women's intuitions in general. It amuses me to hear the nonsense these men talk. They say God never intended woman to reason, they shut their college doors against her so that she can not study that manly accomplishment, and then they blame her for taking a short cut to the same conclusion they reach in their roundabout, lumbering processes of ratiocination. Do these gentlemen wish us to set aside God's laws, pick up logic on the sidewalks, and go step by step to a point we can reach with one flash of intuition? As long as we have the gift of catching truth by the telegraph wires, neither the sage of Bloomington nor Robert Laird Collyer of Chicago need ask us to go jogging after it in a stage-coach, perchance to be stuck in the mud on the highways as they are. It is enough to make angels weep to see how the logicians, skilled in the schools, are left floundering on every field before the simple intuitions of American womanhood.

Finding the ladies of Bloomington somewhat scarified and nervous under the Reverend's firing, like the good Samaritan, I tried to pour oil and wine on their wounded spirits, by exalting intuition, and with a pitiful and patronizing tone deploring the slowness, the obtuseness, the materialism of most of the sons of Adam. It had its effect. They soon dried their tears, and with returning self-respect, told me of all the wonderful things women were doing in that town. From the scintillations of wit, the fun and the laughter, an outsider would never have supposed that we were an oppressed class, and so hopelessly degraded in the statute laws and Constitution. After the meeting we had a long talk with the clerical assailant, and were happy to find that the good man's pen had done his heart great injustice. He is rather morbid on the question of logic; but the most melancholy symptom of his disease is his hatred of *The Revolution*. He says it is a very wicked paper, that he had felt it his duty to warn his congregation against taking it, thus depriving us of, at least, five hundred

subscribers, though he read it himself (under protest) regularly every week. Strange what a fascination evil things have even for those who minister at the altar! He advised me to strangle Train, gibbet the financial editor, snub the proprietor, and to say no more in the paper on the questions of political economy, until we had one and all studied the subject. Dear *Revolution*, when I listened to those things, I had the same sinking of the heart that I used to feel when neighbors complained that my boys were running over their house-tops, dropping stones down their chimneys, ringing their bells then running away, throwing balls in their windows, and teasing the girls on the sidewalk. Now, I do hope, dear *Revolution*, you will not bring my gray hairs with sorrow to the grave, but turn over a new leaf and adopt some Christian means to get back these five hundred subscribers. The reverend gentleman said one thing that was like balm to my bruised spirit. He liked everything over the initials P. P. and E. C. S. *Sub rosa*, P. P., we must try and circumvent Train, and fill the paper ourselves.

[Pg 373]

I met some grand women at Bloomington, one who has been a successful merchant in the dry-goods business. She has not only supported her self and a family of children, but cleared \$5,000 in five years. Another lady is a furniture dealer; when her husband died she went on with the business, and although he was so much embarrassed that every one advised her to close up and save what she could, she has paid all the debts, saved a handsome sum of money, and been every way more successful than her husband before her. A lady is the head of an establishment where music and pianos are sold. She carries on a large business, and has been very successful. All these women with their intuitions seem to be doing much better than many who can boast the gift of reason. I should not be surprised if, in the progress of events, men should come to think that woman's gift, after all, is the more desirable.

E. C. S.

TOLEDO, March 7.

DEAR REVOLUTION:—A bright, crisp morning I found myself seated beside Mrs. Livermore in the train for Milwaukee, whither we were going to attend a convention. In these eventful times of woman suffrage, having been separated a few days, on meeting, our hearts were overflowing with good news for one another. While I told Mrs. L. all I had seen and heard at Bloomington, and the various conversations I had had with dissenting "white males" on the trains, she told me her plans in regard to her new paper, the *Agitator*. Having decided to call such a journal into being, what its name should be was the question. Accordingly a council was held of the wise men and willful women of Chicago over the baptismal font of the new comer. The men, still clinging to the pleasant illusions that everything emanating from woman should be mild, gentle, serene, suggested "The Lily," "The Rose Bud," "The New Era," "The Dawn of Day;" but Mrs. Livermore, always heroic and brave, now defiant and determined, having fully awakened to the power and dignity of the ballot, and stung to the very soul with the proposed amendment for "manhood suffrage," declared that none of those names, however touching and beautiful, expressed what she intended the paper should be—nothing more or less than the twin sister of *The Revolution*, whose mission is to turn everything inside out, upside down, wrong side before. With such intentions, she felt the *Agitator* was the only name that fully matched *The Revolution*. All the women present echoed her sentiments, eschewing the "rose bud" dispensation and declaring that they would rather get the word "male" out of the constitution than to have a complete set of diamonds—rather have a right to property, wages, and children, than the best seats in the cars, and the tid-bits at the table. Thus, with one simultaneous shout, the women proclaimed the *Agitator*. The men calmly and sorrowfully resigned all hope of influence in the matter, and, as they dispersed, it was evident they looked mournfully into the future. Good Prof. Haven said that the mere name of the *Agitator* gave him an ague chill, and what life would be to most men after this twin sister to *The Revolution* was under full headway, no one could predict. Filled with profound pity for our beloved countrymen in this their hour of humiliation, we arrived in Milwaukee, where a delegation of ladies and gentlemen awaited us, among whom were a nephew and niece of Rufus Peckham, of New York, young law students of great promise. We drove to the Plankington House, where a suite of beautifully furnished apartments, with a bright fire in the grate, was prepared for us.

[Pg 374]

The Convention was held in the City Hall, and lasted two days, three sessions each, and was crowded throughout. Miss Chapin, the regularly ordained pastor of the Universalist church, was the President. Mr. and Miss Peckham, Dr. Laura J. Ross, and Madam Anneke were the ruling spirits of the Convention. Madam Anneke, a German lady of majestic presence and liberal culture, made an admirable speech in her own language. The platform, besides an array of large, well-developed women, was graced with several reverend gentlemen—Messrs. Dudley, Allison, Eddy, and Fellows—all of whom maintained woman's equality with eloquence and fervor. The Bible was discussed from Genesis to Revelation, in all its bearings on the question under consideration. By special request I gave my Bible argument, which was published in full in the daily papers. A Rev. Mr. Love, who took the opposite view, maintained that the Bible was opposed to woman's equality. He criticised some of my Hebrew translations, and scientific expositions, but as the rest of the learned D.D.s sustained my views, I shall rest in the belief that brother Love, with time and thought, will come to the same conclusions. A Rev. Mr. England also profanely claimed the Bible on the side of tyranny, and seemed to think that "Nature intended that the male should dominate over the female everywhere." As Mr. E. is a small, thin, shadowy man, without much blood, muscle, or a very remarkable cerebral development, we would advise him always to avoid the branch of the argument he stumbled upon in the Milwaukee Convention—"the physical superiority of man." Unfortunately for him, the platform illustrated the opposite, and the audience manifested, ever and anon, by suppressed laughter, that they saw the contrast between the large, well-developed brains and muscles of the women who sat there, and those of the speaker. Either Madam Anneke, Mrs. Livermore, or Dr. Ross, could have taken the reverend gentleman up in her arms and run off with him. Now, I mean nothing invidious toward small men, for some of the greatest men the world has known have been physically inferior, for example, Lord Nelson, Napoleon, our own Grant and Sheridan, and ex-Secretary Seward. All I mean to say is, that it is not politic or in good taste for a small man to come before an audience and claim physical superiority; that branch of the argument should be left for the great, burly fellows six feet high and well-proportioned, who illustrate the assertion by their overpowering presence.

We were happy to meet Mr. Butler in Milwaukee, a good Democrat, and one of the most

distinguished lawyers in Wisconsin, and to find in him an ardent supporter of our cause. I told him we were looking to the Democrats to open the constitutional doors to the women in the several States. He said he thought they were getting ready to do so in the West. In Milwaukee, my pet resolutions that had been voted down in Washington and Chicago passed without a dissenting voice.

MADISON, Wisconsin.

Hearing of the great enthusiasm at Milwaukee, Madison telegraphed for the convention to adjourn to the capitol and address the Legislature. Accordingly, on Friday a large delegation took the train to that city. On arriving, the first person who greeted us was Mr. Croffet, formerly of the *New York Tribune*. He went with us to the hotel where we were introduced to lawyers, judges, senators, generals, editors, Republicans and Democrats, who were alike ready to break a lance for woman. A splendid audience greeted us in the Hall of Representatives. Governor Fairchild presided. Mrs. Livermore, Miss Anthony and myself, all said the best things we could think of, and with as much vim as we could command after talking all day in the cars and every moment until we entered the capitol, without even the inspiration that comes from a good cup of tea or coffee. Blessed are they who draw their inspirations from the stars, the grand and beautiful in nature, and the glory of the human face divine, for such sources niggardly landlords and ignorant cooks can neither muddle nor exhaust. After the meeting we were invited into the Executive apartments and presented to Mrs. Fairchild, a woman of rare beauty, cultivation, and common sense. She, as well as the Governor, expressed great interest in the question of woman's suffrage. The Governor, with many others, subscribed for *The Revolution*.

[Pg 375]

From Madison we returned to Chicago. At Janesville, Wis., the Postmaster, Mr. Burgess, came on board on his way to Washington. In the course of conversation we learned that there had been some trouble in that town about the post office, and it was finally decided to submit the matter to a vote of the people. The result was that Miss Angeline King, Mr. Burgess's opponent, was chosen by fifty majority. This was a bomb shell in the male camp, and half a dozen men started for Washington, to show General Grant that they had, one and all, done braver deeds during the war than Angie possibly could have done, and that their loyalty should be rewarded. Angie, like a wise woman, stole the march on all of them, and reached Washington before they started. If the people of Janesville prefer Angie, as they have shown they do by their votes, we think it would be well for the powers that be to confirm the choice of the people.

In Chicago, we were glad to meet again our charming friend, Anna Dickinson. Miss Anthony spent the day with her at Mr. Doggett's one of the liberal merchant princes of that city. The result of that day's cogitation was one of the most cutting speeches that the "Gentle Anna," as the *Tribune* called her, ever made. It was a severe, but just criticism of all the twaddle of the Western press after the Chicago Woman's Suffrage Convention. Liberty Hall was crowded with a most enthusiastic audience, and although the press was not very complimentary the next day, the people who listened were delighted. She was advertised to give "Fair Play," but the West is tired of the negro question, and she was besieged on all sides to speak on woman, which she did with great effect.

E. C. S.

GALENA, March 3.

DEAR REVOLUTION:—As you look at the date, your patriotic heart will palpitate to think that the women of *The Revolution* have taken possession of the home of the President, and propose to hold a Woman Suffrage Convention right under the very shadow of his flagstaff, peering up beside one chimney of a large square brick house with a flat roof. Said house is situated on a high hill with pleasant grounds about. At the present writing we are on the opposite hill under the hospitable roof of "Sarah Coates," whose name appears in the reports of all the early Ohio conventions. She is now Mrs. Harris. We arrived here this morning at six o'clock, and found good Mr. Harris waiting for us at the depot. He is one of the oldest and wealthiest inhabitants in the county. They have a beautiful home, surrounded with every comfort and luxury. Mrs. Harris is a noble woman, tall, fine-looking, and moves about among her household gods like a queen. Although she has a large family of black-eyed, rosy-cheeked children, pictures, statuary, a cabinet of rare minerals, a conservatory of beautiful plants, and a husband who thinks her but little lower than the angels, she still demands the right to vote, and occasionally indulges in the luxury of public speaking. She is the moving spirit in every step of progress in Galena, and was the President of the convention. We have had a most enthusiastic meeting, three sessions, and house crowded throughout on an admission fee of twenty-five cents. The women all over the West are wide-awake. Theodore Tilton had just preceded us, and some ladies laughingly told us that Theodore said they would *certainly* vote in *twenty years*!

[Pg 376]

Let our cold-blooded Eastern reformers understand that ideas, like grains, grow fast in the West, and that women here intend to vote now, "right along," as the Hutchinsons sing. The editor of the *Independent* may talk of twenty years down on the Hudson among the Rip Van Winkles in Spookey Hollow, to H. G. in New York, or W. P. at the "Hub," but never to Western audiences, or to the women of *The Revolution*. Why, Mr. Tilton, when you go to the Senate some wise woman will sit on your right, and some black man on your left. You are to pay the penalty of your theorizing and be sandwiched between a woman and a black man in all the laws and constitutions before five years pass over your curly head. Twenty years! Why, Theodore, we expect to be walking the golden streets of the New Jerusalem by that time, talking with Noah, Moses, and Aaron, about the flood, the Pharaohs, the journey through the Red Sea and the wilderness. We shall be holding conventions by that time on the banks of the Jordan with Eve, Sarah, Rebecca, Huldah, Deborah, Miriam, Ruth, Naomi, Sheba, Esther, Vashti, Mary, Elizabeth, Priscilla and Phebe, Tryphena and Tryphosa, and all the strong-minded women honorably mentioned in sacred history. Do you not know, Theodore, that we have vowed never to go disfranchised into the Kingdom of Heaven? In the meantime, we propose to discuss sanitary and sumptuary laws, finance, and free trade, religion and railroads, education and elections with such worthies as yourself in the councils of the American republic. Twenty years! Why, every white male in the nation will be tied to an apron-string by that time, while all the poets and philosophers will be writing essays on "The Sphere of Man"!

We found the good men and women of Galena filled with faith in the new President. They say he is a

sober, honest, true man; that he will entirely revolutionize affairs at Washington, send the old political hacks to their homes, drive bribery and corruption from high places, and draw a new order of statesmen about him. May the good angels guide and strengthen him, for unless something is soon done to rouse the slumbering virtue of the American people, our sun will set in darkness to rise no more. Feeling the deepest interest in the past, the present, and the future of Ulysses, we asked a thousand questions concerning him. Among other things, we proposed to go to the tannery where he used to work, but found that was a myth. We peeped into some of the stores where, in his leisure hours, he used to smoke the pipe of peace, and fancied that in walking up and down the streets our feet might be treading in his footsteps. What a fascination there is in the material surroundings of great souls, and in contact with the people who have seen and loved them! But, alas, how little of the inner life, that is most interesting to hear about, mortals ever reveal to one another.

[Pg 377]

On the way from Galena to Toledo we met Frederick Douglass, dressed in a cap and a great circular cape of wolf-skins. He really presented a most formidable and ferocious aspect. I thought perhaps he intended to illustrate "William the Silent" in his northern dress, as well as to depict his character in his Lyceum lecture. As I had been talking against the pending amendment of "manhood suffrage," I trembled in my shoes and was almost as paralyzed as Red Riding Hood in a similar encounter. But unlike the little maiden, I had a friend at hand, and, as usual in the hour of danger, I fell back in the shadow of Miss Anthony, who stepped forward bravely and took the wolf by the hand. His hearty words of welcome and gracious smile reassured me, so that when my time came I was able to meet him with the usual *suaviter in modo*. Our joy in shaking hands here and there with Douglass, Tilton, and Anna Dickinson, through the West, was like meeting ships at sea; as pleasant and as fleeting. Douglass's hair is fast becoming as white as snow, which adds greatly to the dignity of his countenance. We hear his lecture on "William the Silent" much praised. Mr. Tilton's lecture too, on "Statesmanship," is said to be the best he has ever delivered. We had an earnest debate with Douglass as far as we journeyed together, and were glad to find that he was gradually working up to our ideas on the question of suffrage. He is at present hanging by the eyelids half-way between the lofty position of Robert Purvis, and the narrow one of George W. Downing. As he will attend the woman suffrage anniversary in New York in May, we shall have an opportunity for a full and free discussion of the whole question.

TOLEDO, Ohio.

At two o'clock in the morning we reached Toledo, drove to the Oliver House, registered our names, left some notes for friends, who would be looking for us next day, and then retired, giving orders not to be called till noon, even for the King of France. At the appointed hour our friend, Mr. Israel Hall, formerly of Syracuse, was announced. He invited us to his hospitable home, where we stayed during the convention, which was held in Hunker's Hall and pronounced a complete success. At the close of the meetings, a rising vote was called of all those in favor of woman's suffrage. The entire audience, men and women, rose as if one body. Two dissenting "white males" (small, men of course) came to the surface in opposition, to the great amusement of everybody. The platform throughout the meetings was occupied by some of the leading men and women of the city. Judge Jones called the convention to order and presided over its deliberations. There was no lack of questions in Toledo, but they were all cunningly propounded in writing. This was a new feature in our meetings and we were much struck with its wisdom. The questioner in an audience, no matter how bland and benevolent, is always viewed with aversion, and, however well armed at all points, is sure to be unhorsed by a brilliant sally of wit and ridicule. But when a poser is put in black and white, nothing will do but downright logic and argument. To that *unwomanly* work we addressed ourselves in the Toledo convention, and all admitted that we gave most satisfactory answers. Mrs. Israel Hall is the one who heads the woman's rebellion here. To her let all those write and go who wish to work in that part of the Lord's vineyard. We are glad to see by the papers that while we have been so enthusiastically received in the West, Lucy Stone is drawing crowded houses in all the chief cities of New England.

[Pg 378]

E. C. S.

THE MAY ANNIVERSARIES IN NEW YORK AND BROOKLYN.

The Executive Committee of the Equal Rights Association issued a call^[116] for the anniversary in New York, early in the spring of 1869. Never for any Convention were so many letters^[117] written to distinguished legislators and editors, nor so many promptly and fairly answered.

[Pg 379]

The anniversary commenced on Wednesday morning at Steinway Hall, New York. The opening session was very largely attended, the spacious hall being nearly full, showing that the era of anniversaries of important and useful societies, had by no means passed away.^[118] In the absence of the president, Mrs. Lucretia Mott, the chair was taken by Mrs. Elizabeth Cady Stanton, First Vice-President. Rev. Mrs. Hanaford, of Massachusetts, opened the meeting with prayer.

LUCY STONE presented verbally the report of the Executive Committee for the past year, running over the petitions in favor of woman suffrage presented during the year to Congress and State Legislatures and the various conventions held in different parts of the country, and remarked upon the greater respect now shown to the petitions. Formerly, she said, they were laughed at, and frequently not at all considered. This last year they were referred to committees, and often debated at great length in the legislatures, and in some cases motions to submit to the people of the State an amendment to the State Constitution doing away with the distinction of sex in the matter of suffrage was rejected by very small majorities. In one State, that of Nevada, such a motion was carried; and the question will shortly be submitted to the people of the State. A number of important and very successful conventions have been held in the Western States, and have made a decided impression. But what is most significant is, that newspapers of all shades of opinion are giving a great deal of space to this subject. It is recognized as among the great questions of the age, which can not be put down until it is settled upon the basis of immutable justice and right. The report was unanimously accepted and adopted.

[Pg 380]

Rev. O. B. FROTHINGHAM.—I am not here this morning thinking that I can add any thing to the strength of the cause, but thinking that perhaps I may gain something from the generous, sweet atmosphere that I am sure will prevail. This is a meeting, if I understand it, of the former Woman's Rights Association, and the subjects which come before us properly are the subjects which concern woman in all her social, civil, and domestic life. But the one question which is of vital moment and of sole prominence, is that of suffrage. All other questions have been virtually decided in favor of woman. She has the *entrée* to all the fields of labor. She is now the teacher, preacher, artist, she has a place in the scientific world—in the literary world. She is a journalist, a maker of books, a public reader; in fact, there is no position which woman, as woman, is not entitled to hold. But there is one position that woman, as woman, does not occupy, and that is the position of a voter. One field alone she does not possess, and that is the political field; one work she is not permitted, and that is the work of making laws. This question goes down to the bottom—it touches the vital matter of woman's relation to the State.... Is there anything in the constitution of the female mind, to disqualify her for the exercise of the franchise. As long as there are fifty, thirty, ten, or even one woman who is capable of exercising this trust or holding this responsibility it demonstrates that sex, as a sex, does not disfranchise, and the whole question is granted. (Applause.) Here our laws are made by irresponsible people—people who demoralize and debauch society; people who make their living in a large measure by upholding the institutions that are inherently, forever, and always corrupt. (Applause.) Laws that are made by the people who own dramshops, who keep gambling-saloons, who minister to the depraved passions and vices of either sex, laws made by the idler, the dissipated, by the demoralized—are they laws? It is true that this government is founded upon caste. Slavery is abolished, but the aristocracy of sex is not. One reason that the suffrage is not conceded to woman is that those who refuse to do so, do not appreciate it themselves. (Applause.) As long as the power of suffrage means the power to steal, to tread down the weak, and get the rich offices into their own hands, those who have the key of the coffers will wish to keep it in their own pockets. (Applause.)

The Committee on Organization reported the officers of the society for the ensuing year.^[119]

[Pg 381]

STEPHEN FOSTER laid down the principle that when any persons on account of strong objections against them in the minds of some, prevented harmony in a society and efficiency in its operations, those persons should retire from prominent positions in that society. He said he had taken that course when, as agent of the Anti-Slavery Society, he became obnoxious on account of his position on some questions. He objected, to certain nominations made by the committee for various reasons. The first was that the persons nominated had publicly repudiated the principles of the society. One of these was the presiding officer.

Mrs. STANTON:—I would like you to say in what respect.

Mr. FOSTER:—I will with pleasure; for, ladies and gentlemen, I admire our talented President with all my heart, and love the woman. (Great laughter.) But I believe she has publicly repudiated the principles of the society.

Mrs. STANTON:—I would like Mr. Foster to state in what way.

Mr. FOSTER:—What are these principles? The equality of men—universal suffrage. These ladies stand at the head of a paper which has adopted as its motto Educated Suffrage. I put myself on this platform as an enemy of educated suffrage, as an enemy of white suffrage, as an enemy of man suffrage, as an enemy of every kind of suffrage except universal suffrage. *The Revolution* lately had an article headed "That Infamous Fifteenth Amendment." It is true it was not written by our President, yet it comes from a person whom she has over and over again publicly indorsed. I am not willing to take George Francis Train on this platform with his ridicule of the negro and opposition to his enfranchisement.

Mrs. MARY A. LIVERMORE:—Is it quite generous to bring George Francis Train on this platform when he has retired from *The Revolution* entirely?

Mr. FOSTER:—If *The Revolution*, which has so often indorsed George Francis Train, will repudiate him because of his course in respect to the negro's rights, I have nothing further to say. But it does not repudiate him. He goes out; it does not cast him out.

[Pg 382]

Miss ANTHONY:—Of course it does not.

Mr. FOSTER:—My friend says yes to what I have said. I thought it was so. I only wanted to tell you why the Massachusetts society can not coalesce with the party here, and why we want these women to retire and leave us to nominate officers who can receive the respect of both parties. The Massachusetts Abolitionists can not co-operate with this society as it is now organized. If you choose to put officers here that ridicule the negro, and pronounce the Amendment infamous, why I must retire; I can not work with you. You can not have my support, and you must not use my name. I can not shoulder the responsibility of electing officers who publicly repudiate the principles of the society.

HENRY B. BLACKWELL said: In regard to the criticisms on our officers, I will agree that many unwise things have been written in *The Revolution* by a gentleman who furnished part of the means by which that paper has been carried on. But that gentleman has withdrawn, and you, who know the real opinions of Miss Anthony and Mrs. Stanton on the question of negro suffrage, do not believe that they mean to create antagonism between the negro and the woman question. If they did disbelieve in negro suffrage, it would be no reason for excluding them. We should no more exclude a person from our platform for disbelieving negro suffrage than a person should be excluded from the anti-slavery platform for disbelieving woman suffrage. But I know that Miss Anthony and Mrs. Stanton believe in the right of the negro to vote. We are united on that point. There is no question of principle between us.

The vote on the report of the Committee on Organization was now taken, and adopted by a large majority.

Mr. DOUGLASS:—I came here more as a listener than to speak, and I have listened with a great deal of pleasure to the eloquent address of the Rev. Mr. Frothingham and the splendid address of the President. There is no name greater than that of Elizabeth Cady Stanton in the matter of woman's rights and equal rights, but my sentiments are tinged a little against *The Revolution*. There was in the address to which I allude the employment of certain names, such as "Sambo," and the gardener, and the bootblack, and the daughters of Jefferson and Washington, and all the rest that I can not coincide with. I have asked what difference there is between the daughters of Jefferson and Washington and other daughters. (Laughter.) I must say that I do not see how any one can pretend that there is the same urgency in giving the ballot to woman as to the negro. With us, the matter is a question of life and death, at least, in fifteen States of the Union. When women, because they are women, are hunted down through the cities of New York and New Orleans; when they are dragged from their houses and hung upon lamp-posts; when their children are torn from their arms, and their brains dashed out upon the pavement; when they are objects of insult and outrage at every turn; when they are in danger of having their homes burnt down over their heads; when their children are not allowed to enter schools; then they will have an urgency to obtain the ballot equal to our own. (Great applause.)

A VOICE:—Is that not all true about black women?

Mr. DOUGLASS:—Yes, yes, yes; it is true of the black woman, but not because she is a woman, but because she is black. (Applause.) Julia Ward Howe at the conclusion of her great speech delivered at the convention in Boston last year, said: "I am willing that the negro shall get the ballot before me." (Applause.) Woman! why, she has 10,000 modes of grappling with her difficulties. I believe that all the virtue of the world can take care of all the evil. I believe that all the intelligence can take care of all the ignorance. (Applause.) I am in favor of woman's suffrage in order that we shall have all the virtue and vice confronted. Let me tell you that when there were few houses in which the black man could have put his head, this woolly head of mine found a refuge in the house of Mrs. Elizabeth Cady Stanton, and if I had been blacker than sixteen midnights, without a single star, it would have been the same. (Applause.)

[Pg 383]

Miss ANTHONY:—The old anti-slavery school say women must stand back and wait until the negroes shall be recognized. But we say, if you will not give the whole loaf of suffrage to the entire people, give it to the most intelligent first. (Applause.) If intelligence, justice, and morality are to have precedence in the Government, let the question of woman be brought up first and that of the negro last. (Applause.) While I was canvassing the State with petitions and had them filled with names for our cause to the Legislature, a man dared to say to me that the freedom of women was all a theory and not a practical thing. (Applause.) When Mr. Douglass mentioned the black man first and the woman last, if he had noticed he would have seen that it was the men that clapped and not the women. There is not the woman born who desires to eat the bread of dependence, no matter whether it be from the hand of father, husband, or brother; for any one who does so eat her bread places herself in the power of the person from whom she takes it. (Applause.) Mr. Douglass talks about the wrongs of the negro; but with all the outrages that he to-day suffers, he would not exchange his sex and take the place of Elizabeth Cady Stanton. (Laughter and applause.)

Mr. DOUGLASS:—I want to know if granting you the right of suffrage will change the nature of our sexes? (Great laughter.)

Miss ANTHONY:—It will change the pecuniary position of woman; it will place her where she can earn her own bread. (Loud applause.) She will not then be driven to such employments only as man chooses for her.

Mrs. NORTON said that Mr. Douglass's remarks left her to defend the Government from the inferred inability to grapple with the two questions at once. It legislates upon many questions at one and the same time, and it has the power to decide the woman question and the negro question at one and the same time. (Applause.)

Mrs. LUCY STONE:—Mrs. Stanton will, of course, advocate the precedence for her sex, and Mr. Douglass will strive for the first position for his, and both are perhaps right. If it be true that the government derives its authority from the consent of the governed, we are safe in trusting that principle to the uttermost. If one has a right to say that you can not read and therefore can not vote, then it may be said that you are a woman and therefore can not vote. We are lost if we turn away from the middle principle and argue for one class. I was once a teacher among fugitive slaves. There was one old man, and every tooth was gone, his hair was white, and his face was full of wrinkles, yet, day after day and hour after hour, he came up to the school-house and tried with patience to learn to read, and by-and-by, when he had spelled out the first few verses of the first chapter of the Gospel of St. John, he said to me, "Now, I want to learn to write." I tried to make him satisfied with what he had acquired, but the old man said, "Mrs. Stone, somewhere in the wide world I have a son; I have not heard from him in twenty years; if I should hear from him, I want to write to him, so take hold of my hand and teach me." I did, but before he had proceeded in many lessons, the angels came and gathered him up and bore him to his Father. Let no man speak of an educated suffrage. The gentleman who addressed you claimed that the negroes had the first right to the suffrage, and drew a picture which only his great word-power can do. He again in Massachusetts, when it had cast a majority in favor of Grant and negro suffrage, stood upon the platform and said that woman had better wait for the negro; that is, that both could not be carried, and that the negro had better be the one. But I freely forgave him because he felt as he spoke. But woman suffrage is more imperative than his own; and I want to remind the audience that when he says what the Ku-Kluxes did all over the South, the Ku-Kluxes here in the North in the shape of men, take away the children from the mother, and separate them as completely as if done on the block of the auctioneer. Over in New Jersey they have a law which says that *any* father—he might be the most brutal man that ever existed—*any* father, it says, whether he be under age or not, may by his last will and testament dispose of the custody of his child, born or to be born, and that such disposition shall be good against all persons, and that the mother may not recover her child; and that law modified in form exists over every State in the Union except in Kansas. Woman has an ocean of wrongs too deep for any plummet, and the negro, too, has an ocean of wrongs that can not be fathomed. There are two

[Pg 384]

great oceans; in the one is the black man, and in the other is the woman. But I thank God for that XV. Amendment, and hope that it will be adopted in every State. I will be thankful in my soul if *any* body can get out of the terrible pit. But I believe that the safety of the government would be more promoted by the admission of woman as an element of restoration and harmony than the negro. I believe that the influence of woman will save the country before every other power. (Applause.) I see the signs of the times pointing to this consummation, and I believe that in some parts of the country women will vote for the President of these United States in 1872. (Applause.)

At the opening of the evening session Henry B. Blackwell presented a series of resolutions.^[120] Antoinette Brown Blackwell spoke, and was followed by Olive Logan.

[Pg 385]

Miss LOGAN said:—I stand here to-night full of faith, inborn faith, in the rights of woman to advance boldly in all ennobling paths.... In my former sphere of life, the equality of woman was fully recognized so far as the kind of labor and the amount of reward for her labor are concerned. As an actress, there was no position in which I was not fully welcomed if I possessed the ability and industry to reach it. If I could become a Ristori, my earnings would be as great as hers, and if I was a man and could become a Kean, a Macready, or a Booth, the same reward would be obtained. If I reach no higher rank than what is called a "walking lady," I am sure of the same pay as a man who occupies the position of a "walking gentleman." In that sphere of life, be it remembered, I was reared from childhood; to that place I was so accustomed that I had no idea it was a privilege denied my sex to enter into almost every other field of endeavor.

In literature also I found myself on an equality with man. If I wrote a good article, I got as good pay; and heaven knows the pay to man or woman was small enough. (Applause). In that field, for a long time, I did not feel an interest in the subject of women's rights, and stood afar off, looking at the work of those revolutionary creatures, Mrs. Stanton and Miss Anthony. The idea of identifying myself with them was as far removed from my thoughts as becoming a female gymnast and whirling upon a trapeze. But once I wrote a lecture, and one night I delivered it. Adhering to my practice of speaking about that which was most familiar, my lecture was about the stage. I lectured, simply because I thought the pay would be better in that department; the idea that I was running counter to anybody's prejudice, never entered my head. And I was so far removed that I never read a page of *The Revolution* in my life, and, what is more, I did not want to; and when Miss Anthony passed down Broadway and saw the bills announcing my lecture she knew nothing about me, and what is more, she did not want to. (Laughter). She made a confession to me afterwards. She said to herself, "Here is a lady going to lecture about the stage," looking through her blessed spectacles, as I can see her (laughter)—and I can hear her muttering "a woman's rights woman." (Laughter). That is not so very long ago, a little over a year. Since this great question of woman's rights was thrust upon me, I am asked to define my position; wherever I have traveled in the fifteen months I have had to do so. A lady of society asked me, "Are you in favor of woman's rights?" I had either to answer yes or no, and "Yes," I said. (Applause)....

[Pg 386]

I met, in my travels, in a New England town, an educated woman, who found herself obliged to earn her livelihood, after living a life of luxury and ease. Her husband, who had provided her with every material comfort, had gone to the grave. All his property was taken to pay his debts, and she found herself penniless. What was that woman to do? She looks abroad among the usual employments of women, and her only resource seems to be that little bit of steel around which cluster so many associations—the needle—and by the needle, with the best work and the best wages, the most she can get is two dollars a day. With this, poor as it is, she will be content; but she finds an army of other women looking for the same, and most of them looking in vain. These things have opened my eyes to a vista such as I never saw before. They have touched my heart as it never before was touched. They have aroused my conscience to the fact that this woman question is the question of the hour, and that I must take part in it. I take my stand boldly, proudly, with such earnest, thoughtful women as Susan B. Anthony, Mrs. Stanton, and Anna Dickinson, to work together with them for the enfranchisement of woman, for her elevation personally and socially, and above all for her right and opportunity to work at such employments as she can follow, with the right to such pay as men get. (Applause). There are thousands of women who have no vital interest in this question. They are happy wives and daughters, and may they ever be so; but they can not tell how soon their husbands and brothers may be lost to them, and they will find themselves destitute and penniless with no resources in themselves against misfortune. Then it will be for such that we labor. Our purpose is to help those who need help, widows and orphan girls. There is no need to do battle in this matter. In all kindness and gentleness we urge our claims. There is no need to declare war upon man, for the best of men in this country are with us heart and soul. These are with us in greater numbers even than our own sex. (A Voice—"That is true." Great applause). Do not say that we seek to break up family peace and fireside joy; far from it. (Applause). We interfere not with the wife or daughter who is happy in the strong protection thrown around her by a father or husband, but it is cowardice for such to throw obstacles in the way of those who need help. More than this, for the sake of the helpless woman, to whose unhappiness in the loss of beloved ones is added the agony of hard and griping want. For the sake of the poor girl who has no power to cope with the hard actualities of a desolate life, while her trembling feet tread the crumbling edge of the dark abyss of infamy. For the sake of this we are pleading and entertaining this great question, withhold your answer till at least you have learned to say, "God speed."

The next speaker was Miss Phoebe Couzins, a young law student from St. Louis, who spoke in a most agreeable and forcible manner.

[Pg 387]

Miss COUZINS said:—MRS. PRESIDENT AND LADIES: I deem it the duty of every earnest woman to express herself in regard to the XVth Amendment to our Federal Constitution. I feel deeply the humiliation and insult that is offered to the women of the United States in this Amendment, and have always publicly protested against its passage. During a recent tour through the Eastern States I became still more (if that were possible) firmly fixed in my convictions. Its advocates are unwilling to have it publicly discussed, showing that they know there is an element of weakness in it which will not bear a thorough investigation.

While feeling entirely willing that the black man shall have all the rights to which he is justly

entitled, I consider the claims of the black woman of paramount importance. I have had opportunities of seeing and knowing the condition of both sexes, and will bear my testimony, that the black women are, and always have been, in a far worse condition than the men. As a class, they are better, and more intelligent than the men, yet they have been subjected to greater brutalities, while compelled to perform exactly the same labor as men toiling by their side in the fields, just as hard burdens imposed upon them, just as severe punishments decreed to them, with the added cares of maternity and household work, with their children taken from them and sold into bondage; suffering a thousandfold more than any man could suffer. Then, too, the laws for women in the Southern States, both married and single, degrade them still further. The black men, as a class, are very tyrannical in their families; they have learned the lesson of brute force but too well, and as the marriage law allows the husband entire control over his wife's earnings and her children, she is in worse bondage than before; because in many cases the task of providing for helpless children and an idle, lazy, husband, is imposed on the patient wife and mother; and, with this sudden elevation to citizenship, which the mass of stupid, ignorant negroes look upon as entitling them to great honor, I regard the future state of the negro woman, without the ballot in her hand, as deplorable. And what is said of the ignorant black man can as truthfully be said of the ignorant white man; they all regard woman as an inferior being. She is their helpless, household slave. He is her ruler, her law-giver, her conscience, her judge and jury, and the prisoner at the bar has no appeal. This XVth Amendment thrusts all women still further down in the scale of degradation, and I consider it neither praiseworthy nor magnanimous for women to assert that they are willing to hold their claims in abeyance, until all shades and types of men have the franchise. It is admitting a false principle, which all women, who are loyal to truth and justice, should immediately reject. For over twenty-five years, the advocates of woman suffrage have been trying to bring this vital question before the country. They have accomplished herculean tasks and still it is up-hill work. Shall they, after battling so long with ignorance, prejudice and unreasoning customs, stand quietly back and obsequiously say they are willing that the floodgates shall be opened and a still greater mass of ignorance, vice and degradation let in to overpower their little army, and set this question back for a century? Their solemn duty to future generations forbids such a compromise.

The advocates of the XVth Amendment tell us we ought to accept the half loaf when we can not get the whole. I do not see that woman gets any part of the loaf, not even a crumb that falls from the rich man's table. It may appear very magnanimous for men, who have never known the degradation of being thrust down in the scale of humanity by reason of their sex, to urge these yielding measures upon women, they can not and do not know our feelings on the subject, and I regard it as neither just nor generous to eternally compel women to yield on all questions (no matter how humiliating), simply because they are women.

[Pg 388]

The Anti-Slavery party declares that with the adoption of the XVth Amendment their work is done. Have they, then, been battling for over thirty years for a fraction of a principle? If so, then the XVth Amendment is a fitting capstone to their labors. Were the earnest women who fought and endured so heroically with them, but tools in the hands of the leaders, to place "manhood suffrage" on the highest pinnacle of the temple dedicated to Truth and Justice? And are they now to bow down, and worship in abject submission this fractional part of a principle, that has hitherto proclaimed itself, as knowing neither bond nor free, male nor female, but one perfect humanity?

The XV. Amendment virtually says that every intelligent, virtuous woman is the inferior of every ignorant man, no matter how low he may be sunk in the scale of morality, and every instinct of my being rises to refute such doctrine, and God speaking within me says, No! eternally No!

Rev. GILBERT HAVEN, editor of *Zion's Herald*, was introduced, and said—Ladies and Gentlemen: As I believe that is the way to address you, or shall I merge you into one and call you fellow citizens—

Miss ANTHONY—Let me tell you how to say it. It is perfectly right for a gentleman to say "ladies and gentlemen," but a lady should say, "gentlemen and ladies." (Great applause.) You mention your friend's name before you do your own. (Applause.) I always feel like rebuking any woman who says, "ladies and gentlemen." It is a lack of good manners. (Laughter and great applause.)

Mr. HAVEN—I thank the lady for the rule she has laid down. Now, Mr. Beecher has said that a minister is composed of the worst part of man and woman, and there are wealthy men who say that the pulpit should be closed against the introduction of politics, but I am glad this sentiment is not a rule; I rejoice that the country has emancipated the ministry so that a minister can speak on politics. I go further than saying that it is the mere right of the women to achieve suffrage. I say that it is an obligation imposed upon the American people to grant the demands of this large and influential class of the commonwealth. The legislation of the country concerns the woman as much as the man. Is not the wife as much interested in the preservation of property as her husband? Another reason is, that the purity of politics depends upon the admission of woman to the franchise, for without her influence morality in politics can not be secured. (Applause.)

HENRY B. BLACKWELL presented the following resolution:

Resolved, That in seeking to remove the legal disabilities which now oppress woman as wife and mother, the friends of woman suffrage are not seeking to undermine or destroy the sanctity of the marriage relation, but to ennoble marriage, making the obligations and responsibilities of the contract mutual and equal for husband and wife.

MARY A. LIVERMORE said that that was introduced by her permission, but the original resolution was stronger, and she having slept over it, thought that it should be introduced instead of that one, and offered the following:

[Pg 389]

Resolved, That while we recognize the disabilities which the legal marriage imposes upon woman as wife and mother, and while we pledge ourselves to seek their removal by putting her on equal terms with man, we abhorrently repudiate Free Loveism as horrible and mischievous to society, and disown any sympathy with it.

Mrs. LIVERMORE said that the West wanted some such resolution as that in consequence of the

innuendoes that had come to their ears with regard to their striving after the ballot.

Mrs. HANAFORD spoke against such inferences not only for the ministers of her own denomination, but the Christian men and women of New England everywhere. She had heard people say that when women indorsed woman suffrage they indorsed Free Loveism, and God knows they despise it. Let me carry back to my New England home the word that you as well as your honored President, whom we love, whose labor we appreciate, and whose name has also been dragged into this inference, scout all such suggestions as contrary to the law of God and humanity.

LUCY STONE: I feel it is a mortal shame to give any foundation for the implication that we favor Free Loveism. I am ashamed that the question should be asked here. There should be nothing said about it at all. Do not let us, for the sake of our own self-respect, allow it to be hinted that we helped forge a shadow of a chain which comes in the name of Free Love. I am unwilling that it should be suggested that this great, sacred cause of ours means anything but what we have said it does. If any one says to me, "Oh, I know what you mean, you mean Free Love by this agitation," let the lie stick in his throat. You may talk about Free Love, if you please, but we are to have the right to vote. To-day we are fined, imprisoned, and hanged, without a jury trial by our peers. You shall not cheat us by getting us off to talk about something else. When we get the suffrage, then you may taunt us with anything you please, and we will then talk about it as long as you please.

ERNESTINE L. ROSE: We are informed by the people from the West that they are wiser than we are, and that those in the East are also wiser than we are. If they are wiser than we, I think it strange that this question of Free Love should have been brought upon this platform at all. I object to Mrs. Livermore's resolution, not on account of its principles, but on account of its pleading guilty. When a man comes to me and tries to convince me that he is not a thief, then I take care of my coppers. If we pass this resolution that we are not Free Lovers, people will say it is true that you are, for you try to hide it. Lucretia Mott's name has been mentioned as a friend of Free Love, but I hurl back the lie into the faces of all the ministers in the East and into the faces of the newspapers of the West, and defy them to point to one shadow of a reason why they should connect her name with that vice. We have been thirty years in this city before the public, and it is an insult to all the women who have labored in this cause; it is an insult to the thousands and tens of thousands of men and women that have listened to us in our Conventions, to say at this late hour that we are not Free Lovers.

SUSAN B. ANTHONY repudiated the resolution on the same ground as Mrs. Rose, and said this howl came from those men who knew that when women got their rights they would be able to live honestly: no longer be compelled to sell themselves for bread, either in or out of marriage.

[Pg 390]

Mrs. Dr. L. S. BATCHELDER, a delegate appointed by the Boston Working Women's Association, said that she represented ten thousand working women of New England, and they had instructed her as their representative to introduce a resolution looking to the amelioration of the condition of the working women.

Senator WILSON spoke as follows: This is a rather new place for me to stand, and yet I am very glad to say that I have no new views in regard to this question. I learned fifteen or twenty years ago something about this reform in its earliest days, when the excellent people, who have labored so long with so much earnestness and fidelity, first launched it before the country. I never knew the time in the last fifteen or twenty years that I was not ready to give my wife the right to vote if she wanted it. I believe in the Declaration of Independence in its full scope and meaning; believing it was born of Christianity; that it came from the teachings of the New Testament; and I am willing to trust the New Testament and the Declaration of Independence anywhere on God's earth, and to adopt their doctrine in the fullest and broadest manner. I do not know that all the good in the world will be accomplished when the women of the United States have the right to vote. But it is sure to come. Truth is truth, and will stand.

Mrs. ERNESTINE L. ROSE referred to the assertion of the Rev. Mr. Haven, that the seeds of the Woman's Rights reform were sown in Massachusetts, and proceeded to disprove it. Thirty-two years ago she went round in New York city with petitions to the Legislature to obtain for married women the right to hold property in their own names. She only got five names the first year, but she and others persevered for eleven years, and finally succeeded. Who, asked Mrs. Rose, was the first to call a National Convention of women—New York or Massachusetts? [Applause.] I like to have justice done and honor given where it is due.

Mrs. SARAH F. NORTON, of the New York Working Woman's Association, referring to the former attempt to exclude the discussion of the relations of capital and labor, argued that the question was an appropriate one in any Woman's Rights Convention, and proposed that some member of the New York Working Women's Association be heard on that point.

Mrs. ELEANOR KIRK accordingly described the beginning, progress, and operations of the Association. She also replied to the recent criticism of the *World* upon the semi-literary, semi-Woman's Rights nature of the meetings of their associations, and contended that they had a perfect right to debate and read essays, and do anything else that other women might do.

Mrs. MARY F. DAVIS spoke in behalf of the rights of her own sex, but expressed her willingness to see the negro guaranteed in his rights, and would wait if only one question could be disposed of. But she thought they would not have to wait long, for the Hon. Mr. Wilson had assured them that their side is to be strongly and successfully advocated. Every step in the great cause of human rights helps the next one forward. In 1848 Mrs. Stanton called the first Convention at Seneca Falls.

[Pg 391]

Miss ANTHONY: And Lucretia Mott.

Mrs. DAVIS: Yes, and Lucretia Mott; and I love to speak of them in association. Mrs. Rose has alluded to the primary steps she took, and there were Susan B. Anthony, Lucy Stone, Antoinette Brown Blackwell, and Paulina Wright Davis, and a great galaxy who paved the way; and we stand here to proclaim the immortal principle of woman's freedom. [Great applause.] The lady then referred to the great work that lay before them in lifting out of misery and wretchedness the numbers of women in

this city and elsewhere, who were experiencing all the fullness of human degradation. Even when they had finished their present work, a large field was still before them in the elevation of their sex. [Applause.]

Mrs. PAULINA W. DAVIS said she would not be altogether satisfied to have the XVth Amendment passed without the XVIth, for woman would have a race of tyrants raised above her in the South, and the black women of that country would also receive worse treatment than if the Amendment was not passed. Take any class that have been slaves, and you will find that they are the worst when free, and become the hardest masters. The colored women of the South say they do not want to get married to the negro, as their husbands can take their children away from them, and also appropriate their earnings. The black women are more intelligent than the men, because they have learned something from their mistresses. She then related incidents showing how black men whip and abuse their wives in the South. One of her sister's servants whipped his wife every Sunday regularly. [Laughter.] She thought that sort of men should not have the making of the laws for the government of the women throughout the land. [Applause.]

Mr. DOUGLASS said that all disinterested spectators would concede that this Equal Rights meeting had been pre-eminently a Woman's Rights meeting. [Applause.] They had just heard an argument with which he could not agree—that the suffrage to the black men should be postponed to that of the women. I do not believe the story that the slaves who are enfranchised become the worst of tyrants. [A voice, "Neither do I." Applause.] I know how this theory came about. When a slave was made a driver, he made himself more officious than the white driver, so that his master might not suspect that he was favoring those under him. But we do not intend to have any master over us. [Applause.]

THE PRESIDENT, Mrs. Stanton, argued that not another man should be enfranchised until enough women are admitted to the polls to outweigh those already there. [Applause.] She did not believe in allowing ignorant negroes and foreigners to make laws for her to obey. [Applause.]

Mrs. HARPER (colored) asked Mr. Blackwell to read the fifth resolution of the series he submitted, and contended that that covered the whole ground of the resolutions of Mr. Douglass. When it was a question of race, she let the lesser question of sex go. But the white women all go for sex, letting race occupy a minor position. She liked the idea of working women, but she would like to know if it was broad enough to take colored women?

[Pg 392]

Miss ANTHONY and several others: Yes, yes.

Mrs. HARPER said that when she was at Boston there were sixty women who left work because one colored woman went to gain a livelihood in their midst. [Applause] If the nation could only handle one question, she would not have the black women put a single straw in the way, if only the men of the race could obtain what they wanted. [Great applause.]

Mr. C. C. BURLEIGH attempted to speak, but was received with some disapprobation by the audience, and confusion ensued.

Miss ANTHONY protested against the XVth Amendment because it wasn't Equal Rights. It put two million more men in position of tyrants over two million women who had until now been the equals of the men at their side.

Mr. BURLEIGH again essayed to speak. The confusion was so great that he could not be heard.

Mrs. STONE appealed for order, and her first appearance caused the most respectful silence, as did the words of every one of the ladies who addressed the audience. Mr. Burleigh again ventured, but with no better result, and Miss Anthony made another appeal to the audience to hear him. He tried again to get a word in, but was once more unsuccessful.

Mrs. LIVERMORE, after protesting against the disorderly behavior of the audience, said a few words in advocacy of the resolutions of Mr. Douglass, when a motion was made to lay them upon the table, and Mr. Blackwell moved the "previous question."

Miss ANTHONY hoped that this, the first attempt at gagging discussion, would not be countenanced. (Applause.) She made a strong protest against this treatment of Mr. Burleigh. Sufficient silence was obtained for that gentleman to say that he had finished; but he was determined that they should hear the last word. (Hisses and laughter.) He now took his seat. The motion to lay the resolutions upon the table for discussion in the evening was then carried, and the Association adjourned till the evening, to meet in the large hall of the Cooper Institute. A letter from Jules Favre, the celebrated French advocate and *litterateur*, was read, after which addresses were delivered by Madam Anneke, of Milwaukee (in German), and by Madame de Hericourt, of Chicago (in French). Both of these ladies are of revolutionary tendencies, and left their native countries because they had rendered themselves obnoxious by a too free expression of their political opinions.

Madam ANNEKE said—*Mrs. President*: Nearly two decades have passed since, in answer to a call from our co-workers, I stood before a large assembly, over which Mrs. Mott presided, to utter, in the name of suffering and struggling womanhood, the cry of my old Fatherland for freedom and justice. At that time my voice was overwhelmed by the sound of sneers, scoffs, and hisses—the eloquence of tyranny, by which every outcry of the human heart is stifled. Then, through the support of our friends Mrs. Rose and Wendell Phillips, who are ever ready in the cause of human rights, I was allowed, in my native tongue, to echo faintly the cry for justice and freedom. What a change has been wrought since then! To-day they greet us with deferential respect. Such giant steps are made by public opinion! What they then derided, and sought, through physical power and rough ignorance, to render wholly impossible, to day they greet with the voice of welcome and jubilee. Such an expression of sentiment is to us the most certain and joyful token of a gigantic revolution in public opinion—still more gratifying is it, that the history of the last few years proves that under the force of an universal necessity, reason and freedom are being consistently developed. Such is the iron step of time, that it brings forward every event to meet its rare fulfillment. Under

[Pg 393]

your protection I am once more permitted, in this dawning of a new epoch which is visible to all eyes that will see, and audible to all ears that will hear, to express my hopes, my longing, my striving, and my confidence. And now, permit me to do so in the language of my childhood's play, as well as that of the earnest and free philosophy of German thinkers and workers. Not that I believe it is left to me to interest the children of my old Fatherland, here present, in the new era of truth and freedom, as if these glorious principles were not of yore implanted in their hearts—as if they could not take them up in a strange idiom—but because I am urged from my deepest soul to speak out loud and free, as I have ever felt myself constrained to do, and as I can not do in the language of my beloved adopted land. The consciousness and the holy conviction of our inalienable human rights, which I have won in the struggle of my own strangely varied life, and in the wrestling for independence which has carried me through the terrors of bloody revolution, and brought me to this effulgent shore where *Sanita Libertas* is free to all who seek it—this sacred strand, of which our German poet says: *Dich halte ich!* (I have gained thee and will not leave thee.) So I turn to you, my dear compatriots, in the language of our Fatherland—to you who are accustomed to German ways of thinking—to you who have grown up in the light which flows from thinking brains—to you whose hearts warmly cherish human rights and human worth—who are not afraid of truth when it speaks of such deep, clear, and universally important subjects as human rights and human duties. He who fears truth will find hiding places, but he who combats for it is worthy of it. The method of its adversaries is to address themselves to thoughtless passion, and thus arouse mockery and abuse against those who search for scientific knowledge to appeal to easily moved feelings and kindle sentiments of hatred and contempt. They can do this only while truth is in the minority—only until right shall become might.

You will learn to judge of woman's strength when you see that she persists strenuously in this purpose, and secures, by her energy, the rights which shall invest her with power. That which you can no longer suppress in woman—that which is free above all things—that which is pre-eminently important to mankind, and must have free play in every mind, is the natural thirst for scientific knowledge—that fountain of all peacefully progressing amelioration in human history. This longing, this effort of reason seeking knowledge of itself, of ideas, conclusions, and all higher things, has, as far as historical remembrance goes back, never been so violently suppressed in any human being as in woman. But, so far from its having been extinguished in her, it has, under the influence of this enlightened century, become a gigantic flame which shines most brightly under the protection of the star-spangled banner. There does not exist a man-made doctrine, fabricated expressly for us, and which we must learn by heart, that shall henceforth be our law. Nor shall the authority of old traditions be a standard for us—be this authority called Veda, Talmud, Koran, or Bible. No. Reason, which we recognize as our highest and only law-giver, commands us to be free. We have recognized our duty—we have heard the rustling of the golden wings of our guardian angel—we are inspired for the work!

[Pg 394]

We are no longer in the beginning of history—that age which was a constant struggle with nature, misery, ignorance, helplessness, and every kind of bondage. The moral idea of the State struggles for that fulfillment in which all individuals shall be brought into a union which shall augment a million-fold both its individual and collective force. Therefore, don't exclude us—don't exclude woman—don't exclude the whole half of the human family. Receive us—begin the work in which a new era shall dawn. In all great events we find that woman has a guiding hand—let us stay near you now, when humanity is concerned. Man has the spirit of truth, but woman alone has passion for it. All creations need love—let us, therefore, celebrate a union from which shall spring the morning of freedom for humanity. Give us our rights in the State. Honor us as your equals, and allow us to use the rights which belong to us, and which reason commands us to use. Whether it be prudent to enfranchise woman, is not the question—only whether it be right. What is positively right, must be prudent, must be wise, and must, finally, be useful. Give the lie to the monarchically disposed statesman, who says the republic of the United States is only an experiment, which earlier or later will prove a failure. Give the lie to such hopes, I say, by carrying out the whole elevated idea of the republic—by calling the entire, excluded half of mankind and every being endowed with reason, to the ballot-box, which is the people's holy palladium.

MADAME DE HERICOURT said: I wish to ask if rights have their source in ability, in functions, in qualities? No, certainly; for we see that all men, however they may differ in endowments, have equal rights. What, then, is the basis of rights? Humanity. Consequently, even if it be true that woman is inferior to man in intelligence and social ability, it is not desirable that she shut herself within what is called woman's sphere. In a philosophical light, the objections brought against her have no bearing on this question. Woman must have equal rights with man, because she is, like him, a human being; and only in establishing, through anatomical or biological proof, that she does not belong to the human race, can her rights be withheld. When such demonstration is made, my claims shall cease. In the meantime, let me say that woman—whether useful or useless—belonging to humanity, must have the rights of humanity.

But is it true that the equality of man and woman would not be useful to society? We might answer this question in the affirmative were the sexes alike, but for the very reason that they differ in many respects, is the presence of woman by the side of man, if we desire order and justice, everywhere necessary. Is it graceful, I ask, to walk on one leg? Men, since the beginning of history, have had the bad taste to prefer a lame society to one that is healthy and beautiful. We women have really too much taste to yield longer to such deformity. In law, in institutions, in every social and political matter, there are two sides. Up to the present day, man has usurped what belongs to woman. That is the reason why we have injustice, corruption, international hatred, cruelty, war, shameful laws—man assuming, in regard to woman, the sinful relation of slaveholder. Such relation must and will change, because we women have decided that it shall not exist. With you, gentlemen, we will vote, legislate, govern—not only because it is our right, but because it is time to substitute order, peace, equity, and virtue, for the disorder, war, cruelty, injustice, and corruption which you, acting alone, have established. You doubt our fitness to take part in government because we are fickle, extravagant, etc., etc., as you say. I answer, there is an inconsiderable minority which deserve such epithets; but even if all women deserved them, who is in fault? You not only prefer the weak-minded, extravagant women to the strong-minded and reasonable ones, but as soon as a woman attempts to leave her sphere, you, coward-like, throw yourselves before her, and secure to your own

[Pg 395]

profit all remunerative occupations. I could, perhaps, forgive your selfishness and injustice, but I can not forgive your want of logic nor your hypocrisy. You condemn woman to starvation, to ignorance, to extravagance, in order to please yourselves, and then reproach her for this ignorance and extravagance, while you heap blame and ridicule on those who are educated, wise, and frugal. You are, indeed, very absurd or very silly. Your judgment is so weak that you reproach woman with the faults of a slave, when it is you who have made and who keep her a slave, and who know, moreover, that no true and virtuous soul can accept slavery. You reproach woman with being an active agent in corruption and ruin, without perceiving that it is you who have condemned her to this awful work, in which only your bad passions sustain her. Whatever you may do, you can not escape her influence. If she is free, virtuous, and worthy, she will give you free, virtuous, and worthy sons, and maintain in you republican virtues. If she remain a slave, she will debase you and your sons; and your country will come under the rule of tyranny. Insane men can not understand that where there is one slave there are always two—he who wears the chain and he who rivets it. Unreasonable, short-sighted men can not understand that to enfranchise woman is to elevate man; to give him a companion who shall encourage his good and noble aspirations, instead of one who would debase and draw him down into an abyss of selfishness and dishonesty. Gentlemen, will you be just, will you preserve the republic, will you stop the moral ruin of your country; will you be worthy, virtuous, and courageous for the welfare of your nation, and, in spite of all obstacles, enfranchise your mothers, wives, daughters, and sisters? Take care that you be not too late! Such injustice and folly would be at the cost of your liberty, in which event you could claim no mercy, for tyrants deserve to be the victims of tyrants.

[Pg 396]

After her brief address, Madame de Hericourt submitted to the Convention a series of resolutions for the organization of Women's Leagues.^[121]

ERNESTINE L. ROSE said—*Mrs. Chairman, Ladies and Gentlemen:* What we need is to arouse both men and women to the great necessity of justice and of right. The world moves. We need not seek further than this Convention assembled here to-night to show that it moves. We have assembled here delegates from the East and the West, from the North and the South, from all over the United States, from England, from France, and from Germany—all have come to give us greeting and well-wishes, both in writing and in speech. I only wish that this whole audience might have been able to understand and appreciate the eloquent speeches which have been delivered here to-night. They have been uttered in support of the claim—the just demand—of woman for the right to vote. Why is it, my friends, that Congress has enacted laws to give the negro of the South the right to vote? Why do they not at the same time protect the negro woman? If Congress really means to protect the negro race, they should have acknowledged woman just as much as man; not only in the South, but here in the North, the only way to protect her is by the ballot. We have often heard from this platform, and I myself have often said, that with individual man we do not find fault. We do not war with man; we war with bad principles. And let me ask whether we have not the right to war with these principles which stamp the degradation of inferiority upon women.

This Society calls itself the Equal Rights Association. That I understand to be an association which has no distinction of sex, class, or color. Congress does not seem to understand the meaning of the term universal. I understand the word universal to include ALL. Congress understood that Universal Suffrage meant the white man only. Since the war we have changed the name for Impartial Suffrage. When some of our editors, such as Mr. Greeley and others, were asked what they meant by impartial suffrage, they said, "Why, man, of course; the man and the brother." Congress has enacted resolutions for the suffrage of men and brothers. They don't speak of the women and sisters. [Applause.] They have begun to change their tactics, and call it manhood suffrage. I propose to call it Woman Suffrage; then we shall know what we mean. We might commence by calling the Chinaman a man and a brother, or the Hottentot, or the Calmuck, or the Indian, the idiot or the criminal, but where shall we stop? They will bring all these in before us, and then they will bring in the babies—the *male* babies. [Laughter.] I am a foreigner. I had great difficulty in acquiring the English language, and I never shall acquire it. But I am afraid that in the meaning of language Congress is a great deal worse off than I have ever been. I go for the change of name; I will not be construed into a man and a brother. I ask the same rights for women that are extended to men—the right to life, liberty, and the pursuit of happiness; and every pursuit in life must be as free and open to me as any man in the land. [Applause.] But they will never be thrown open to me or to any of you, until we have the power of the ballot in our own hands. That little paper is a great talisman. We have often been told that the golden key can unlock all the doors. That little piece of paper can unlock doors where golden keys fail. Wherever men are—whether in the workshop, in the store, in the laboratory, or in the legislative halls—I want to see women. Wherever man is, there she is needed; wherever man has work to do—work for the benefit of humanity—there should men and women unite and co-operate together. It is not well for man to be alone or work alone; and he can not work for woman as well as woman can work for herself. I suggest that the name of this society be changed from Equal Rights Association to Woman's Suffrage Association.

[Pg 397]

LUCY STONE said she must oppose this till the colored man gained the right to vote. If they changed the name of the association for such a reason as it was evident it was proposed, they would lose the confidence of the public. I hope you will not do it.

A GENTLEMAN: *Mrs. President,* I hope you will do it. I move that the name of the association be changed to the "Universal Franchise Association."

Mrs. STANTON: The question is already settled by our constitution, which requires a month's notice previous to the annual meeting before any change of name can be made. We will now have a song. [Laughter.]

Mr. BLACKWELL said that he had just returned from the South, and that he had learned to think that the test oath required of white men who had been rebels must be abolished before the vote be given to the negro. He was willing that the negro should have the suffrage, but not under such conditions that he should rule the South. [At the allusion of *Mr. Blackwell* to abolishing the test oath, the audience hissed loudly.]

Mrs. STANTON said—*Gentlemen and Ladies:* I take this as quite an insult to me. It is as if you were

invited to dine with me and you turned up your nose at everything that was set on the table.

Mrs. LIVERMORE said: It certainly requires a great amount of nerve to talk before you, for you have such a frankness in expressing yourselves that I am afraid of you. [Laughter and applause.] If you do not like the dish, you turn up your nose at it and say, "Take it away, take it away." [Laughter.] I was brought up in the West, and it is a good place to get rid of any superfluous modesty, but I am afraid of you. [Applause.] It seems that you are more willing to be pleased than to hear what we have to say. [Applause.] Throughout the day the men who have attended our Convention have been turbulent. [Applause.] I say it frankly, that the behavior of the majority of men has not been respectful. [Applause.] She then gave a pathetic narration of the sorrow she had seen among the depraved and destitute of our great cities, and said the work of the coming year would be to get up a monster petition of a million of names asking the Legislature for suffrage. [Applause.]

[Pg 398]

After a song from the Hutchinson Family, who had come from Chicago to entertain the audiences of the Association, the meeting adjourned.

The friends of woman's suffrage, including most of the delegates to the Equal Rights Convention in New York, met in mass meeting in the Academy of Music, Brooklyn, Friday morning, May 14th, at 10 o'clock. Mr. Edwin A. Studwell called the meeting to order and nominated Mrs. Anna C. Field for President. This lady was unanimously elected, and took the chair. Mrs. Celia Burleigh was elected Secretary. On motion of Mr. Studwell, a committee^[122] was appointed to draft resolutions. Mrs. Elizabeth Cady Stanton was then introduced, and made the opening speech.

Mrs. LUCY STONE congratulated the ladies upon the large number of men who had become converted to their cause.

Mr. LANGDON, of Vermont, followed with a brief speech.

Mrs. BURLEIGH read a letter from the Hon. Geo. Wm. Curtis, indorsing very decidedly the doctrine of woman suffrage.

Rev. PHEBE HANAFORD then delivered a most eloquent and touching address on the moral influence that the participation of women in government would have upon the world. Every true mother was with this movement. The golden rule given by Jesus, if carried out, would give equal rights to all, and there would be no distinction between color, race, or sex.

The Rev. GILBERT HAVEN, of Massachusetts, said there were three reforms needed—one was the abolition of social distinctions, another was the abolition of the rum-shop, and the third was giving the ballot to women. Of the three, which should take the precedence? It was hard to say that woman did not lead them all. He had claimed yesterday that the Woman's Rights movement originated in Massachusetts. He was mistaken. The great idea of woman's equality was taught by Christ; and still further back, when man and woman were created and placed in Paradise, they were placed there on an equality. God gave man no supremacy over woman there. Not until sin had entered the world, not until after the fall was it said, "He shall rule over her." If we were to be controlled by this curse of sin, we should still adhere to the old law giving the supremacy to the first-born son, for that was declared at the same time between Cain and Abel. Sin degraded, but grace emancipated. On the day of Pentecost, the Spirit fell upon the man and woman alike. St. Paul declared this great doctrine of Woman's Rights when he said, "There is neither Greek nor Jew, neither bond nor free, neither male nor female, but all are one in Christ. If a woman prophesy, let her prophesy with the head covered," but he did not say women shall not prophesy. The doctrine of Woman's Rights originated with God Himself. There were many reasons why we should give the ballot to women. It would elevate woman herself, as well as confer incalculable benefits on man.

[Pg 399]

At the afternoon session addresses were made by Mrs. Livermore, Lucy Stone, Lillie Peckham, Rev. J. W. Chadwick, and Lucretia Mott. In the evening the building was crowded throughout, including stage and both galleries, with the very best of people. The Committee on organization reported for President, Mrs. Celia Burleigh, and for Vice-Presidents about twenty names. Mrs. Norton read an extract from a letter of Wm. Lloyd Garrison. Miss Olive Logan spoke in her own dramatic style. She dealt numerous severe blows at the other sex. Her many sarcastic and humorous hits elicited great applause. A resolution declaring woman entitled to vote and hold office under all conditions which it is proper to impose on man, was read and adopted, after which Lucretia Mott addressed the convention in her usual happy manner.

Mrs. HARPER spoke on matters concerning her own race.

The Rev. HENRY WARD BEECHER said: In relation to this Woman's Rights movement, I am opposed to coercion. If a woman says, "I have all the rights I want," I say, very well. We do not preach the doctrine of coercive rights. You shall have perfect liberty to stay at home. All we ask is, that women shall follow their natures. Of all heresies it seems to me there never was one so absurd as that which supposes that woman is not fit for the peculiar duties of government. She was fit to whip you and me; to teach us the best things we know; fit to take care of home; and let me tell you that the woman who is fit to take care of home is fit to stand in the gateway of heaven itself. Nothing is more sacred between this and the heavenly rest than the Christian household. It is said that woman is not fit to hold office. Take the Presidents of the United States, as they run for the last eight or ten years, and I would rather take my chances among the average of women. A President of these United States requires merely common sense and honesty. Men are not more honest than women, not more sincere nor more capable.

Miss PHOEBE COUZINS and Mr. DOUGLASS made brief addresses. The HUTCHINSONS sang one of their soul-stirring songs. LUCY STONE closed the exercises with a most effective appeal.

[Pg 400]

Out of these broad differences of opinion on the amendments, as shown in the debates, divisions grew up between Republicans and Abolitionists on the one side, and the leaders of the Woman

Suffrage movement on the other. The constant conflict on the Equal Rights platform proved the futility of any attempt to discuss the wrongs of different classes in one association. A general dissatisfaction had been expressed by the delegates from the West at the latitude of debate involved in an Equal Rights Association. Hence, a change of name and more restricted discussions were strenuously urged by them. Accordingly, at the close of Anniversary week, a meeting was called at the Woman's Bureau,^[123] which resulted in reorganization under the name of "The National Woman Suffrage Association."^[124]

There had been so much trouble with men in the Equal Rights Society, that it was thought best to keep the absolute control henceforth in the hands of women. Sad experience had taught them that in trying emergencies they would be left to fight their own battles, and therefore it was best to fit themselves for their responsibilities by filling the positions of trust exclusively with women. This was not accomplished without a pretty sharp struggle. As it was, they had to concede the right of membership to men, in order to carry the main point, as several ladies would not join unless men also could be admitted. All preliminaries discussed and amicably adjusted, a list of officers was chosen and an organization completed, making a XVIth Amendment the special object of its work and consideration. The regular weekly meetings of this Association were reported by the metropolitan press with many spicy and critical comments, which did a great educational work and roused much thought on the whole question.

[Pg 401]
[Pg 402]

Conventions were held during the summer at Saratoga and Newport. The following letter from Celia Burleigh gives a bird's-eye view of that at Saratoga:

SARATOGA, July 16th, 1869.

The advocates of Woman Suffrage have fairly earned the title of Revolutionists by their recent bold move on the enemy's stronghold. The great foe to progress is want of thought, and the devotees of fashion are about the last to come into line and work for any great reform. Not a little surprise, and some indignation, were expressed by the representatives of upper tendom sojourning here, that strong-minded women were not only coming to Saratoga, but actually intending to hold a convention. What next? What place would henceforth be safe from the assaults of these irrepressible amazons of reform? Saratoga has survived the shock, however; Flora McFlimsey has looked in the face of Miss Anthony, and has not been turned to stone. More than that, finding the convention pouring into the parlors of Congress Hall, and escape actually cut off, Flora, after deliberating whether to faint and be carried out, or gratify her curiosity by looking on, finally submitted gracefully to the inevitable and did the latter. From her crimson cushioned arm chair by the window, she saw the meeting called to order, saw one after another of "those horrid women, whose names are in the newspapers," quietly taking their places, doing the thing proper to be done, and carrying forward the business of the meeting. Really, they were not so dreadful after all. They neither wore beards nor pantaloons. There was not even a woman with short hair among them. On the contrary, they seemed to be decidedly appreciative of "good clothes" and if less familiar with the goddess of fashion than Miss Flora they did not walk arm in arm with her, they at least followed at no great distance and were, to a woman, finished off with the regulation back-bow of loops and ends. Spite of herself, Miss McFlimsey became interested, and when Miss Anthony mentioned the fact that the majority of men felt it necessary to talk down to women, instead of sharing with them their best thoughts and most vital interests, Flora looked reflective, as if in that direction might lie the clew to the insufferable stupidity which she often found in the young gentlemen of her acquaintance.

That a Woman Suffrage Convention should have been allowed to organize in the parlors of Congress Hall, that those parlors should have been filled to their utmost capacity by the habitual guests of the place, that such men as Millard Fillmore, Thurlow Weed, George Opdyke, and any number of clergymen from different parts of the country, should have been interested lookers-on, are significant facts that may well carry dismay to the enemies of the cause. That the whole business of the Convention was transacted by women in a dignified, orderly, and business-like manner, is a strong intimation that in spite of all that has been said to the contrary, women are capable of learning how to conduct meetings and manage affairs. Even the least friendly spectator was compelled to admit it, that the delegates to the Convention were as free from eccentricity in dress and manner as the most fastidious taste could demand; that they were remarkable only for the comprehensive range of thought, indicated in their utterances, and the earnestness with which they advocate principles which they evidently believe to be right. Another fact worth noticing is the character of the reports of the Convention furnished to the daily papers. They were, for the most part, full, impartial, and respectful in tone; especially was this the case with the local papers. Altogether, the Woman Suffrage Conventions in the State of New York must be regarded as a decided success. The interest manifested shows that thought on the subject is no longer confined to the few, but that it is gradually permeating the whole public mind.

[Pg 403]

In its present condition, Saratoga realizes one's ideal of a summer resort, and yet in the good time coming, we can imagine an improvement—that even Congress Hall, with its gentlemanly and courteous proprietor, its sumptuous appointments and army of waiters, may yet have an added excellence; when, by the possession of the ballot, woman becomes a possible proprietor and actual worker; when to earn money is as honorable for a woman as it now is for a man, we may hope to find in every hotel not only a host, but a hostess; and whatever may be said of the excellence of men as housekeepers, I confidently predict that even Congress Hall will be vastly improved by the addition.

The chief speakers at this Convention were Charlotte Wilbour, Celia Burleigh, Matilda Joslyn Gage, Rev. Mr. Angier, J. N. Holmes, Esq., Judge McKean, and Mrs. Dr. Strowbridge.

C. B.

THE NEWPORT CONVENTION.—*Dear Revolution*: Susan B. Anthony having decided that neither age, color, sex, or previous condition could shield any one from this agitation—that neither the frosts of

winter nor the heats of summer could afford its champions any excuse for halting on the way, our forces were commanded to be in marching order on the 25th of August, to besiege the "butterflies of fashion" in Newport.^[125] Having gleefully chased butterflies in our young days on our way to school, we thought it might be as well to chase them in our old age on the way to heaven. So, obeying orders, we sailed across the Sound one bright moonlight night with a gay party of the "disfranchised," and found ourselves quartered on the enemy the next morning as the sun rose in all its resplendent glory. Although trunk after trunk—not of gossamers, laces, and flowers, but of Suffrage ammunition, speeches, resolutions, petitions, tracts, John Stuart Mill's last work, and folios of *The Revolution* had been slowly carried up the winding stairs of the Atlantic—the brave men and fair women, who had tripped the light fantastic toe until the midnight hours, slept heedlessly on, wholly unaware that twelve apartments were already filled with invaders of the strong-minded editors, reporters, and the Hutchinson family to the third and fourth generation.

[Pg 404]

Suffice it to say the Convention continued through two days with the usual amount of good and bad speaking and debating, strong and feeble resolutions, fair and unfair reporting—but, with all its faults, an improvement on the general run of conventions called by the stronger sex. We say this not in a spirit of boasting, but with a heart overflowing with pity for the "men of the period." The chief speakers were Paulina Wright Davis, Isabella Beecher Hooker, Theodore Tilton, Francis D. Moulton, Rev. Phebe Hanaford, Lillie Devereux Blake, Elizabeth R. Churchill, the Hon. Mr. Stillman, of Rhode Island; and the editor and proprietor of *The Revolution*. The occasion was enlivened with the stirring songs of the Hutchinsons, and a reading by Mrs. Sarah Fisher Ames, the distinguished artist who moulded the bust of Abraham Lincoln which now adorns the rooms of the Union League.

The audience throughout the sittings of the Convention was large, fashionable, and as enthusiastic as the state of the weather would permit. From the numbers of *The Revolution* and John Stuart Mill's new work sold at the door, it is evident that much interest was roused on the question. We can say truly that we never received a more quiet and respectful hearing; and, from many private conversations with ladies and gentlemen of influence, we feel assured that we have done much by our gatherings in Saratoga and Newport to awaken thought among a new class of people. The *ennui* and utter vacuity of a life of mere pleasure is fast urging fashionable women to something better, and, when they do awake to the magnitude and far-reaching consequences of woman's enfranchisement, they will be the most enthusiastic workers for its accomplishment.

E. C. S.

The Fourth of July this year was celebrated for the first time by members of the Woman Suffrage Association, in a beautiful grove in Westchester County. Edwin A. Studwell of Brooklyn made all the necessary arrangements. Speeches were made by Judge E. D. Culver, Mrs. Stanton, and Miss Anthony. The Woman Suffrage meetings at the Bureau were crowded every week. October 7th there was an unusually large attendance, to discuss the coming Industrial Congress at Berlin. The following letter to the Berlin Congress was read and adopted:

NATIONAL WOMAN SUFFRAGE ASSOCIATION, }
NEW YORK, September 28, 1869. }

To the Woman's Industrial Congress at Berlin:

At a meeting of our Executive Committee the call for your Convention was duly considered, and a committee appointed to address you a letter. In behalf of the progressive women of this country we would express to you the deep interest we feel in the present movement among the women of Europe, everywhere throwing off the lethargy of ages and asserting their individual dignity and power, showing that the emancipation of woman is one of those great ideas that mark the centuries. While in your circular you specify various subjects for consideration, you make no mention of the right of suffrage.

[Pg 405]

As yours is an Industrial Congress in which women occupied in every branch of labor are to be represented, you may think this question could not legitimately come before you. And even if it could, you may not think best to startle the timid or provoke the powerful by the assertion that a fair day's wages for a fair day's work and the dignity of labor, alike depend on the political status of the laborer. Perhaps in your country, where the right of representation is so limited even among men, women do not feel the degradation of disfranchisement as we do under this Government, where it is now proposed to make sex the only disqualification for citizenship.

The ultimate object of all these labor movements on both continents, is the emancipation of the masses from the slavery of poverty and ignorance, and the shorter way to this end is to give all the people a voice in the laws that govern them, for the ballot is bread, land, education, dignity, and power. The extending of new privileges and abating of old grievances may afford some temporary relief; but the kernel of the whole question of the people's wrongs can never be touched until the essential equality of all citizens under the government is fully recognized. In America we have the true theory of government, and step by step we are coming to its practical realization.

Seeing that no class ever did or ever can legislate wisely for another, the women, even in this country, have done complaining of specific wrongs, and are demanding the right to legislate for themselves. We are now holding conventions in the chief cities of the several States, and petitioning Congress for a sixteenth amendment to the Federal Constitution that shall forbid the disfranchisement of any citizen on account of sex. In January, soon after the convening of Congress, we shall hold a National Convention in Washington to press our arguments on the representatives of the people. Sooner or later you will be driven to make the same demand; for, from whatever point you start in tracing the wrongs of citizens, you will be logically brought step by step to see that the real difficulty in all cases is the need of representation in the government. However various our plans and objects, we are all working to a common centre. And in this general awakening among women we are taking the grandest step in civilization that the world has yet seen. When men and women are reunited as equals in the great work of life, then, and not till then, will harmony and happiness reign supreme on earth. Tendering you our best wishes for the success of your convention and the triumph of our cause in Europe, we are yours, with much esteem,

The following ladies were appointed delegates to the Woman's Industrial Congress called to meet at Berlin: Ernestine L. Rose, Laura C. Bullard, New York; Kate N. Doggett, Mary J. Safford, Illinois; Mary Peckenpaugh, Missouri. A letter from Mrs. Bullard^[126] was listened to with interest.

During the Autumn of this year there was a secession from our ranks, and the preliminary steps were taken for another organization. Aside from the divisions growing out of a difference of opinion on the amendments, there were some personal hostilities among the leaders of the movement that culminated in two Societies, which were generally spoken of as the New York and Boston wings of the Woman Suffrage reform. The former, as already stated, called the "National Woman Suffrage Association," with Elizabeth Cady Stanton for President, organized in May; the latter called "The American Woman Suffrage Association," with Henry Ward Beecher for President, organized the following November. Most of those who inaugurated the reform remained in the National Association—Lucretia Mott, Martha C. Wright, Ernestine Rose, Clarina Howard Nichols, Paulina Wright Davis, Sarah Pugh, Amy Post, Mary H. Hallowell, Lydia Mott, Catharine A. F. Stebbins, Adeline Thomson, Josephine S. Griffing, Clemence S. Lozier, Rev. Olympia Brown, Matilda Joslyn Gage, Elizabeth Cady Stanton, Susan B. Anthony—and continued to work harmoniously together.

FOOTNOTES:

[111]A NATIONAL WOMAN'S SUFFRAGE CONVENTION will be held in Carroll Hall, Washington, D. C., on the 19th and 20th of January, 1869. All associations friendly to Woman's Rights are invited to send delegates from every State. Friends of the cause are invited to attend and take part in the discussions.

Committee of Arrangements.—Josephine S. Griffing, William Hutchinson, Lydia S. Hall, John H. Crane, Mary T. Corner, George F. Needham, James K. Wilcox.

[112]Speeches were made by Mrs. Griffing and Miss Clara Barton of Washington, Mrs. Wright and Susan B. Anthony of New York, Mr. Edward M. Davis and Mr. Robert Purvis of Pennsylvania, Dr. Charles Purvis, Mr. and Mrs. Stebbins, Mr. Wilcox, Mrs. Julia Archibald, Col. Hinton and Mr. George T. Downing of Washington, Mrs. Starrett, Dr. Root and Mrs. Archibald of Kansas, Mr. Wolff of Colorado, Mrs. Kingsbury of Vineland, New Jersey, Mrs. Dr. Hathaway of Massachusetts, Mrs. Minor of Missouri, and others.

[113]The amendment as proposed by the Hon. Thaddeus Stevens, of Pennsylvania, extended the right of suffrage to "all citizens," which included both white and black women. At the bare thought of such an impending calamity, the more timid Republicans were filled with alarm, and the word "male" promptly inserted.

[114]A circumstance at the Woman's National Convention served to impress me profoundly with the monstrousness of slavery, and of the prejudice it created and has left behind it, which I have been waiting a convenient opportunity to tell you about. Far into the first evening of the Convention, when the debate had waxed warm between Mrs. Stanton—who opposed the admission of any more men (referring to the negroes) to the political franchise, until the present arbiters of the question were disposed to admit women also—and Mr. Downing and Dr. Purvis, of Washington, an elegant looking gentleman arose upon impulse and began to talk in his seat, but, after a little hesitancy, accepted the invitation of Mrs. Mott and Miss Anthony to take the platform. As he stood up before the audience, he appeared a tall, slender, elderly gentleman, with the white hair and other marks of years, at least not less than sixty, graced with a handsome face of the highest type, strikingly fine in character. I have seen many nations and conditions of people, and I do not fear to say with some regard for my reputation as an observer—that I believe it one of the most benevolent and exalted faces—one of the most elevated and least mixed with the animal and earthly alloys of our humanity, that adorn the whole globe. He spoke but a few words. They were all of the character of the generous impulse upon which he rose. In his gratitude for what those noble women had done for the colored race, *with which he was identified*, he was willing to wait for the ballot for himself, his sons, and his race, until women were permitted to enjoy it. The speaker was Robert Purvis, of Philadelphia, Dr. Purvis's father. By the gas light of the hall, he not only appeared to be a white man, but a light complexioned white man. It may be that he has one thirty-second—possibly one-sixteenth—negro blood in his veins. There is so little in effect, that the whole make-up of the man is after the highest pattern of white men. Besides—to descend a little—Mr. Purvis is a gentleman of wealth and culture, and surrounds his family with all the gratifications of the intellectual, esthetic and moral desires, and carefully developed his children at home and at the best schools into which they could gain admission.—*Correspondence of the Denver News.*

[115]*Resolved*, That governments among men have hitherto signally failed, their history being but a series of revolutions, bloodshed, and desolation.

Resolved, That a democracy based on a republicanism which proscribes and disfranchises one part of the citizens for their sex, and another for their color, is a contradiction in terms more offensive and harder to be borne than despotism itself, under its true name, and vastly more dangerous by its seductive influence to human well-being.

Resolved, That we demand, as the only assurance of national perpetuity and peace, as well as a measure of Justice and right, that in the reconstruction of the Government suffrage shall be based on loyalty and intelligence, and nowhere be limited by odious distinctions on account of color, or sex.

Resolved, That we earnestly recommend to the friends of equal suffrage in all the States to call a convention at their respective capitals during the sessions of their Legislatures, and that committees be appointed to memorialize those bodies on the subject of suffrage alike impartial for men and women, and that as far as possible able and earnest women obtain a hearing before them, to urge the necessity and justice of their claim.

Resolved, That we denounce the proposition now pending in Congress to abolish the elective franchise in the District of Columbia, as it tends to make the disfranchisement of the 25,000 women of the District, and the lately enfranchised colored men perpetual.

Resolved, That in demanding the ballot for the disfranchised classes, we do not overlook the logical fact of the right to be voted for; and we know no reason why a colored man should be excluded from a seat in Congress, or any woman either, who possesses the suitable capabilities, and has been duly elected.

Resolved, That we demand of the Government, and of the public also, that women and colored people shall choose their own occupations, and be paid always equally with men for equal work.

Resolved, That a *man's* government is worse than a *white* man's government, because, in proportion as you increase the tyrants, you make the condition of the disfranchised class more hopeless and degraded.

Resolved, That as the partisan cry of a white man's government created the antagonism between the Irishman and the negro, culminating in those fearful riots in 1863, so the Republican cry of manhood suffrage creates the same antagonism between the negro and the woman, and must result, especially in the Southern States, in greater injustice toward woman.

[116] ANNIVERSARY OF THE AMERICAN EQUAL RIGHTS ASSOCIATION.

The American Equal Rights Association will hold its Anniversary in New York, at Steinway Hall, Wednesday and Thursday, May 12th and 13th, and in Brooklyn, Academy of Music, on Friday, the 14th.

After a century of discussion on the rights of citizens in a republic, and the gradual extension of suffrage, without property or educational qualifications, to all white men, the thought of the nation has turned for the last thirty years to negroes and women.

And in the enfranchisement of black men by the Fourteenth and Fifteenth Amendments to the Federal Constitution, the Congress of the United States has now virtually established on this continent an aristocracy of sex; an aristocracy hitherto unknown in the history of nations.

With every type and shade of manhood thus exalted above their heads, there never was a time when all women, rich and poor, white and black, native and foreign, should be so wide awake to the degradation of their position, and so persistent in their demands to be recognized in the government.

Woman's enfranchisement is now a practical question in England and the United States. With bills before Parliament, Congress, and all our State Legislatures—with such able champions as John Stuart Mill and George William Curtis, woman need but speak the word to secure her political freedom to-day.

We sincerely hope that in the coming National Anniversary every State and Territory, East and West, North and South, will be represented. We invite delegates, too, from all those countries in the Old World where women are demanding their political rights.

Let there be a grand gathering in the metropolis of the nation, that Republicans and Democrats may alike understand, that with the women of this country lies a political power in the future, that both parties would do well to respect.

The following speakers from the several States are pledged: Anna E. Dickinson, Frederick Douglass, Mary A. Livermore, Madam Anneke, Lillie Peckham, Phoebe Couzins, M. H. Brinkerhoff, Mrs. Frances McKinley, Amelia Bloomer, Olive Logan, Mrs. E. Oakes Smith, Elizabeth Cady Stanton, Henry Ward Beecher, Olympia Brown, Robert Purvis, Josephine S. Griffing, Lucy Stone, Ernestine L. Rose, Susan B. Anthony, Theodore Tilton, Rev. O. B. Frothingham.

LUCRETIA MOTT, *President*.

Vice-Presidents, Elizabeth Cady Stanton, Frederick Douglass, Henry Ward Beecher, Martha C. Wright, Frances D. Gage, New York; Olympia Brown, Massachusetts; Elizabeth B. Chase, Rhode Island; Charles Prince, Connecticut; Robert Purvis, Pennsylvania; Antoinette B. Blackwell, New Jersey; Josephine S. Griffing, Washington, D. C.; Thomas Garrett, Delaware; Stephen H. Camp, Ohio; Euphemia Cochrane, Michigan; Mary A. Livermore, Illinois; Mrs. I. H. Sturgeon, Missouri; Amelia Bloomer, Iowa; Mary A. Starrett, Kansas; Virginia Penny, Kentucky.

Corresponding Secretary, Mary E. Gage.

Recording Secretaries, Henry B. Blackwell, Harriet Purvis.

Treasurer, John J. Merritt.

Executive Committee, Lucy Stone, Edward S. Bunker, Elizabeth R. Tilton, Ernestine L. Rose, Robert J. Johnston, Edwin A. Studwell, Anna Cromwell Field, Susan B. Anthony, Theodore Tilton, Margaret E. Winchester, Abby Hutchinson Patton, Oliver Johnson, Mrs. Horace Greeley, Abby Hopper Gibbons, Elizabeth Smith Miller.

[117]See Appendix.

[118]On the platform were seated Ernestine L. Rose, of New York; Mary A. Livermore, of Chicago; Phoebe Couzins, of St. Louis; Lillie Peckham, of Milwaukee; Madam Anneke, of Milwaukee; Madam de Hericourt, of Chicago; Mrs. M. Joslyn Gage, of Syracuse; Frederick Douglass; Lucy Stone, of New Jersey; Olive Logan, of New York; Josephine Griffing, of Washington; Mrs. Paulina W. Davis; Mrs. Abby H. Patton; Mrs. Kate N. Doggett; Eleanor Kirk; Mrs. Bachelder, of Boston; Mrs. Mary Macdonald, of Mount Vernon; Rev. Mrs. Hanaford; Rev. Antoinette L. Brown Blackwell, of New Jersey; Mrs. Jennette Brown Heath, of Kansas; Mrs. Mary Newman, of Binghamton, N.Y.; Mrs. Mathilde Wendt, of New York; Andrew Jackson Davis; Mary F. Davis; Mrs. Caroline Morey Holmes, of Union Village, New York; Mrs. Phelps, of the Woman's Bureau, New York; Senator Pomeroy; Mrs. Longley, of Cincinnati; Mrs. Amelia Bloomer, of Council Bluffs, Iowa; Lizzie Boynton, of Ohio; Mary A. Gage, of Brooklyn; Mrs. Sarah Norton, of the New York Working-Women's Association, and others.

The following committees, on motion of Miss Susan B. Anthony, were appointed by the Chair: Committee on Nominations—Edwin S. Bunker, Lydia Mott, Edwin A. Studwell, Abby H. Gibbons, Lucy Stone, Charles C. Burleigh, and Lillie Peckham. Committee on Resolutions—Ernestine L. Rose, Henry B. Blackwell, Anna C. Field, Mary A. Livermore, S. S. Foster, Josephine S. Griffing, Madam Anneke, Madam Hericourt, and Phebe A. Hanaford. Committee on Finance—Susan B. Anthony, Anna C. Field, Mary A. Gage, and R. J. Johnston.

[119]*President*.—Lucretia Mott.

Vice-Presidents at Large.—Mrs. Elizabeth Cady Stanton and Ernestine L. Rose.

Vice-Presidents for the States.—John Neal, Maine; Armenia S. White, New Hampshire; James Hutchinson, Jr., Vermont; William Lloyd Garrison, Julia Ward Howe, Massachusetts; Elizabeth B. Chase, Rhode Island; Isabella B. Hooker, Connecticut; Henry Ward Beecher, Frederick Douglass, Martha C. Wright, New York; Portia Gage, New Jersey; Robert Purvis, Pennsylvania; Mary A. Livermore, Illinois; George W. Julian, Indiana; Benjamin F. Wade, Ohio; Gilbert Haven, Michigan; Rev. A. L. Lindsley, Oregon; Joseph H. Moore, California; Hon. J. Nye, Nevada; Hon. A. P. K. Safford, Arizona; Hon. James H. Ashley, Montana; Josephine S. Griffing, District of Columbia; Thomas Garrett, Delaware; Ellen M. Harris, Maryland; John C. Underwood, Virginia; Mrs. J. K. Miller, North Carolina; Mrs. Pillsbury, South Carolina; Elizabeth Wright, Texas; Mrs. Dr. Hawkes, Florida; Hon. Guy Wines, Tennessee; Mrs. Francis Minor, Missouri; Hon. Charles Robinson, Kansas; Governor Fairchild and Madam Anneke, Wisconsin; Mrs. Harriet Bishop, Minnesota; Hon. Mr. Loughridge, Iowa.

Executive Committee.—Elizabeth R. Tilton, Lucy Stone, Edwin Studwell, Susan B. Anthony, Antoinette Brown Blackwell, Thomas W. Higginson, Anna C. Field, Edward S. Bunker, Abby Hutchinson Patton, Oliver Johnson, Elizabeth Smith Miller, Margaret E. Winchester, Edward Cromwell, Robert J. Johnston, Mary A. Davis.

Corresponding Secretaries.—Mary A. Gage, Harriet Purvis, Henry B. Blackwell.

Treasurer.—John J. Merritt.

[120]*Resolved*, That the extension of suffrage to woman is essential to the public safety and to the establishment and permanence of free institutions; that the admission of woman to political recognition in our national reconstruction is as imperative as the admission of any particular class of men.

Resolved, That as woman, in private life, in the partnership of marriage, is now the conservator of private morals, so woman in public life, in the partnership of a republican State, based upon Universal suffrage, will become the conservator of public morals.

Resolved, That the petitions of more than 200,000 women to Congress and to their State Legislature during the past winter, are expressions of popular sympathy and approval, everywhere throughout the land, and ought to silence the cavil of our opponents that "women do not want to vote."

Resolved, That while we heartily approve of the Fifteenth Amendment, extending suffrage to men, without distinction of race, we nevertheless feel profound regret that Congress has not submitted a parallel amendment for the enfranchisement of women.

Resolved, That any party professing to be democratic in spirit or republican in principle, which opposes or ignores the political rights of woman, is false to its professions, short-sighted in its policy, and unworthy of the confidence of the friends of impartial liberty.

Resolved, That we hail the report of the Joint Special Committee, just rendered to the Massachusetts Legislature, in favor of woman suffrage, as a fresh evidence of the growth of public sentiment and we earnestly hope that Massachusetts, by promptly submitting the question to a vote of her people, will maintain her historic pre-eminence in the cause of human liberty.

Resolved, That the thanks of the Convention are due to the Hon. George W. Julian in the House of Representatives, and to the Hon. Henry Wilson and the Hon. S. C. Pomeroy In the Senate of the United States, for their recent active efforts to secure suffrage for woman.

Resolved, That we recommend the men and women of every Ward, Town, County, and State, to form local Associations for creating and organizing public sentiment in favor of Suffrage for Woman, and to take every possible practical means to effect her enfranchisement.

[121]1st. That we form a League of all women claiming their rights, both in America and Europe.

2d. The aim of this League, which shall be called the "Universal League for Woman's Rights and Universal Peace," is to extinguish prejudice between nations, to create a common interest through the influence of woman, in order to substitute the reign of humanity for the divisions and hatred and causes of war, and to give aid to the women of all nations in securing their rights.

3d. That in every country Emancipation Societies shall be organized, that a National Union may be formed which shall be in constant communication with other countries by means of journals, pamphlets, and books.

4th. That every year a General Assembly of delegates from every country shall meet in one of the capitals by turn. These capitals might for the present be Washington, Paris, London, Florence, and one of the central cities of Germany.

5th. That at the stated meetings of the League there shall be an exhibition of works of art by women.

6th. That, in traveling, women should everywhere find friendship and aid in pursuing the end which they propose. Women, being sisters and daughters in the ranks of humanity, must feel themselves at home with their sisters of all nations. Among us there can be no foreigners, since we are not citizens.

[122]E. S. Bunker, Mrs. E. R. Tilton, Mrs. A. Field, Rev. J. W. Chadwick, J. J. Merritt and Mrs. E. A. Studwell.

[123]The Woman's Bureau was located at No. 49 East Twenty-third Street, owned by Mrs. Elizabeth B. Phelps. Handsomely furnished apartments were rented to the proprietor of *The Revolution*, where much of the editorial work of that paper was done. Meetings were held in the spacious parlors every week, where Mrs. Phelps also gave many pleasant receptions, breakfasts, luncheons, and dinners. It was a kind of ladies' exchange, where reformers were sure to meet each other. These pleasant rooms in a fashionable part of the city gave a fresh impetus to our cause, and the regular meetings, seemingly so novel and *recherché*, called out several new speakers. This was the school where Lillie Devereux Blake, Dr. Clemence Lozier, Isabella Beecher Hooker, and others made their first attempts at oratory.

[124]In *The Revolution* of May 20th we find the following:

NATIONAL WOMAN'S SUFFRAGE ASSOCIATION.—This organization was formed at the reunion held at the Woman's Bureau at the close of the Convention in New York. Delegates from nineteen States, including California and Washington Territory, were present on the occasion, and all felt the importance of an organization distinctively for Woman's Suffrage, in view of the fact that a Sixteenth Amendment to the Federal Constitution to secure this is now before the people. The Association has held several meetings to plan the work for the coming year. Committees are in correspondence with friends in the several States to complete the list of officers.

President.—Elizabeth Cady Stanton. *Vice-Presidents*.—Elizabeth B. Phelps, New York; Anna E. Dickinson, Pennsylvania; Mrs. Kate N. Doggett, Illinois; Madam Anneke, Wisconsin; Mrs. Lucy Elmes, Connecticut; Mrs. Senator Henderson, Missouri; Mattie Griffith Brown, Massachusetts; Mrs. Nicholas Smith, Kansas; Lucy A. Snow, Maine; Elizabeth B. Schenck, California; Josephine S. Griffing, D.C.; Paulina W. Davis, Rhode Island; Miss Phoebe W. Couzins, Missouri. *Corresponding Secretaries*.—Mrs. Laura Curtis Bullard, Ida Greeley, Adelaide Hallock. *Recording Secretaries*.—Abby Burton Crosby, Sarah E. Fuller. *Treasurer*.—Elizabeth Smith Miller. *Executive Committee*.—Ernestine L. Rose, Charlotte B. Wilbour, Mathilde F. Wendt, Mary F. Gilbert, Susan B. Anthony. *Advisory Counsel*.—Matilda Joslyn Gage, New York; Mrs. Francis Minor, Missouri; Adeline Thompson, Pennsylvania; Mrs. M. B. Longley, Ohio; Mrs. Dr. J. P. Root, Kansas; Lillie Peckham, Wisconsin.

Constitution—Article 1. This organization shall be called the National Woman Suffrage Association.

Article 2. Its object shall be to secure the Ballot to the women of the nation on equal terms with men.

Article 3. Any citizen of the United States favoring this object, shall, by the payment of the sum of one dollar annually into the treasury, be considered a member of the Association, and no other shall be entitled to vote in its deliberations.

Article 4. The officers of the Association shall be a President, a Vice-President from each of the States and Territories, Corresponding and Recording Secretaries, Treasurer, an Executive Committee of not less than five nor more than nine members, located in New

York City, and an Advisory Counsel of one person from each State and Territory, who shall be members of the National Executive Committee. The officers shall be chosen at each annual meeting of the Association.

Article 5. Any Woman's Suffrage Association may become auxiliary to the National Association by its officers becoming members of the Parent Association and sending an annual contribution of not less than twenty-five dollars.

PETITION FOR WOMEN SUFFRAGE.—The following Petition was adopted by the National Woman Suffrage Association at their meeting held at the Woman's Bureau, June 1, 1869:

To the Senate and House of Representatives of the United States:

The undersigned men and women of the United States ask for the prompt passage by your Honorable Bodies of a Sixteenth Amendment to the Constitution, to be submitted to the Legislatures of the several States for ratification, which shall secure to all citizens the right of suffrage without distinction of sex.

The Revolution of May 27, 1869, said: "NATIONAL WOMAN SUFFRAGE ASSOCIATION.—It is with great pleasure that we announce that Anna E. Dickinson will deliver the inaugural address of the new National Woman Suffrage movement at the Cooper Institute to-morrow (Friday) evening at eight o'clock, also that Miss Dickinson consents to represent Pennsylvania in that Association as its Vice-President. The title of Anna Dickinson's lecture is "Nothing Unreasonable."

CHICAGO, Illinois.

Dear Miss Anthony: As to the new Society, God bless and speed it. Write me down for anything in which I can serve it. I feel like "a new hand," but I am not so dull but I can learn. Please put my name on your list of members, and also on your list of subscribers.

With entire sympathy,

KATE N. DOGGETT.

MANHATTAN, Kansas, *June 3, 1869.*

I shall be indeed proud to represent Kansas in the new National Woman Suffrage Association, whose formation meets my hearty approval. Definiteness of purpose is always conducive to success, and I think it would be well now to concentrate all our efforts upon the one idea of "Suffrage for Women." You may rely upon me to do whatever lies within my power and ability to further the cause.

Yours truly,

MARY A. HUMPHREY.

[125] NATIONAL WOMAN SUFFRAGE CONVENTION AT NEWPORT, R.I.—A Woman Suffrage Convention will be held in the Academy of Music at Newport, R.I., on Wednesday and Thursday the 25th and 26th days of August next. The success attending the recent gathering at Saratoga warrants the most sanguine hopes and expectations from this also. The intense interest now everywhere felt on the great question renders all appeal for a full attendance unnecessary. Among the speakers will be Elizabeth Cady Stanton, Mrs. Paulina Wright Davis, Mrs. Celia Burleigh, Rev. Phebe A. Hanaford, Mrs. Wilbour, and Miss Susan B. Anthony. The Misses Alice and Phoebe Cary, Mrs. Isabella Beecher Hooker, Mrs. E. H. Bullard, and many other of the most eminent women of the country will be in attendance. Names of other speakers will be announced hereafter.

In behalf of the National Woman Suffrage Association.

ELIZABETH CADY STANTON, President.

A. L. NORTON, PAULINA W. DAVIS, Advisory Counsel for the State of Rhode Island.

[126]

LONDON, July 18, 1869.

Mrs. President and Members of the Woman's National Suffrage Association:

I send an account of the first woman suffrage meeting ever held in London. But if we may judge anything of the prospects of the movement from the list of men and women who have interested themselves in the cause, it will not be the last. When such men as John Stuart Mill, Charles Kingsley, Prof. Newman, and their peers, put the shoulder to the wheel, a cause is bound to move on and crush all obstacles in the way of its progress. No old stumbling blocks of prejudice, or deep ruts of conventionality can impede the onward movement. As in America, I find that intellect, genius, wealth, and fashion even, are beginning in England to fall into the ranks and push on the woman suffrage question. Miss Frances Power Cobbe writes me: "The uprising of a sex throughout the civilized world, is certainly an unique fact in history, and can hardly fail of some important results."

With the confident expectation that her prophecy will find a speedy and perhaps grander fulfillment than she or any of us dream of now, I remain yours, respectfully,

LAURA C. BULLARD, *Cor. Sec'y N. W. S. Association.*

CHAPTER XXIII.

THE NEW DEPARTURE.

Francis Minor's Resolutions—Hearing before Congressional Committee—Descriptions by Mrs. Fannie Howland and Grace Greenwood—Washington Convention, 1870—Rev. Samuel J. May—Senator Carpenter—Professor Sprague, of Cornell University—Notes of Mrs. Hooker—May Anniversary in New York—The Fifth Avenue Conference—Second Decade Celebration—Washington, 1871—Victoria Woodhull's Memorial—Judiciary Committee—Majority and Minority Reports—George W. Julian and A. A. Sargent in the House—May Anniversary, 1871—Washington in 1872—Senate Judiciary Committee—Benjamin F. Butler—The Sherman-Dahlgren Protest—Women in Grant and Wilson Campaign.

ALTHOUGH with Charles Sumner many believed that under the original Constitution women were citizens and therefore voters in our Republic, much more bold and invincible were their claims when the XIV. Amendment added new barriers to the already strong bulwarks of the Supreme Law of the land.

The significance of these amendments in reference to women was first seen by Francis Minor, of Missouri, a member of the legal profession in St. Louis. He called attention to the view of the question, afterward adopted by many leading lawyers of the American bar, that women were enfranchised by the letter and spirit of the XIV. Amendment. On this interpretation the officers of the National Association began soon after to base their speeches, resolutions, and hearings before Congress, and to make divers attempts to vote in different parts of the country.

At a woman suffrage convention in St. Louis, October, 1869, the following suggestive resolutions were presented by Francis Minor, Esq., enclosed in the accompanying letter to *The Revolution*:

ST. LOUIS, Oct. 14, 1869.

DEAR REVOLUTION:—I wish to say a few words about the action of the Woman's Suffrage Convention just held here. It is everywhere spoken of as a complete success, both in point of numbers and the orderly decorum with which its proceedings were conducted. But I desire to call special attention to the resolutions adopted. When I framed them, I looked beyond the action of this Convention. These resolutions place the cause of equal rights far in advance of any position heretofore taken. Now, for the first time, the views and purposes of our organization assume a fixed purpose and definite end. We no longer beat the air—no longer assume merely the attitude of petitioners. We claim a right, based upon citizenship. These resolutions will stand the test of legal criticism—and I write now to ask, if a case can not be made at your coming election. If this were done, in no other way could our cause be more widely, and at the same time definitely brought before the public. Every newspaper in the land would tell the story, every fireside would hear the news. The question would be thoroughly discussed by thousands, who now give it no thought—and by the time it reached the court of final resort, the popular verdict would be in accord with the judgment that is sure to be rendered. If these resolutions are right, let the question be settled by individual determination. A case could not be made here for a year to come, but you could make one in New York at the coming election.

[Pg 408]

Respectfully,

FRANCIS MINOR.

THE ST. LOUIS RESOLUTIONS.

WHEREAS, In the adjustment of the question of suffrage now before the people of this country for settlement, it is of the highest importance that the organic law of the land should be so framed and construed as to work injustice to none, but secure as far as possible perfect political equality among all classes of citizens; and,

WHEREAS, All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside; be it

Resolved, 1. That the immunities and privileges of American citizenship, however defined, are National in character and paramount to all State authority.

2. That while the Constitution of the United States leaves the qualification of electors to the several States, it nowhere gives them the right to deprive any citizen of the elective franchise which is possessed by any other citizen—to regulate, not including the right to prohibit the franchise.

3. That, as the Constitution of the United States expressly declares that no State shall make or enforce any laws that shall abridge the privileges or immunities of citizens of the United States, those provisions of the several State Constitutions that exclude women from the franchise on account of sex, are violative alike of the spirit and letter of the Federal Constitution.

4. That, as the subject of naturalization is expressly withheld from the States, and as the States clearly would have no right to deprive of the franchise naturalized citizens, among whom women are expressly included, still more clearly have they no right to deprive native-born women citizens of this right.

5. That justice and equity can only be attained by having the same laws for men and women alike.

6. That having full faith and confidence in the truth and justice of these principles, we will never cease to urge the claims of women to a participation in the affairs of government equal with men.

Extracts from the Constitution of the United States, upon which the resolutions are based:

PREAMBLE, We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I. Sec. 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

[Pg 409]



Virginia L. Minor

SEC. 4. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may, at any time, by law, alter such regulations, except as to the places of choosing Senators.—[See Elliot's Debates, vol. 3, p. 366—remarks of Mr. Madison—Story's Commentaries, Secs. 623, 626, 578].

SEC. 8. The Congress shall have power to establish a uniform mode of naturalization—to make all laws which shall be necessary and proper for carrying into execution the foregoing powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

SEC. 9. No bill of attainder, or *ex post facto* law shall be passed.

No title of nobility shall be granted by the United States.

No State shall pass any bill of attainder, *ex post facto* law—or law impairing the obligations of contracts, or grant any title of nobility.—(See *Cummings vs. the State of Missouri*, Wallace Rep. 278, and *Exparte Garland*, same volume).

ARTICLE IV. Sec. 2. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States. (The elective franchise is one of the privileges secured by this section—See *Corfield vs. Coryell*, 4 Washington Circuit Court Reps. 380—cited and approved in *Dunham vs. Lamphere*, 3 Gray—Mass. Rep. 276—and *Bennett vs. Boggs*, Baldwin Rep., p. 72, Circuit Court U. S.)

SEC. 4. The United States shall guarantee to every State in this Union a republican form of government. (How can that form of government be republican, when one-half the people are forever deprived of all participation in its affairs).

ARTICLE VI. This Constitution, and the laws of the United States which shall be made in pursuance thereof, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any States to the contrary notwithstanding.

XIV. AMENDMENT. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

At this same convention Mrs. Virginia L. Minor, President of the Missouri State Association, in her opening address said:

I believe that the Constitution of the United States gives me every right and privilege to which every other citizen is entitled; for while the Constitution gives the States the right to regulate suffrage, it nowhere gives them power to prevent it. The power to regulate is one thing, the power to prevent is an entirely different thing. Thus the State can say where, when, and what citizens may exercise the

right of suffrage. If she can say that a woman, who is a citizen of the United States, shall not vote, then she can equally say that a Chinaman, who is not a citizen, shall vote and represent her in Congress. The foreign naturalized citizen claims his right to vote from and under the paramount authority of the Federal Government, and the State has no right to prevent him from voting, and thus place him in a lower degree or grade of citizenship than that of free citizens. This being the case, is it presumable that a foreign citizen is intended to be placed higher than one born on our soil? Under our Constitution and laws, woman is a naturalized citizen with her husband. There are men in this town to-day, to my certain knowledge, who have had this boon of citizenship thrust upon them, who scorned the name, and who freely claimed allegiance to a foreign power. Our Government has existed for eighty years, yet this question of citizenship has never been settled. In 1856 the question came before the then Attorney-General, Mr. Cushing, as to whether Indians were citizens of the United States, and as such, were entitled to the privilege of preempting our public lands. He gave it as his opinion that they were not citizens, but domestic subjects, and therefore not entitled to the benefits of the act.

[Pg 410]

In 1821 the question came before Attorney-General William Wirt, as to whether free persons of color in the State of Virginia were citizens of the United States, and as such, entitled to command vessels engaged in foreign trade. He gave it as his opinion that they were not, that the Constitution by the term citizen, and by its description of citizen, meant only those who were entitled to all the privileges of free white persons, and negroes were not citizens. In 1843 the question came before Attorney-General Legree, of South Carolina, as to whether free negroes of that State were citizens, and he gave it as his opinion that as the law of Congress intended only to exclude aliens, therefore that they as denizens could take advantage of the act. Mr. Marcy, in 1856, decided that negroes were not citizens, but entitled to the protection of the Government.

In justice to our sex, I must ask you to bear in mind the fact that all these wise Secretaries of State and Attorney-Generals, were men that made these singular decisions, not illogical, unreasoning women, totally incapable of understanding politics. And lastly, in 1862, our late honored and lamented fellow-citizen, Attorney-General Bates, decided that free negroes were citizens. Thus, you see, it took forty-one years to make this simple discovery. I have cited all these examples to show you that all rights and privileges depend merely on the acknowledgment of our right as citizens, and wherever this question has arisen the Government has universally conceded that we are citizens; and as such, I claim that if we are entitled to two or three privileges, we are entitled to all. This question of woman's right to the ballot has never yet been raised in any quarter. It has yet to be tested whether a free, moral, intelligent woman, highly cultivated, every dollar of whose income and property are taxed equally with that of all men, shall be placed by our laws on a level with the savage. I am often jeeringly asked, "If the Constitution gives you this right, why don't you take it?" My reply is both a statement and a question. The State of Massachusetts allows negroes to vote. The Constitution of the United States says the citizens of each State shall be allowed all the privileges of the citizens in the several States. Now, I ask you, can a woman or negro vote in Missouri? You have placed us on the same level. Yet, by such question you hold us responsible for the unstatesmanlike piece of patchwork which you call the Constitution of Missouri! Women of the State, let us no longer submit to occupy so degraded a position! Disguise it as you may, the disfranchised class is ever a degraded class. Let us lend all our energies to have the stigma removed from us. Failing before the Legislatures, we must then turn to the Supreme Court of our land and ask it to decide what are our rights as citizens, or, at least, not doing that, give us the privilege of the Indian, and exempt us from the burden of taxation to support so unjust a Government. [Applause].

Ten thousand extra copies of *The Revolution* containing these resolutions and this speech were published and sent to friends throughout the country, laid on every member's desk in Congress, and circulated at the Washington Convention of 1870. From this hour up to the time of the Supreme Court decision in the case of Virginia L. Minor in 1875, the National Woman Suffrage Association took this view in regard to the XIV. Amendment. Mrs. Stanton, fully accepting the new position, made her speech on that basis before the Congressional Committee^[127] on the District of Columbia. In calling this Committee to order Senator Hamlin said:

[Pg 411]

We have met this morning for the purpose of considering two petitions which have been presented, I believe, only to the Senate Committee of the District of Columbia. The first one is a petition, very numerously signed, I think, by both ladies and gentlemen of this city, and in a few brief words it says that: "The undersigned, residents of the District of Columbia, earnestly but respectfully request that you extend the right of suffrage to the women of the District." The other memorial, very nearly as brief, is in these words: "The undersigned citizens of the United States pray your honorable body that in the proposed amendments to the Constitution which may come before you in regard to suffrage, and in any law affecting suffrage, in the District of Columbia or in any Territory, the right of voting may be given to the women on the same terms as to the men." Upon this subject we have some lady friends who desire to address us, and I have the pleasure of introducing to you Mrs. Stanton.

Mrs. STANTON said: Accustomed to appeal to the sentiments and combat the prejudices of popular assemblies, it is a comparatively easy task to plead the cause of woman before clear, logical, dispassionate minds—committees of statesmen—trained to view all subjects in the light of pure reason; for unprejudiced minds admit to-day that if the democratic theory of government is true, the argument lies wholly on our side of this question. As history shows that each step in civilization has been a steady approximation to our democratic theory, securing larger liberties to the people, it is fair to infer that its full realization—the equal rights of all—will be the best possible government. Whatever is true in theory is safe in practice, and those holding the destinies of nations in their hands should legislate with a sublime faith in eternal principles. As bills are soon to be introduced in both the Senate and the House, asking further special legislation, we appear before you at this time to urge that the women of the District shall share equally in all the rights, privileges, and immunities you propose to confer on male citizens.

In the adjustment of the question of suffrage, now before the people of this country for settlement, it is of the highest importance that the organic law of the land should be so framed and construed as

to secure political equality to all citizens.

While the Constitution of the United States leaves the qualifications of electors to the several States, it nowhere gives them the right to deprive any citizen of the elective franchise; they may regulate, but not prohibit the franchise. The Constitution of the United States expressly declares that no State shall make or enforce any law that shall abridge the privileges or immunities of citizens of the United States; hence those provisions of the several State constitutions that exclude women from the franchise are in direct violation of the Federal Constitution. Even the preamble recognizes, in the phrase "We, the people," the true origin of all just government.

We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Are not women people?

SEC. 4. The United States shall guarantee to every State in this Union a republican form of government.

How can that form of government be republican, when one-half the people are forever deprived of all participation in its affairs?

ARTICLE VI. The Constitution and the laws of the United States which shall be made in pursuance thereof, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

The Constitution tells us, too, who are citizens. The XIV. Amendment says:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

It has just been decided by the Supreme Court that a foreign born woman is naturalized by marriage to a native. Therefore, as birth and marriage secure the right of citizenship to large numbers, the remaining classes of foreign unmarried women should secure naturalization papers, that we may all test our right to vote in the courts. As the subject of naturalization is expressly withheld from the States, and as the States would clearly have no right to deprive of the franchise naturalized citizens, among whom women are expressly included, still more clearly have they no right to deprive native born women citizens of this right.

The States have the right to regulate but not to prohibit the elective franchise to citizens of the United States. Thus the States may determine the qualifications of electors. They may require the elector to be of a certain age, to have had a fixed residence, to be of a sane mind, and unconvicted of crime, etc.; but to go beyond this, and say to one-half the citizens of the State, notwithstanding you possess all these qualifications, you shall never vote, is of the very essence of despotism. It is a bill of attainder of the most odious character.

On this point the Constitution says:

ART. I., Sec. 9. No bill of attainder, or *ex post facto* law shall be passed.

No title of nobility shall be granted by the United States.

No State shall pass any bill of attainder, *ex post facto* law, impairing the obligations of contracts, or grant any title of nobility. (See *Cummings vs. the State of Mo.*, 4th Wallace Rep 278, and *Exparte Garland*, same volume.)

Opposed to this provision of the Constitution, by the XV. Amendment you have established an aristocracy of sex, sanctioning the unjust legislation of the several States, which make all men nobles, all women serfs. Justice and equity can only be attained by having the same laws for men and women in the District as well as the State.

A further investigation of the subject will show that the language of the constitutions of all the States, with the exception of those of Massachusetts and Virginia, on the subject of suffrage is peculiar. They almost all read substantially alike. "White male citizens, etc., shall be entitled to vote," and this is supposed to exclude all other citizens. There is no direct exclusion, except in the two States above named. Now the error lies in supposing that an enabling clause is necessary at all. The right of the people of a State to participate in a government of their own creation requires no enabling clause; neither can it be taken from them by implication. To hold otherwise, would be to interpolate in the constitution a prohibition that does not exist. In framing a constitution the people are assembled in their sovereign capacity; and being possessed of all rights and all powers, what is not surrendered is retained. Nothing short of a direct prohibition can work a deprivation of rights that are fundamental.

In the language of John Jay to the people of New York, urging the adoption of the Constitution of the United States, "silence and blank paper neither give nor take away anything," and Alexander Hamilton says (*Federalist*, No. 83), "Every man of discernment must at once perceive the wide difference between silence and abolition." The mode and manner in which the people shall take part in the government of their creation may be prescribed by the constitution, but the right itself is antecedent to all constitutions. It is inalienable, and can neither be bought, nor sold, nor given away. But even if it should be held that this view is untenable, and that women are disfranchised by the several State Constitutions directly, or by implication, then I say that such prohibitions are clearly in conflict with the Constitution of the United States and yield thereto.

The proposition is now before the people of the District to abolish the municipal government and reduce this to a mere territory, which is clearly retrogressive legislation; as in the former, the chief magistrate is elected by the people and in the latter appointed by the President. In your civil rights bill, compelling black and white to vote together, to go to school together, to ride in the cars together, you have taken a grand step in progress. If in the proposed bills soon to come before you for the establishment of a medical college in the District, and an improved school system, you shall as carefully guard the rights of women to equal place and salary, you will take another onward step. In making the changes you propose, it is evident you are doing to-day an elementary work in which all the people should have a voice; hence, your primal duty is to extend to the women of the District the right of suffrage, that they may vote on the schools, colleges, hospitals, prisons, and whether their government shall be republican with a Representative in Congress, municipal officers, or territorial with a Governor appointed by the President. In doing such fundamental work, many distinguished publicists have expressed the opinion that all the people should have a voice. In the debates in the Illinois Convention, now in session, members refused to swear to support the State Constitution, because, said they, "it is absurd to swear to support what we are now tearing to pieces. We are doing an elementary work, and are amenable to the Federal Constitution alone."

[Pg 414]

Ever since the abolition of slavery, the District has been resolved into its original elements. In fact by the war, and the revision of the Federal Constitution, the nation, too, has been resolved into its original elements, and the women have to-day, the right to say on what basis the District, their several States, and the nation shall be reconstructed. We think, honorable gentlemen, you must all see the broad application of this principle. And if all the people should have a voice in the revision of a State or national constitution, women must be included. The Constitution confers, by express grant upon Congress, "exclusive jurisdiction in all cases whatsoever," for the purposes of government. Under this grant Congress, by the first section of the act of January 8, 1867, enacted that each and every male person of the age of twenty-one years, who shall have been born or naturalized in the United States, who shall have resided in the said District for the period of one year, and three months in the ward or election precinct in which he shall offer to vote, shall be entitled to the elective franchise, and shall be deemed an elector, and entitled to vote. This act, you perceive, recognizes the pre-existing right of all persons, and excludes women only by the use of the word male, unless, as Hamilton says, "silence on that point is not abolition."

It is fitting that here, under the shadow of the national capitol, under the control of the Federal Government, where the black man was first emancipated and enfranchised, that the experiment of a true republicanism should be tried, by securing to woman, too, the rights of an American citizen.

SUSAN B. ANTHONY addressed the Committee as follows: We are here for the express purpose of urging you to present in your respective bodies, a bill to strike the word "male" from the District of Columbia Suffrage Act, and thereby enfranchise the women of the District. We ask that the experiment of woman suffrage shall be tried here, under the eye of Congress, as was that of negro suffrage. Indeed, the District has ever been made the experimental ground of each step toward freedom. The auction-block was here first banished, slavery was here first abolished, the newly-made freemen were here first enfranchised; and we now ask that the women shall here be first admitted to the ballot. There was great fear and trepidation all over the country as to the results of negro suffrage, and you deemed it right and safe to inaugurate the experiment here; and you all remember that three days discussion in 1866 on Senator Cowan's proposition to amend the Senate bill by striking out the word "male," the able speeches of Cowan, Anthony, Gratz Brown, Wade, and the Senate's nine votes for the amendment. Well do I remember with what anxious hope we watched the daily reports of that debate, and how we prayed that Congress might then declare for the establishment in this District of a real, practical republic. But conscience, or courage, or something was wanting, and women were bidden still to wait.

When, on that March day of 1867, the negroes of the District first voted, with what anxiety did the people wait, and with what joy did they read the glad tidings, flashed over the wires the following morning! And the success of that first election in this District, inspired Congress with confidence to pass the proposition for the XV. Amendment, and the different States to ratify it until it has become a fixed fact that black men all over the nation may not only vote, but sit in legislative assemblies and constitutional conventions. We now ask Congress to do the same for women. We ask you to enfranchise the women of the District this very winter, so that next March they may go to the ballot-box, and all the people of this nation may see that it is possible for women to vote and the republic to stand. There is no reason, no argument, nothing but prejudice, against our demand; and there is no way to break down this prejudice but to try the experiment. Therefore we most earnestly urge it, in full faith that so soon as Congress and the people shall have witnessed its beneficial results, they will go forward with a XVI. Amendment that shall prohibit any State to disfranchise any of its citizens on account of sex.

[Pg 415]

Mrs. HOOKER said: The fifth commandment, "Honor thy father and thy mother," can not be obeyed while boys are taught by our laws and constitutions to hold all women in contempt. I feel it is not only woman's right, but duty to assume responsibility in the government. I think the importance of the subject demands its hearing.

Madam ANNEKE: You have lifted up the slave on this continent; listen now to woman's cry for freedom.

Mrs. MATILDA JOSLYN GAGE: Liberty is an instinct of the human heart, and men desirous of creating change in governments or religion have led other men by promising them greater liberty and better laws. Nothing is too good, too great, too sacred for humanity—and, as part of humanity, woman as well as man demands the best that governments have to offer. Honorable gentlemen have spoken of petitions. For twenty years we have petitioned, and I now hold in my hand over three thousand names of citizens from but a small portion of the State of New York, asking that justice shall be done women by granting them suffrage. But people have become tired of begging for rights, and many persons favoring this cause will not again petition. We but ask justice, and we say to you that the stability of any government depends upon its doing justice to the most humble individual under it.

Mrs. PAULINA WRIGHT DAVIS: We are tired of petitioning. It is time our legislators knew what was right

and gave us justice.

Mrs. WILBOUR remarked that a lady of the district near her said she had obtained 1,500 signatures in one ward of the city to a petition.

Senator PATTERSON inquired what the effect would be in case women were allowed to vote, if there were a difference of opinion between the husband and wife on some political question—where the authority of the family would rest?

Mrs. STANTON replied that there was always a superior will and brain in every family. If it was the man, he would rule; if it was the woman, she would rule. Individuality would be preserved in the family as well as in society.

Hon. Mr. WELKER wanted to know if the women in the District had shown any interest in the movement yet.

Mrs. STANTON replied that they had; they had attended the sessions of the Convention held here, and all she had spoken to were in favor of it.

[Pg 416]

Mrs. WILBOUR said the petition of 1,500 women of the District asking for suffrage had been presented to Congress this very winter.

Hon. Mr. COOKE said that the Committee on the District of Columbia could not get enough time allowed them by the House to transact the necessary business of the District during the short morning hour to which they were limited by the rules, and he feared they would be unable to get the action of the House on the subject.

Miss ANTHONY said that they must make time enough to present the bill at least; and asked if women had the right to vote, and make and unmake members, if they could not then find time to plead woman's cause?

The honorable member was obliged to answer this pertinent question in the affirmative.

Senator HAMLIN said the Committee would take the matter into consideration and discuss it; that in Scripture language he could say he "was almost, if not quite, persuaded."

Altogether the hearing was serious and impressive, and it was evident that the honorable gentlemen had already given the subject a thoughtful consideration. As each member of the Congressional Committee was presented by Senator Hamlin, the ladies had abundant opportunity for learning their individual opinions. Senator Sumner never appeared more genial, and said though he had been in Congress for twenty years, and through the exciting scenes of the Nebraska Act, Emancipation, District of Columbia Suffrage Act, and Reconstruction, he had never seen a committee in which were present so many Senators and Representatives, so many spectators, and so much interest manifested in the subject under discussion.

The following description (in the *Hartford Courant*) is from the pen of Mrs. Fannie Howland.

WASHINGTON, Jan. 22, 1870.

The close of the Woman's Suffrage Convention in this city was marked by an event which, no matter how slowly its logical sequence is developed, must be regarded as initiative.

A committee of ladies appointed by the convention and composed in great part of those well known as leaders in the movement, was received at the Capitol by the committee of the Senate and House (on the District of Columbia) for a formal hearing. The object of that hearing was to request the honorable gentlemen to present a bill to Congress for enfranchising the women of the District, as an experiment preparatory to ultimate acknowledgment of equal rights for all the women of the United States. The ladies were received in one of the larger committee rooms, in order to accommodate a number who wished to be present at this novel interview. After taking their seats, the Hon. Hannibal Hamlin, chairman, presented to them successively the gentlemen of the committee, who certainly greeted their fair appellants with the deferential courtesy due to fellow-sovereigns, albeit unacknowledged and disguised, for the present, under the odium of disfranchisement.

The gentlemen took their seats around a long table in the middle of the room. Mrs. Stanton stood at one end, serene and dignified. Behind her sat a large semi-circle of ladies, and close about her a group of her companions, who would have been remarkable anywhere for the intellectual refinement and elevated expression of their earnest faces. Opposite, at the other end of the table, sat Charles Sumner, looking fatigued and worn, but listening with alert attention. So these two veterans in the cause of freedom were fitly and suggestively brought face to face.

[Pg 417]

The scene was impressive. It was simple, grand, historic. Women have often appeared in history—noble, brilliant, heroic women; but *woman* collectively, impersonally, never until now. To-day, for the first time, she asks recognition in the commonwealth—not in virtue of hereditary noblesse—not for any excellence or achievement of individuals, but on the simple ground of her presence in the race, with the same rights, interests, responsibilities as man. There was nothing in this gathering at the Capitol to touch the imagination with illusion, no ball-room splendor of light and fragrance and jewels, none of those graceful enchantments by which women have been content to reign through brief dynasties of beauty over briefer fealties of homage. The cool light of a winter morning, the bare walls of a committee room, the plain costumes of every day use, held the mind strictly to the simple facts which gave that group of representative men and women its moral significance, its severe but picturesque unity. Some future artist, looking back for a memorable illustration of this period, will put this new "Declaration of Independence" upon canvas, and will ransack the land for portraits of those ladies who first spoke for their countrywomen at the Capitol, and of those Senators and Representatives who first gave them audience.

Mrs. Stanton's speech was brief and able, eloquent from the simplicity and earnestness of her heart, logical from the well disciplined vigor of her mind. She was followed by Miss Anthony, morally as inevitable and impersonal as a Greek chorus, but physically and intellectually individual, intense, original, full of humor and good nature—anything but the roaring lioness of newspaper reports some years ago. Mrs. Davis, of Rhode Island, spoke briefly in support of the demand for franchise. Mrs. I. B. Hooker presented the Scriptural argument for the equality of woman in all moral responsibility and duty under the divine law. She spoke very feelingly, and was heard with marked attention. A German lady from Wisconsin who, weighed in any balance, would not be found wanting, struggled to express, in broken English, the ideas for which she came forward as representing many of her countrywomen in the West. Madam Anneke fought by her husband's side in the revolution of 1848; but such an example adds no force to the argument for woman's suffrage, the plea being made, not for distinguished exceptional women, but for the average women of the community.

When the ladies had finished their remarks, the gentlemen were invited to ask any questions which were suggested by the subject discussed. Either from indifference or chivalrous sentiment, no very grave questions were proposed, nothing which required effort or argument to answer. Probably when the matter comes, as sooner or later it must come, before Congress, we shall hear some well-considered defense of the Salic law, which in this democratic republic, excludes all women from the citizen's prerogative. One of the honorable gentlemen asked how they could be certain that any number of women in the United States desired the ballot. Mrs. Stanton and Miss Anthony recounted their experience at conventions, the numerous signatures to petitions, the many demonstrations here and in England in favor of woman suffrage, but reminded the gentleman that no such separate expression is required from the unwashed, unkempt immigrants upon whom the government makes haste to confer unqualified suffrage, nor from the southern negroes, who are provided for by the XV. Amendment.

[Pg 418]

The hearing ended about noon, followed by very cordial shaking hands and pleasant chat. I do not know if the ladies were invited to "call again," but am quite sure that Miss Anthony's parting salutation was an "au revoir." There was some quiet by-play as the audience dispersed, a little interchange of knowing nods and condescending smiles, as if to say, "we can keep these absurd pretensions at bay while *we* live, and after us the deluge." I have no doubt that to some persons it appears an extravagant joke for women to aspire to political equality with the negro. King George thought it a very good joke when his upstart colonists steeped their tea in the salt water of Boston harbor, but the laugh was on their side in the long run. History has no precedents for the elevation of woman to a civic status, but we are making precedents every day in our conduct of popular government. In Athens—where woman was both worshiped and degraded—the protectress of the city was a feminine ideal whose glorious image crowned the Parthenon with consummate beauty. In America, where woman is beloved and respected as nowhere else in the world—if she is only true to the ideals of private and public virtue—if she seeks power only as a means for the highest good of the race, the old fable of the Pallas Athenæ may become real, and the nation acknowledge with grateful joy, that the fathers "builded better than they knew," when they placed the figure of a woman on the dome of their Capitol at Washington.

The second Washington Convention assembled at 10 o'clock, January 19th, 1870, in Lincoln Hall. Mrs. Stanton called the assemblage to order and invited the Rev. Samuel J. May to open the convention with prayer. Letters were read from John Stuart Mill, Robert Purvis, Clara Barton, and others. Miss Barton appealed to her soldier friends in behalf of woman's right of suffrage thus:

Brothers, when you were weak, and I was strong, I toiled for you. Now you are strong, and I am weak because of my work for you, I ask your aid. I ask the ballot for myself and my sex, and as I stood by you, I pray you stand by me and mine.

Mr. Purvis closed his eloquent letter with these sentiments:

Censured as I may be for apparent inconsistency, as a member and an officer of the American Anti-Slavery Society, in approving a movement whose leaders are opposed to the passage of the XV. Amendment, I must be true to my own soul, to my sense of the absolute demands of justice, and hence, I say that, much as I desire (and Heaven knows how deeply through life I have antagonized therefor) the possession of all my rights as an American citizen, were I a woman, black or white, I would resist, by every feeling of self-respect and personal dignity, any and every encroachment of power, every act of tyranny (for such they will be), based upon the impious, false, and infamous assumption of superiority of sex.

Mr. Sinclair Toucey, of New York, wrote a letter in which he said:

[Pg 419]

The argument of to-day against the legal and political equality of the sexes carries one back to the days of pro-slavery ascendancy, and brings vividly to mind the old wail of the non-humanity of the negro, and his lack of capacity for civilizing improvements: and though the opponents of equal rights for both sexes do not go quite so far as to deny the humanity of women, yet one might believe they would, did not such a denial involve their own status.... In a feeble manner I fought the old pro-slavery dogma, and in a feeble manner I am trying to fight its twin—the non-equality of the sexes.... I believe in the brotherhood of man, regardless of sex, color, or birth-place, and that every member of the great family is entitled to equal rights in life's ceaseless struggles.

Mr. Mill's letter was as follows:

AVIGNON, France, Dec. 11, 1869.

DEAR MADAM: I should have reason to be ashamed of myself if your name were unknown to me. I am not likely to forget one who stood in the front rank of the woman's rights movement in its small beginnings, and helped it forward so vigorously in its early and most difficult stages. You and Mrs. Mott have well deserved to live to see the cause in its present prosperity, and may now fairly hope to see a commencement of victory in some of the States at least. I have received many kind and

cordial invitations to visit the United States, and were I able, the great convention to which you invite me would certainly be a strong inducement to do so. My dislike to a sea voyage would not of itself prevent me, if there were not a greater obstacle—want of time. I have many things to do yet, before I die, and some months (it is not worth while going to America for less) is a great deal to give at my time of life, especially as it would not, like ordinary traveling, be a time of mental rest, but something very different. I regret my inability the less, as the friends of the cause in America are quite able to dispense with direct personal co-operation from England. The really important co-operation is the encouragement we give one another by the success of each in our own country. For Great Britain this success is much greater than appears on the surface, for our people, as you know, shrink much more timidly than Americans from attracting public notice to themselves; and the era of great public meetings on this subject has not arrived in our country, though it may be near at hand. I need hardly say how much I am gratified at the mode in which my name was mentioned in the National Convention at Newport, and still more at the tribute to the memory of my dear wife, who from early youth was devoted to this cause, and had done invaluable service to it as the inspirer and instructor of others, even before writing the essay so deservedly eulogized in your resolutions. To her I owe the far greater part of whatever I have myself been able to do for the cause, for though from my boyhood I was a convinced adherent of it, on the ground of justice, it was she who taught me to understand the less obvious bearings of the subject, and its close connection with all the great moral and social interests of the cause. I am, dear madam, very sincerely yours,

J. S. MILL.

To Mrs. Paulina W. Davis.

Senator Pomeroy, of Kansas, was introduced and made some very appropriate remarks:

He said he was no new convert to this idea of woman's right to suffrage. Woman claims the right to vote, not because she is a woman, and stronger or weaker than man, but because she is a citizen, amenable to the laws and under the control of the government. He did not propose to vote to simply give woman the franchise, but to remove the obstacles that now forbid the exercise of that right. He welcomed to this organization every earnest worker, and he was glad to hear that they were stirring up the elements. He had been waiting for the last two months for petitions, but he thought the franchise would never be secured to any class until it was imbedded in the constitution, and put beyond the freaks of politicians and majorities in State Legislatures. He was in favor of carrying the movement into the fundamental law of the land. The negro's hour is passed, and it is woman's hour now. The negro has had his day, his cause has triumphed, and as woman is a citizen, and we need her ballot in the government, I hope that this movement may have a triumphant success.

[Pg 420]

Committees^[128] were appointed. Mrs. Wright of Auburn, N. Y., stated that her sister, Lucretia Mott, had charged her with a message to the Convention, she sent her "God speed" to the movement, and regretted that she could not be present.

Paulina W. Davis read an interesting history of the woman's rights movement, giving a brief sketch of its leaders. Miss Anthony introduced a series of resolutions,^[129] which were laid on the table for debate.

Mrs. M. GAGE, Secretary of the Suffrage Association of New York, addressed the Convention. She thought the world had never yet seen what woman could do, because she had never been given the opportunity. The ballot is the symbol of a higher power than a king's crown; it is the promise of justice to him who holds it. John Bright said no oppression, however hoary headed, could stand the voice of the people.

Mrs. SUSAN EDSON, of Washington, desired to have the Committee on Resolutions urge upon Congress the passage of the bill now before it, providing for the reorganization of the Treasury Department, but opposing that section of the bill which fixes the salary of the female employees lower than that of the men. She thought this was a proper subject for the convention to discuss.

At the evening session Mrs. Josephine S. Griffing occupied the chair.

Hon. JAMES M. SCOVILL, of New Jersey, said:—I believe in heroism. Grant won with the sword at Appomattox what Charles Sumner contended for half a century—an idea. That idea is the liberty of all, limited by the like liberty of each. To-night we are here to bow to conscience, not to caste. Susan B. Anthony, the heroine of the hour, sustained by such brave souls as crowd this platform, who for the last twenty years have worked without fear and without reproach, deserves the thanks of millions yet to be, for she is the hero, the champion of the same idea for which Abraham Lincoln and half a million soldiers died. The emancipation of man was the proposition. The enfranchisement of woman was not the corollary to that proposition, but the major premise.

[Pg 421]

John Stuart Mill, in his great book, "The Subjection of Women," denies the superior mental capacity of man when compared with woman. The nineteenth century don't yield a blind assent to such bosh as Tennyson's, "Woman is the lesser man." It would not do for Madame de Stael to assert (for alas! it was too true then—for the first Napoleon never read Rochefort's "Marseillaise") that man could conquer, but woman must submit to public opinion. To-day Elizabeth Cady Stanton and Anna E. Dickinson take public opinion by storm, because they use the everlasting logic of human rights. Woman has power enough whenever fidelity, or truth, or genius are worshiped. She wants authority. The will of the nation says, "She shall have it and that speedily." We want and demand that Congress shall make a loud "amen" to this clearly expressed will of the nation. The civil rights bill did little good until you armed the African with the ballot. Then the old master touched his hat to the new citizen—his old slave. And why? Because he was a power in the land. It is only Godlike to use power for humanity; and that is the way we propose to use it. Congress must hear us—shall hear us—because we speak in the voice of the people. And I speak to you as a man, yes, and as a lawyer, when I tell you your boasted amendments are the small dust of the balance till the XVI. is written. Then we will have a country, never again clasping the Bible with the handcuffs of slavery, but a land where we, men and women alike, can worship a common God, before whom there is neither Jew nor Greek, "white male" nor female, barbarian, Scythian, bond nor free.

Mrs. WILBOUR remarked that she was fully aware of the truth that humanity was a unit. She knew the day was coming when a woman would be considered the equal of man. No disabilities to vote or hold office should exist in a free country on account of sex or color. She was anxious to know by what authority the word "male" had been placed in the constitution, which governed woman as well as man. Woman's rights were natural rights—nothing more or less. She claimed the right of self-rule or self-government as a natural right. Men were united in saying, "We have the right to vote." She was not present to be an advocate of woman's rights, whatever they may be, but of human rights. The largest giant had no more rights than Tom Thumb. It was brain, not force, that governed the world. A small hand was able to discharge a musket, guide an engine, or edit a paper as well as a large one. The womanly in nature should be expressed by woman, the manly by man; the two were distinct, and could not be blended together without spoiling the harmony of the whole. Society had to be governed by the sacred right of self-government. How could a woman be responsible for her deeds to God if somebody had control over her conscience?

Mr. ALBERT G. RIDDLE believed that the question of universal franchise would be tried before the grand tribunal of the world, and, if not victorious, it would appeal and appeal again. The question ought to be met squarely by the "masculines" as well as by the women. He was an earnest advocate of woman's rights, because he claimed the same rights for his daughters as for his sons; he wanted for them the same atmosphere, the same public opinion, the same prestige. Women were often heard to exclaim, "I wish I were a man." This elucidates how keenly they feel their position. Mr. Riddle spoke at length in favor of universal rights, and his logical arguments attracted the admiration of all who heard him.

[Pg 422]

Mrs. JOSEPHINE S. GRIFFING stated that the city clergy had evinced a disinclination to attend the convention, as they could not see any justification for the same in Divine revelation. She read a letter from Bishop Simpson, in which he wished the convention God-speed.

Senator POMEROY said he was in favor of the XVI. Amendment, and he thought the best place in the world to try the experiment was in the District of Columbia. They had tried negro suffrage in the District, and it had proved a success and a benefit. There were plenty of offices in the city that could be filled by capable and now idle young ladies, which were at present filled by men weighing two hundred pounds, who were able to do a day's work but now received large salaries for little labor.

Rev. SAMUEL J. MAY proposed to test the ladies present as to their ideas of suffrage. He asked that every lady in the house who desired the ballot should hold up her hand. A few ladies responded.

Mrs. STANTON stated that Mr. May had adopted a very bad manner of submitting the question. She would, therefore, reconsider the vote, and ask all ladies who opposed the XVI. Amendment to rise from their seats, and those in favor to retain them. About sixteen ladies arose, amidst great mirth and laughter.

THE CHAIR then announced that the meeting had expressed itself largely in favor of female suffrage.

Madam ANNEKE, a German lady, of Milwaukee, Wisconsin, stated that, being a foreigner, allowance should be made for her defective pronunciation. If she could not speak the English language, she could speak the language of the heart. She came from the West, burdened heavily with petitions, signed by one thousand residents of the State of Wisconsin. She would appeal to her countrymen, Carl Schurz and Finkelnburg, to assist in this last struggle for universal liberty.

The Rev. OLYMPIA BROWN addressed herself particularly to that small minority of ladies who had expressed themselves opposed to the XVI. Amendment. She admired their independence of character, for it showed they were the kind of women that the friends of woman suffrage wished to win over to their cause. She thought them honest in their opinions, but prejudiced. It required strong minds to combat against the common enemy—prejudice. They may think they do not require this right, as they might be blessed with comfortable homes, and be satisfied with the condition they were in. A change might come—even to them, but if it did not, ought they not to pity other women whose situation was less comfortable than their own? She alluded to the idle lives of young women, to which they were condemned by the customs of society, and said Christianity demanded a useful life from every woman as well as every man. This cause is the cause of the civilized world, and will go on till the ballot is in the hands of every American woman.

[Pg 423]

Mr. STILLMAN, of R. I., had no doubt that the result of this agitation would be to secure the universal franchise of all women. Women would be admitted to all colleges of the land, and to the study of the arts and sciences.

Miss ANTHONY said that Senator Pomeroy's being here to advocate woman suffrage, might be attributed to the fact that he had a constituency to sustain him. Let the people of other States make as strong an expression as Kansas, and their representatives would quickly find their places here too. She wanted women to emigrate to Wyoming and make a model State of it by sending a woman Senator to the National capitol. She would go there, if she had time, but her mission was in the States until this great reform was accomplished. She desired women to become members of the National organization, and to pay their dollar, or twenty-five, or twenty-five hundred dollars. She requested the Finance Committee to take their pencils and paper, and canvass the hall for membership and money, commencing at the door, so as to catch every fugitive. She invited all ladies who visit New York to call at the Woman's Bureau, and her own sanctum, the editorial rooms of *The Revolution*.

At the second evening session, letters^[130] were read from Senators Ross, of Kansas, and Carpenter, of Wisconsin.

Miss JENNIE COLLINS, of Lowell, Mass., addressed the meeting in a speech of some length, which was broken by frequent applause. She came to plead the cause of the working women, her associates. She knew the dignity of the kitchen, many of whose occupants were the daughters of refined and wealthy parents. If these girls could tell their story to the ladies of Washington, they would not rest till Congress had conceded to them their rights. The sufferings of the factory girls could hardly be

described; poor wages for hard labor, in dirty rooms, shut out from bright sunshine, with dreary homes, were but part of their misery. With a love of the ennobling and beautiful, a natural taste for reading and study, many of them were led astray from the path of virtue by the artifices of men, often the sons of their own employers, and nothing was done to prevent their fall.

The President announced that so great was the interest evinced, that a third day's session had been arranged.

[Pg 424]

THIRD DAY—MORNING.—Among the large and fashionable audience present were the Governor of Wyoming Territory, many Senators and Members of Congress, as well as other distinguished persons. Mrs. GRIFFING read an interesting letter from Mrs. Frances D. Gage:

More than one-half of the "people," are to-day without the right of franchise, and can exert no power in the government, and have no voice in electing its representatives. They have no voice in making the laws under which they live. If they commit offenses they are punished the same as voters. If they have property it is taxed precisely the same and for the same purposes as is the property of the voter. Government money and lands and revenues are appropriated for schools, colleges, and institutions of learning by the voters for their own use, while the non-voters are debarred all rights and privileges in the same. And it may be said that the disfranchised "have no rights that the enfranchised are bound to respect." ... A government that fails to execute its own laws and mocks at its own enactments, can not be respected by its people. We therefore demand that our representatives "shall guarantee to every State in this Union a republican form of government;" that the right of suffrage be guaranteed to all persons of sound mind and adult years, without regard to race, color, or sex.

Respectfully, FRANCIS D. GAGE.

Rev. SAMUEL J. MAY said this movement was the most radical one ever proposed to the civilized world. America had suffered severely because it had violated the rights of 4,000,000 people. If the rights of 15,000,000 were much longer violated, severer suffering still would be induced.

CHARLOTTE B. WILBOUR said: In demanding suffrage for women we are not making any innovation on political principles, but only attempting to restore the broken connection between practice and profession. A steady, constant, palpable ignoring of the application of great truths, like the claim of woman's rights, and the equality of all before the law, begets a reckless manner of assertion, an illogical application of premises, and thence a sort of organic dishonesty of mind which is carried into practice almost unconsciously. Every subject of a government who has not a voice in its conduct is openly degraded, and must be something more or less than human not to show it in the conduct of his life. We demand the ballot for women in the name of that very domesticity which is urged against it, of that home whose peace has always been more marred by passive servility and masculine authority than by any over-assertion of individuality, on the part of the so-called partner.

Speeches were also made by Mr. Hinton of Washington, and Miss Phoebe Couzins.

Miss ANTHONY called upon Senator Sherman, of Ohio, to address the meeting, who expressed himself highly pleased with the convention to which he only came as a listener. The following letters were then read:

SYRACUSE, January 18, 1870.

Mrs. M. J. GAGE—*Dear Friend*: I doubt not this meeting will urge emphatically upon Congress the duty of striking the word "male" from the suffrage bill for the District of Columbia. It is a gross injustice, a *shame* that such a term should be in any legal paper defining citizenship in any civilized State, especially a shame that it should stand in a bill touching suffrage, in what ought to be the model District, the choice sample ground of wise and just government for the *model republic*. Let an indignant protest and admonition go up in regard to this matter from your convention, that Congress shall not dare to disregard. I trust also that the convention will urge upon Congress the eminent fitness and duty of passing without delay the XVI. Amendment, and submitting the same to the Legislatures of the several States for ratification.

[Pg 425]

The world is moving to-day in the direction of the abolition of all monopolies of privilege and that of equal and exact justice and fair play to all classes. Woman now has the floor; the hour has struck for her. Wyoming and Colorado are already setting example for the older communities. Let the preaching of this faith in effective ways, its benign and thorough working, begin at Jerusalem, at the Capitol of the nation, and may your convention urge the work to immediate undertaking, aye, and completion then, at home.

Yours truly, CHAS. D. B. MILLS.

CORNELL UNIVERSITY, ITHACA, N. Y., Jan. 17, 1870.

Mrs. M. JOSLYN GAGE—*Dear Madam*: I beg you to be assured that I heartily sympathize with all well directed efforts to secure to woman equality before the law. Whatever can be done to give her a fair and equal chance with man, is due to her, and no effort of mine shall be wanting to secure so desirable a consummation.

Very respectfully yours, HOMER B. SPRAGUE.

Mrs. Helen Taylor, of London, after expressing the wish that she might be with us, says:

It is a great delight to hear of the numerous societies, in various countries, working well and vigorously for that justice which for so long has been denied to women. The time can not be far distant now, when we shall attain the right of expressing our opinion by giving a vote.

Letters joining in the demand for a XVI. Amendment were received from E. H. G. Clarke, of Troy, N. Y.; S. D. Dillaye, of Syracuse; Martha B. Dickinson, Sarah Pugh, Mrs. E. K. Pugh, Abby Kimber, of

Philadelphia; Mrs. Mary J. O'Donovan-Rossa, and Hon. Jacob H. Ela. The following extracts from private letters of Mrs. Hooker show somewhat the spirit of the occasion.

WASHINGTON, January 19, 1870.

I have just come from a good meeting; just such a house as we had at Hartford the mornings of our Convention. Senator Pomeroy spoke admirably, and carried every one with him. Then came Olympia Brown, and nothing could have been better than her speech and the effect of it on the audience, which, by the way, was earnest and intelligent. But Madam Anneke, the German patriot who fought with her husband and slept beside her horse in the field, carried the day over everyone else. It was fairly overwhelming to hear her English, so surcharged with feeling, yet so exact in the choice of words, and the burden of it all was that the trials of the battle-field were as naught compared to this inward struggle of her soul toward liberty for woman. Her presence, gestures, oratory, were simply magnificent.

Mrs. F., of Cincinnati, who lives here now, came to me this morning with great warmth, saying she had brought two Senators' wives who were opposed, and they said a few more such women as Olympia Brown would convert them. She has promised to bring them to our reception at the Arlington this evening.

Jan. 20.—We have had to hold a three days' meeting, interest grew so fast. Yesterday morning Lincoln Hall jammed, even aisles full. I never heard better speaking in my life, not a disturbance in the audience, not a jar on the platform, all loving, tender, earnest. Olympia Brown is wonderful; she talked Christ and His Gospel just I should have done with her voice and practice; can't enlarge, but she surely is a remarkable woman. We are to have a hearing by a committee from both Houses on Saturday, and Senator Pomeroy will present a bill for suffrage in the District of Columbia next week, and would not be much surprised if it were carried at once—does not really expect that—but Senator Trumbull, Chairman of Judiciary, says he shall vote for it, and so do many others in both Houses. Mrs. Pomeroy received yesterday afternoon, and to my surprise, nearly all her callers had been at the Convention—at least three hundred young ladies were in the hall, they said, and all spoke with perfect respect of the movement—many seemed in sympathy with it.

[Pg 426]

Jan. 21, two o'clock.—Just from the Committee Room, and too full to write. Mrs. Stanton standing at the head of the long table (Committee all round the table, Sumner so attentive as to fix my eyes upon him with intense interest, watching changes of expression) read a magnificent argument. Mrs. Davis and Miss Anthony followed, and then sitting in my chair, I made a five minutes' talk on my favorite point—personal responsibility God's only method in human affairs. Then questions from various gentlemen and conversation all round the room for two hours. The large room was full of gentlemen and ladies, and there were congratulations without stint, but Sumner, grandest of all, approaching Mrs. Stanton and myself, said in a deep voice, really full of emotion, "I have been in this place, ladies, for twenty years; I have followed or led in every movement toward liberty and enfranchisement; but I have it to say to you now, that I never attended such a committee meeting as this in my life, it exceeds all that I have ever witnessed."

Mrs. Howland was there, and excited to her highest eloquence in speech; with flushed cheeks she said to me, "If only that scene could have been photographed—it was the grandest one of history—the first time that *woman* has ever appeared in halls of legislation—women often, but woman never before." I have sent her home to write a letter for the *Courant*, and I hope she will make it out; she has promised to try. Senator Pomeroy counts thirteen Senators ready to vote for us now, but I can not attempt to do justice to the situation.

The Revolution of March 24, 1870, gives the following call for the May Anniversary of the National Woman's Suffrage Association, which held its regular annual meeting in Irving Hall, New York, May 10th and 11th:

The various woman suffrage associations throughout this country and the Old World are invited to send delegates to the Convention, prepared to report the progress of our movement in their respective localities. And, in order that this annual meeting may be the expression of the whole people, we ask all friends of woman suffrage to consider themselves personally invited to attend and take part in its discussions. With the political rights of woman secured in the Territories of Utah and Wyoming—with the agitation of the question in the various State Legislatures, with the proposition to strike the word "male" from the State Constitution of Vermont—with New York, New England, and the great West well organized, we are confident that our leading political parties will soon see that their own interest and the highest interests of the country require them to recognize our claim.

The Executive Committee recommend the friends of woman suffrage, everywhere, to concentrate their efforts upon the work of securing a XVI. Amendment to the Federal Constitution that shall prohibit the States from disfranchising any of their citizens on account of sex.

Many of the ablest advocates^[131] of the cause—both men and women—will address the meetings. Communications and contributions should be addressed to the Corresponding Secretary.

[Pg 427]

ELIZABETH CADY STANTON, *President*.

ERNESTINE L. ROSE, *Chairman Executive Committee*.
CHARLOTTE B. WILBOUR, *Corresponding Secretary*,

151 East 51st Street, New York.

The Convention was eventually held in Apollo Hall, the owners of Irving Hall annulling their contract when they learned that colored people were not only to be admitted to the audience, but welcomed to the platform as speakers. The Rev. Phebe Hanaford opened the meeting with prayer, Mrs. Charlotte Wilbour read the call, and announced the various committees, Miss Anthony reported the work done during the past year; excellent addresses were made by the many able speakers present, and strong resolutions were discussed and adopted.

It was during this convention that a proposition was made, that as the American Association had chosen Henry Ward Beecher for President, Mrs. Stanton and Miss Anthony should resign their offices for a season, and place some popular man at the head of the National Society. They readily assented, hoping thereby to heal the division so distracting to friends in every State, and unite all the forces in a grand Union Association. Theodore Tilton, editor of the *Independent*, was chosen for the position. He and Mr. Beecher exchanged amicable letters, and a meeting of pacification^[132] was held at the Fifth Avenue hotel where both sides were fairly represented. Complimentary greetings were exchanged, but nothing was gained.

The one wise step in this episode was the meeting of the National Woman Suffrage Association: in Washington, January, 1871, as usual under its long-trying leaders, as if no mistaken policy had been suggested or considered. Emerson says the power of the human mind is shown in its ability to recover after a blunder. The Association showed its real strength in taking up again and carrying forward its grand National work.

THE SECOND DECADE CELEBRATION.

At half past ten o'clock Friday morning October 19, 1870, the twentieth anniversary convention assembled in Apollo Hall, New York. A large number of the life-long friends were on the platform and a fine audience in attendance. Mrs. Stanton called the meeting to order and read the call.^[133] She said, after due consultation the committee had decided that as Mrs. Davis had called the first National Convention twenty years ago, and presided over its deliberations, it was peculiarly fitting that she should preside over this also. A motion was made and seconded to that effect, and unanimously adopted. On taking the chair Mrs. Davis gave the following resumé of the Woman's Rights movement:

[Pg 428]

In assembling to review the past twenty years, it is a fitting question to ask if there has been progress; or has this universal radical reform, which was then declared, been like reformations in religion, but a substitution of a new error for an old one; or, like physical revolutions, but a rebellion? Has this work, intended from its inception to change the structure of the central organization of society, failed and become a monument of buried hopes? Have we come together after twenty years, bowed with a profound grief over the wreck and debris of the battle unwon, or to rejoice over what has been attained, and mark out work for the next decade?

We answer, in many things we have failed, for we believed and hoped beyond the possible; but reviewing the past we have only cause for rejoicing—for thanksgiving to God—and for courage in the future. We affirmed a principle, an adjustment of measures to the exigencies of the times, a profound expediency true to the highest principles of rights, and to-day we reiterate the axiom with which we started, that "They who would be free, themselves must strike the blow," believing it as imperative as when the first woman took it up, and applied it to her needs; and it must be kept as steadily before the eye, for not yet can we rest on our privileges gained.

[Pg 429]

Women are still frivolous; the slaves of prejudice, passion, folly, fashion, and petty ambitions, and so they will remain till the shackles, both social and political, are broken, and they are held responsible beings—accountable to God alone. Not till then can it be known what untold wealth lies buried in womanhood—"how many mute, inglorious Miltons." Men are still conceited, arrogant, and usurping, dwarfing their own manhood by a false position toward one half the human race.

In commencing this work we knew that we were attacking the strongholds of prejudice, but truth could no longer be suppressed, nor principles hidden. It must be ours to strike the bottom line. We believed it would take a generation to clear away the rubbish, to uproot the theories of ages, to overthrow customs, which at some period of the world's history had their significance.

We proclaimed that our work was to reform, reconstruct, and harmonize society; not to lay waste her homes and her sanctuaries. A few only have been found brave enough to do more than touch the fringe work that circles round the vortex which is heaving and surging with social pollutions, which might well make angels stand appalled; but should the occasion come in this country, the pure women of our nation will rise, as the women of England are now doing, resisting a legislation which degrades womanhood to the lowest depths. We proclaimed a peaceful revolution; for we abhorred then as now the atrocities of war, hence our demand for a participation in government, that we might bring a new element into it to restrain and purify it. Says a French lady in a private letter received a few days since, "Oh, is it not time that women come? Is it not because we have no voice in public affairs that Europe is on fire now? Men are true brutes. Pride, injustice, and cruelty are their most remarkable qualities. What can free us from their laws so unjust?" This is the sad, passionate utterance of a French woman now in the hour of her country's peril. What better proof that women love peace more than glory, than in the Empress Eugenie's course,—She would have no force used to uphold her power. "She would rather be pitied than hated."

Frances Wright, a noble Scotchwoman, early sought to make herself thoroughly acquainted with the nature of our institutions, and the genius of our government. She determined to try the experiment of organized labor with negroes. Purchasing two thousand acres of land on the Bluffs, now known as Memphis, Tenn., she took a number of families, with fifteen able-bodied men, and, giving them their freedom, organized her work. Prostrated by illness, she was compelled to yield her personal supervision, and thus her attempt to civilize those people failed, and they were finally sent to Hayti.

She then commenced lecturing on the nature and object of the "American Political Institutions." She gave also a course of Historical and Political Lectures; and another course on the Nature of Knowledge, Free Inquiry, Divisions of Knowledge, Religion, Morals, Opinions, Existing Evils and a Reply to the Traducers of the French Reformers. No other person was at that time prepared so well to defend them as she was, from her having been in part educated in General Lafayette's family. In all those lectures she showed the low estimate of woman, and her inferior education.

[Pg 430]

To this heroic woman, who left ease, elegance, a high social circle of rich culture, and with true self-abnegation gave her life, in the country of her adoption, to the teaching of her highest idea of truth, it is fitting that we pay a tribute of just, though late, respect. Her writings are of the purest and noblest character, and whatever there is of error in them is easily thrown aside. The spider sucks poison from the same flower from which the bee gathers honey; let us therefore ask if the evil be not in ourselves before we condemn others. Pharisaism, then as now, was ready to stone the prophet of freedom. She bore the calumny, reproach and persecution to which she was subjected for the truth, as calmly as Socrates. Looking down from the serene heights of her philosophy she pitied and endured the scoffs and jeers of the multitude, and fearlessly continued to utter her rebukes against oppression, ignorance and bigotry. Women joined in the hue and cry against her, little thinking that men were building the gallows and making them the executioners. Women have crucified in all ages the redeemers of their own sex, and men mock them with the fact. It is time now that we trample beneath our feet this ignoble public sentiment which men have made for us; and if others are to be crucified before we can be redeemed, let men do the cruel, cowardly work; but let us learn to hedge womanhood round with generous, protecting love and care. Then men will learn, as they should, that this system of traducing women is no longer to be used as a means for their subjugation. Let us learn to demand that all men who come into our presence be as pure as they claim that woman should be. Let the test be applied which Christ gave, that if any is without sin in word, or deed, or thought, he shall "cast the first stone." ...

When the war ended and National reconstruction commenced, women, feeling an equal interest in having the work rightly done, presented their petitions for the right of suffrage, but were coolly told by those who were most eager to enfranchise the negro, "stand aside and wait, it is the black man's hour." The sacrifice of their sons on the altar of freedom was not counted to them as anything. Their years of toil and weary watching in camp and hospital were not to be put in the scale with the black man's, who fought for his own freedom. Such wrong and injustice is bearing its fruits, in the confusion of the councils of the Republican party. Like the French of 1848, they refused to deal justly with the mothers of the nation, and are now reaping a bitter reward. They dared to suppress the petitions of thousands of women, and now disintegration has begun; the handwriting is seen on the wall. Thus injustice has done its work, and thousands of women have been roused by it to protest who had never before given any thought to public affairs.

The National Convention, held in the Church of the Puritans, after the war, was one of intense interest, and marked an era in this movement. The demand for suffrage became paramount—the only one with many. Mrs. Stanton, in 1867, went before the Judiciary Committee of the New York Legislature, asking universal suffrage to be recognized by the Constitutional Convention which was to be held. About this time a bill was before a Committee of the Legislature, the purport of which was to legalize prostitution. Reading this bill in the presence of the Committee, her quick mind comprehended all its horrors at a glance, and she tried the test of asking each man if he would be willing that that law should be applied to his daughter, his sister, or any one dear to him. Self-ism answered "No." "Then, gentlemen," said she, "legislate for the poorer daughters of the State as you would for your own." All that winter she battled against that hideous system, which would legalize the foulest of sins, and to her efforts, mainly, the delay of passing that law is due. She made a clear exposition of that cruel, corrupt, one-sided legislation, which subjects woman to the grossest indignities, while men are benefited and allowed safe and unlimited license. To her lectures, also, is due a healthier tone of public sentiment on the marriage question. It is slowly beginning to be felt that in that relation there is a vast amount of legalized prostitution.

[Pg 431]

In 1867 an extensive lecturing tour through Kansas was made by Mrs. Stanton, Miss Anthony, Rev. Olympia Brown, Henry Blackwell, and Lucy Stone. The proposition of striking the words "white male" from the Constitution had been submitted to the people, and the result of the campaign was one third the vote of the State in favor of both propositions. Of Miss Brown, now preaching in New England, we can not forbear saying we have few in our ranks more earnest, honest, or devoted. A clear, incisive intellect, a true heart and firm purpose mark her every day life. She is unobtrusive and gentle, but always ready at the call of duty. On this campaign they were joined by a new worker, George Francis Train, whether for good or ill it will be for history to decide. Certain it is, that a new impulse was given to the cause, and *The Revolution* established, with Susan B. Anthony as proprietor, and Elizabeth Cady Stanton and Parker Pillsbury as editors, has done a great work. It has been hated, abused, slandered, misquoted, and garbled; nevertheless, it has been a terror to evil doers, and a help to those who would do well. Others, thinking to do better, have started monthly and weekly papers....

In May, 1869, at the annual meeting of the Equal Rights Society, which had been three years in existence, a change of name was proposed. Notice was given to that effect, and at a large meeting, in which nineteen States were represented, the National Woman Suffrage Society was formed, which has done most efficient service, holding conventions in many of our large cities, and awakening thought and action. In Saratoga and Newport a new class was reached. Wearied with the monotony of fashionable dissipation and the driveling idiocy of flirtations, women were glad to hear a few sensible, wholesome truths.

In December, 1869, an able report was received from Mrs. Kate N. Doggett, one of the six delegates to the Labor Convention, in Berlin. In the spring of 1869 a fresh impulse was given to the work in the establishment of the Woman's Bureau, by Mrs. Elizabeth B. Phelps. Its discontinuance was due to the same cause which has thwarted so many plans of women. There were not a sufficient number possessed of wealth who had the will to render this a permanent institution. Mrs. Phelps possesses in an eminent degree all the requisites for such a post—a queenly hospitality, elegant manners, fine conversational ability, with a generous catholic spirit. Delicacy forbids saying all that the heart prompts of friends.... In November, 1869, a delegate convention was held in Cleveland, Ohio, and a society organized, called the American Woman's Suffrage Society. Its work is yet to be done. The crowning act of 1869, and the one which gave an omen for the year that was approaching, was the enfranchising of the women of Wyoming and Utah. For these acts of justice we are most grateful. A correspondent says:

[Pg 432]

The cause of woman in Wyoming goes bravely on. At the last sitting of the District Court in

Albany County, both the Grand and Petit Juries were equally composed of either sex; and Chief Justice Howe, presiding, took advantage of this occasion to compliment, in the highest terms, the intelligence, discrimination, honesty, and propriety of the conduct with which the women acquitted themselves last session, saying they had gone far to vindicate the policy, justify the experiment, and realize the expectations of those who had clothed themselves with the right. The bar, the bench, and the intelligent men of the country had long felt that something was needed to improve and justify our jury system; something to lift it above prejudice and passion, and imbue it with a higher regard for law, justice, oath, and conscience. His Honor then expressed the opinion that the introduction of the new element furnished good reason to expect that to women we should ultimately be indebted for those reforms which the unaided exertions of men had been incompetent to effect.

This is certainly a most flattering presentment of the results of enfranchising the sex in Wyoming, and what is better, it seems substantially a just one. The question will therefore naturally suggest itself, if women, in their new political capacity, are thus able to "tone" the rude elements of Western civilization, what inconsistency is there in granting them like privileges in communities whose superior refinement is so much less likely to expose them to insult or mortification? In Utah it is of less account, because the women there are under a hierarchy, and as yet vote only as directed.

In January, 1870, a convention was called in Washington by the officers of the National Society. This meeting, large in attendance and deeply earnest, marked an historical era, the influence of which can not be estimated. A hearing before the joint committee of the House and Senate of the District was asked, in order to present the question of woman suffrage, and granted. Elizabeth Cady Stanton made the argument in favor of enfranchising women of the District of Columbia. It was clear, incisive, and cogent; divested of all sentiment, and condensed into a twenty-minutes' speech. It was very impressive. Susan B. Anthony, Madam Anneke, and others made a few pertinent remarks. At the close of the hearing, Hon. Charles Sumner said: "In my twenty years' experience in the Senate of the United States, I have never witnessed so fine a hearing as this one, so large an attendance, and such respectful attention." Thus begins the national history of this great reform—a fitting opening for 1870.

The work, not only in this country, but in Europe, was greatly accelerated by the publication of John Stuart Mill's inestimable book, "The Subjection of Woman," which has been extensively circulated in a cheap form in this country, and has been translated and reprinted in France, Prussia, and Russia. The first National Woman Suffrage Convention was held in London, July, 1869, at which Members of Parliament, professors of science—noble men and noble women, still more ennobled by this great work—took active part, and now women have the right of suffrage there in the municipal elections. The bill was introduced by Mr. Jacob Bright, and, says Prof. Fawcett: "In one night it passed beyond ridicule, so ably and calmly was it presented, and in less than one year it is a fixed fact." How stands the comparison, Aristocratic England and Democratic America? The Crown Princesses of Prussia and Italy are strong advocates of this movement, while women, who pay taxes in Austria and Russia, vote and have a voice in making laws. Will America hold on to her barbarism in this, as she did to chattel slavery, till all the nations of the earth cry out against her wrong to womanhood?...

[Pg 433]

A few of the earlier women who came to this work should be named here. Martha C. Wright, sister of Lucretia Mott, of Auburn, has presided in most of the New York State Conventions, and in some of the National, and her pen has always been sharpened in ready defense of the cause and its leaders. A woman of rare good sense and large sympathies, she is always to be trusted in emergencies. Sarah Helen Whitman was the first literary woman of reputation who gave her name to the cause, and her interest has never lessened, though ill health has prevented any work. Alice Cary for years gave her heartiest sympathy to the movement, and socially she and her sister Phoebe have awakened an interest in a large circle not easily penetrated by outside influences. Her story, never completed, the "Born Thrall," published in *The Revolution*, gave evidence of thought, experience, and deep feeling. The songs of the sisters have a new sweet sadness, now that Alice is singing hers on the other side of the river of life. Grace Greenwood has done good service with her fluent pen and voice through the press and on the platform. Mary L. Booth, with her rich culture and her unsurpassed practical ability, her skill as a translator of Martin's great History of France, and numberless other works, has given aid to the cause with her pen, one of the best in the country. As an editor she has done great service by showing that a woman can work as earnestly and persistently at a closely confining business as a man, and can hold for years a place at the head of a profession so difficult and so arduous.

As physicians, many women have won not only fame, but wealth. The names are too many for our limits. A few only who have taken an active interest in the principles which we have been urging can be given. Dr. Mercy B. Jackson, Dr. Ann Preston, and Dr. Clemence Lozier are some of the names which stand out conspicuously.

The government appointments within the last two years have been a matter of great rejoicing. Many responsible offices are held by women in different localities. There are 1,400 postmistresses, some of them of first-class offices. The one in Richmond, Va., is considered a model office, held by Miss Rachel Van Lew.

Ten years ago a young girl sprang, like Minerva from the head of Jupiter, fully armed, into the moral and political arena, and has stirred the heart of the Nation as no other speaker ever did. Anna E. Dickinson has never feared to utter the boldest truths, has never shrunk from, or withheld the most scathing rebukes of sin in high places, has never faltered or failed in principle, and yet is to-day a far more popular lecturer than those who have pandered to a corrupt, vitiated public taste. Does this not prove that the deep heart of the people is better than it has the credit of being.

About the same time Theodore Tilton threw into the scale his brilliant and varied talents, and the *Independent*, of which he was editor, was found on the side of freedom for all. Judge Samuel E. Sewall, always on the right side in every good work, published, in 1868, a digest of the laws of Massachusetts in relation to woman's disabilities, which has done good work. Later, Prof. Hickox prepared one of like character for Connecticut, which is enough to rouse the women of that State to white heat.

[Pg 434]

Within the last two years of the second decade many new speakers have appeared on our platform. Standing first is Mrs. Mary A. Livermore, a woman of rare powers of oratory. Possessing a magnetism which grasps and holds her audience whether they will or no, she is a special pleader, and if her logic is not always perfect it is most effective, for she has the power of unlocking the hearts of her hearers. She has made within the last two years extensive lecturing tours in the North and West, and verging toward the South. Mrs. Julia Ward Howe came in November, 1868, and laid her rich gifts on the altar of freedom, and has often been heard in conventions, and twice or thrice before the Legislature of Massachusetts. Mrs. Isabella Beecher Hooker, from the family of ministers, also came about this time with her ready available talents. Phoebe Couzins and Lillie Peckham, alike generous, enthusiastic, cultured, and above all of high-toned principles, lead a strong band of young workers. Charlotte B. Wilbour, gifted in a high degree, calm in judgment and steady in purpose, is always a tower of strength. Celia Burleigh, graceful, poetic and earnest, is equally at home on the platform or in the drawing-room, and Lillie Devereux Blake is always ready with pen or voice. Myra Bradwell, with her legal knowledge, is another to be grateful for; and with pride the names of Elizabeth O. Willard, Catherine B. Waite, and Elizabeth Boynton are recorded as having given their rare gifts to this work. We gladly pay tribute to James W. Stillman, of Rhode Island, who has given most generously of time, money, and, above all, talents, to this cause, and that, at a time when ridicule and even the sacrifice of position followed. His logical argument on the inherent right of self-government has done great service.

Looking back over the names of our co-workers, those of Hannah Tracy Cutler, and Frances D. Gage, and Jane Elizabeth M. Jones are widely honored. Another of this class is Josephine S. Griffing, a woman of rare endowments intellectually, with a heart as true and gentle as God ever gave to woman. Modest, almost to a fault, she is the unseen power that moves the machinery in the very heart of the nation; asking no recognition, no applause, she works on with a steady, systematic, careful earnestness which commands the respect of the best and wisest.

Early among women journalists Mrs. Jane G. Swisshelm stands out conspicuously. The Pittsburg *Saturday Visitor*, which she edited for several years with marked ability, was the paper most often quoted, and made war upon by all opposers of progress. Mrs. C. I. H. Nichols also edited the Windham Co. *Democrat*, in Brattleboro, Vt., with much ability, and though less radical and aggressive than Mrs. Swisshelm's paper, it is to the seed sown by her head and hands that all the spirit of progress there is in that county is due.

There is yet one other name that well deserves not one page but many, for his good deeds and unselfish work. A man with a strong, vigorous mind, a quick conception of principles and perfectly fearless in his advocacy of them, holding always his personality so in reserve as sometimes to be overlooked among the many more assuming. Parker Pillsbury was for some time editor of the *National Anti-Slavery Standard*, and co-editor of the *Revolution*. His editorials have been marked by an almost prophetic spirit; and the profoundness of their thought will be more justly appreciated as there is a larger development and a higher demand for unqualified justice. The Hutchinson family were among our earliest workers, giving of time and money liberally without regard to party or sectionalism. Mr. John Hutchinson and family went through Kansas with the lecturing tourists, in 1867, and with their inspiring songs for freedom did much toward increasing the vote for woman suffrage. They still continue their work, penetrating into the most benighted regions, for freedom, temperance, peace, and the reign of righteousness; they are doing their quota in the world's great work.

[Pg 435]

Mrs. Mary F. Davis has been from the first a most able and efficient advocate; her winning, gentle manners, her courtesy and respect for the rights of others have been unvarying. If not herself aggressive, she has never faltered in her adherence to the fullest truth; in this she is always sustained by her husband, Andrew Jackson Davis, who has never hesitated or temporized on any great question. Among business women who have gone steadily on in the path of duty, the name of Charlotte Fowler Wells stands out conspicuously. For over thirty years she has been an equal in all business relations with her husband, conducting the extensive correspondence of the house, as well as being head book-keeper. Her serene face gives evidence of a life of quiet, self-respecting independence.

Mrs. Frances V. Hallock and sister, Mrs. Robert Dale Owen, hold a place worthy of honorable mention for their good works and steady adherence to truth, and their clear, quick comprehension of its far-reaching power. Rev. Phebe Hanaford, pastor of a church in New Haven, Conn., has done a great work for woman. She is the mother of a family, and finds time not only to conduct their education, but to preach regularly every Sabbath, to write books of merit, and to superintend her domestic affairs, which are managed with skill, economy and good taste. Always cheerful and kindly, she wins many friends, not only to herself but for the cause. There is another movement that began in this decade now closed upon us, which properly belongs to its history, viz: that of the Working Women. It has been represented from Boston by Miss Jennie Collins, a slight woman, all brain and soul. She tells her stories with such a tender, natural pathos that few eyes are dry during her speeches. She makes no pretense, but gives most unmistakable evidence of a rich nature that has been repressed and tortured. She is the type of a large class that will develop into beautiful, symmetrical characters when the shackles are broken and women are free.

Conventions and organizations have so multiplied that it would require a volume to give their history. The chief of these are the great Northwestern and Pacific Slope Associations. Added to these are the State Societies in nearly all the Northern and Middle States. A State Society was organized in Richmond, Virginia, in April, 1870, by Matilda Joslyn Gage, a woman of wide historical information. Lectures have been given in several of the Southern States by individuals.

If the notices of women are by far more numerous than those of men,^[134] it is not from forgetfulness of their services, for I credit them with all sincerity of motive, and nobleness in the wish for our enfranchisement. I have given, as briefly as possible, the two decades from 1850 to 1870. I have set down nothing in malice, and what is omitted must be charged to want of space and time. When the full history of this work is written, differences which have retarded its progress, and the wide range of action and reaction can be gone into if the historian so wills. I have endeavored to

[Pg 436]

keep this report free from sectionalism and faction, believing that the *finale* would bring together all parties in one glad day of rejoicing. That there will be political parties in the future, with women, as with men, there can be no question; but that the sexes will have a purifying influence, each upon the other, is already conceded even by the opposers.

In closing this *resume* permit me to say that this meager outline, condensed from notes made from year to year, in no way satisfies the writer, but has been given by the earnest solicitations of friends, who wished that the steady progress of the cause might be marked in this retrospective hour. There is much that should have been embodied in this sketch of the past, especially the resolutions which have marked varying phases of the work, and which seemed like a divine inspiration in their comprehensive grasp and far-reaching thought, on this the last great question of reform.

Mrs. Mott rose at the conclusion of Mrs. Davis' history of the work for the past twenty years, and expressed herself as greatly pleased with its succinct and careful preparation. She felt that it was of great importance to the future work that this history be preserved, and hoped it would be published as part of the proceedings of this meeting. She felt that we had lost in not having kept more careful record of the progress of the work. She was sorry Mrs. Davis had not said more of herself, as she had done much toward opening the medical profession to women, and also in making lecturing a lucrative and respectable profession for them. She was, I believe, the first woman to claim the right to equal pay with men for her lectures. Mrs. Stanton expressed the same pleasure in listening to the report, and satisfaction in its historical accuracy. Resolutions^[135] which had been prepared by the Committee, were offered for discussion. Mrs. Gage spoke of the advance in the cause of education for women, and reviewed the progress in each particular branch of science. Letters from various parts of the world were read by Mrs. Griffing and Mrs. Lillie Devereux Blake, the latter of whom demonstrated in an amusing and forcible manner that the women of our country did not form a part of the "people," according to the various banners and posters displayed about the streets in reference to the coming election. Woman did want to vote; she did love her country; but because she was not one of the "people," that privilege was denied her. Miss Anthony made several characteristic, short speeches at intervals, in a style which is peculiarly her own. Her force and humor were fully appreciated by the audience, who applauded her repeatedly. Her appeals for money met with great favor. The Rev. Olympia Brown made a stirring speech in reference to woman's work in the cause of the "social evil," speaking at some length upon the action of the women of England on the subject. Mr. Crozier, of Brooklyn, was the only gentleman who spoke, and he acquitted himself very creditably in his confession upon joining the cause of woman's rights.

[Pg 437]

Several resolutions were offered in reference to the European war, and much sympathy was expressed with the present suffering originated by it. The improved condition of Italy was also referred to. The Convention was a highly interesting one in many particulars, and the pioneers of the cause who engaged in active service twenty years ago proved themselves as ardent as in the early days.

[Pg 438]

The following letters were read:

26 HEREFORD SQUARE, LONDON.

DEAR MADAM:—I received your kind letter some weeks ago, and beg to apologize for the delay of this reply. Pray accept my thanks for your kind expressions regarding my small efforts to keep alive the great cause we have all so near at heart. I regret to hear that one who, like yourself, has been a pioneer on the way when the path was the ruggedest, should for many years have been incapacitated from aiding its progress. May you now be restored fully to activity. We certainly want all true workers, albeit the progress of the cause surpasses our most sanguine expectations, on that as well as on this side of the Atlantic.

Pray accept my thanks for your kind invitation to your Convention. It will not, I think, ever be likely that I shall visit America, but I shall always read with deep interest of all that goes forward there. Accept, dear madam, my thanks for your kindness and sincere regard.

FRANCES POWER COBBE.

Mrs. P. W. DAVIS.

MORNINGSIDE, EDINBURGH, Sept. 24, 1870.

MADAM:—I regret that I am unable to accept the invitation with which you have honored me, for I have been an invalid for some months, and am not sufficiently well to undertake any journey. I can assure you that the cause of woman is gradually but firmly gaining ground in Scotland, and that each month we are gaining in the right direction. At present there are six female medical students studying in our university. The College of Surgeons has thrown its doors open, without any restriction, to the female student.

The Merchants' Maiden Company has, within the last few months, opened large schools in connection with its hospitals, offering as its prizes Bursaries in the university to girls as well as boys, which I think is one of the strongest moves which as yet has been made in behalf of women. The petition in favor of the medical education of women was largely signed in Scotland. The Society for the higher education of Women is progressing well and the professors spoke highly of the efficiency of their working pupils. In the university classes of botany and natural history all the female students were in the honor list, and Miss Edith Pechey was the first chemistry student for the year.

With best wishes and thanks to you and your committee for your kind invitation, I am truly yours,

S. K. KINGSLEY, FOR HENRY KINGSLEY.

ALDERLEY EDGE, near MANCHESTER, Sept. 26, 1870.

MADAM:—I beg to thank you for the circular and your accompanying note, both inviting me to attend the Twentieth Anniversary of the inauguration of the Woman Suffrage Movement in the United States, to be held in New York on the 20th and 21st of October. I have once traveled

through your country with very much pleasure, and, I hope, with some profit, and I have a strong desire to come again; but as it is impossible for me to do so now, I can not attend your meeting. I need not say that I sympathize with your object. It seems to me to be inconsistent with the principles of your Government, and of ours, to deny to women the power to control those who legislate for them. Until they obtain this control through the suffrage, they will suffer many disadvantages and be the victims of unequal laws. How soon they will obtain it must depend mainly upon their own efforts. In the meantime the present agitation will give them an interest in many public questions, will in itself be an education in preparation for political power, and will exercise an influence in favor of more equal legislation between men and women.

Very truly yours,

JACOB BRIGHT.

Mrs. P. W. DAVIS.

FROM MRS. DR. TAYLOR.

NOTTING HILL, August 10, 1870.

DEAR MADAM:—I cordially thank you for your kind request that I should attend your Convention in October. It is quite impossible for me to leave England now, but I am deputed by our London Committee for Woman's Suffrage to express their sympathy with your movement, and the hope that the efforts you are making will be crowned with success, and that Mrs. Lucretia Mott will live to see the fruit of some of her good and noble work.

[Pg 439]

Believe me yours truly,

M. TAYLOR.

FROM LADY AMBERLY.

RODBOROUGH MANOR, STROUD, July 14, 1870.

DEAR MADAM:—I thank you much for your invitation to attend your second decade meeting of the Woman's Suffrage Association. I regret that it will not be in my power to accept it. Much as I enjoyed my visit to America, it is rather too far to undertake a second journey there. You must, indeed be glad, after twenty years of work, to see the great advance in public opinion on this question. It seems now to be progressing very fast. I have just aided in establishing a committee at Stroud, and we hope soon to have one in every borough in England for female suffrage.

Yours truly,

KATE AMBERLY.

Mrs. P. W. DAVIS.

280 PARK ROAD, SOUTH HILL, LIVERPOOL.

DEAR MADAM:—Mrs. Butler regrets very much not to have been able to write to you before, and begs you will kindly accept her apologies as well as her thanks for your invitation to your Decade Meeting. I have the honor and privilege to be at present Mrs. Butler's Secretary. She is overwhelmed with work, and would be thankful for your sympathy in it. I wish I could give you a clear idea of the battle she has to fight, but it is very difficult for me, as a German, to put it in adequate words.

Mrs. Butler's introductory essay to "Woman's Work and Woman's Culture" only gives a faint idea of her character and strivings, compared to the grand reality of her life. She has devoted more than fifteen years to the rescue of "fallen women"—a work that requires more active charity and self-denial than any other. The English Parliament passed, some time ago, certain acts called the Contagious Disease Acts, as a sanitary measure, on the model of Continental legislation. To earnest, religious minds, like Mrs. Butler's, the acts appear immoral in principle, as declaring vice a necessity; unjust, as inflicting penalties on women and letting men go free; and cruel in their application, enrolling women in a degraded class, making their return to virtue almost impossible. I think if I tell you that by these acts a woman can be arrested by a policeman on suspicion of being a prostitute, and subjected to an examination which amounts to a surgical operation, always disgraceful, sometimes injurious, even dangerous, I have made quite clear to an American lady that such a state of things can not be endured.

The best English women, with Mrs. Butler and Miss Nightingale as leaders, stand up nobly for the poor, degraded women whom, with their true Christian hearts, they still recognize as sisters. Mrs. Butler, who is rather delicate, devotes all her strength to this cause at present. She travels much, has been in the garrison towns, where, for the benefit of the soldiers, these atrocious acts are in force, and in large meetings denounces the cruelties to women. By her efforts more than sixty thousand signatures have been obtained for the repeal of the acts. Many good men, I am thankful to say, are on our side, and it is a matter of congratulation that in this point many people join who widely differ in other respects. I firmly believe that this question, which can no longer be avoided, will produce a great social reform. Women who timidly keep aloof from all political movements, after this experience of male legislation, eagerly demand the suffrage.

I am sure you will forgive Mrs. Butler for not writing herself. As soon as she has a little more breathing time she is sure to write, but she fears she will never be able to cross the Atlantic.

Yours sincerely,

ROSA BRUHN.

Mrs. P. W. DAVIS.

PARIS, RUE NOLLET 92, 7th September.

DEAR MADAME:—I burned the answer I had written to you under the shameful government now fallen, and whose crimes and treasons extorted from me cries of despair for the ruin they have brought on our country.

I thank you for the generous sympathy you express toward us in our great woe. Your honored names have been blessed for this by our French hearts. We are now relieved, and though our actual peril is none the less, we are in possession of our own force. We are rid of the despicable robbers of our honor, our fortune and our lives; and in the most terrible emergency, is a consolation and support. Better is it to die with honor than live dishonored. How happy you are to be born on a soil not infested by monarchical roots. They are like dog-grass, which springs up again and again, nurtured by the ignorance of our rural population. When the Prussians shall have been driven away, we may have civil struggles to fear from the emissaries of this detested monarchy. What avails experience to the blind.

I forwarded immediately your letter to George Sand. Accept my heartfelt thanks for your fraternal invitation to me.

Yes, you say right, our hearts are wholly absorbed, and no place is ours but Paris in this hour of supreme struggle and sacrifice. We shall be with you in thought only, dear sisters—you, the pioneers in woman's emancipation—your names are enshrined in our hearts; but this crisis here will not be useless for the cause. The women of Paris are noble and courageous; one may hear them in every group encouraging the men to desperate resistance. Everywhere they form societies for the relief of the distressed and the wounded. Many have petitioned for this revolution, and have instigated men to the accomplishment of it. Many will take arms in defense and fight; yea, fight with all the strength which desperation lends, should the struggle reach our streets.... They have already proved this sort of courage. Men feel now how very necessary their co-operation is, and after the crisis I hope they will not forget it. But it is better that woman herself should learn to have a will, an active opinion in public affairs, and this disposition will, doubtless, continue to increase, as it has done for the last two years.

Hail, dear and valiant sisters; blessed be your work in which my heart, and many of those around me unite.

ANDRE LEO.

Mesdames PAULINA W. DAVIS, LUCRETIA MOTT, MARTHA WRIGHT, ELIZABETH C. STANTON, ISABELLA B. HOOKER.

NAPLES, October 10, 1870.

DEAR MRS. DAVIS:—I have only now received your letter, or I should sooner have expressed how highly I am gratified by the honor you do me in asking my opinions with regard to woman suffrage. I can not more strongly show my sympathy with my accomplished sisters in the United States, than by saying that I signed a petition to the British Parliament, requesting permission for women to vote at the elections. It was rejected, for the opposition and prejudices in the men of Great Britain are still very strong against any change in our condition. We have, however, gained a most important privilege lately, chiefly through the liberality of the University of Cambridge, in having the opportunity of acquiring every branch of knowledge, literary and scientific.

We owe much to the society of which you are the secretary, for persevering in our behalf for twenty years under strong opposition. The progress of civilization will ultimately emancipate half the human race from the low position in which we have hitherto been kept. Accept, dear Mrs. Davis, my thanks for your letter, and believe me,

Very sincerely yours,

MARY SOMERVILLE.

VICTORIA PRESS, LONDON, Oct. 3, 1870.

MY DEAR MRS. DAVIS AND MRS. STANTON:—Will you kindly let me answer both your notes together, and assure you how much I value the feeling which prompted you to write them. I shall not easily part with either of those letters, although pressure of work drives me to answer them in one, and say that I am utterly unable to respond to your wish that I should attend your Decade Meeting. Few things would give me such satisfaction as to find myself in America, especially after your noble invitations and promises of a cordial reception everywhere. But—and how many butts there are in life—I dare not leave my work at present in England. There are several very important movements just now resting almost entirely upon me, and having put my hand to the plow, I dare not look back. I am at present the only regular lecturer here on this subject, and I am full of engagements up to April next—north, south, east, and west—and the discussion society I have started in London is still too young to run alone, and yet promises such good things for the future, that I feel it ought to be carefully tended.

I can only add that I shall watch with great interest for the accounts of your meeting on the 19th. I long for the day when I can see you in the flesh—those with whose spirits I now ever hold communion. Excuse haste. I have just returned from the North, and find my table overwhelmed with invitations to lecture and appeals for help. The learned meetings and social discussions of the British Associations at Liverpool, and the Social Science Congress at Newcastle, have all been crowded into the last fortnight. Wishing you and your noble workers God-speed, believe me,

Yours, most truly,

EMILY FAITHFUL.

DEAR LADIES:—It would give me great pleasure to accept your kind invitation to be present at your meeting to-day, if it were possible, but it is not.

Go on with your great work; it is arduous, but it is sublime! You are doing good that you know not of in old Europe. You have taken the initiative, and she is following hard after. I wish to recommend to you the appeal of Mme. Gasparin to the American women to join in her heart-cry for peace. Coming so recently as I have, from the seat of war—from Paris and from Rome—I can testify to the earnest, the beseeching appeal of European women to their sisters in America to give them help in this their hour of calamity and need—the help of sympathy, the succor of love!

The day before I left France, one of the noblest of French women, Mademoiselle Daubie (the distinguished author of that remarkable work, "The Poor Women of the Nineteenth Century," which every woman and legislator ought to read,) said to me: "We are looking wistfully every whither for some hand stretched out through the darkness, but, alas! there is none. But you are going to America. Oh! tell the women there to help us in this struggle with ignorance, corruption, and war." Let us heed this cry.

France lies prostrate in the dust! But Rome is free! So in all human sorrow there is some hope. Let us, then, lift up the one by all possible help, remembering her greatness, and pity her misfortunes; having faith in her capabilities, and praying for her liberty—for that liberty that can only be practicable when built upon intelligence and virtue, and only real when woman is not the slave, but the helpmate of man; and let us rejoice with that other sister—Italia—who is now lifting up her face toward heaven, and after these long years of anguish and waiting the mother is restored to her children!

The rule of the Cæsars is gone, and the reign of absolutism is passing away! And while the science of men goes flashing round the earth—over sea and land—uniting the nations in treaties of commerce and compacts of liberty, the warm, generous heart of woman shall keep pace, uniting humanity in sympathy and love.

I am, dear ladies, yours most respectfully, EMELIA J. MERIMAN.^[136]

The speakers during the day gave many delightful reminiscences of the noble men and women who had given their earnest efforts to promote this great reform, and dwelt with hope on the many encouraging steps of progress that had marked the years since the initiative steps were taken. The day before the Convention an elegant reception was held at the St. James Hotel. Nearly two hundred persons called during the afternoon, and about forty sat down to a sumptuous dinner.^[137]

The Washington Convention of 1871^[138] was thus described by *The Republican* of that city:

[Pg 442]

The third Annual National Woman's Suffrage Convention, held at Lincoln Hall, was an unprecedented success. Its leading spirit was Mrs. Isabella Beecher Hooker, who, together with Josephine S. Griffing, Paulina Wright Davis, and Susan B. Anthony, made all the preliminary arrangements, and managed the meeting. Mrs. Hooker's zeal, activity, and amiability gave her the power to make an easy conquest wherever she carries the banner of the good cause. Her generalship in Washington marshalled hosts of new and ardent friends into the movement. Five sessions were held, during each of which the Convention was presided over by some member of the Senate or House of Representatives; and it was a novel feature to see such men as Senators Nye, Warren, and Wilson sitting successively in the president's chair, apparently half unconscious that it was one of greater honor than their familiar seats in the Senate. Speeches were made by Adelle Hazlett, Olympia Brown, Lillie Peckham, Isabella B. Hooker, Lillie Devereux Blake, Cora Hatch Tappan, Susan B. Anthony, Kate Stanton, Victoria C. Woodhull, Hon. A. G. Riddle (of the Washington bar), Frederick Douglass, Senators Nye and Wilson, and Mara E. Post, who made a journey all the way from Wyoming to attend the Convention. A good deal was said by the speakers concerning the proposed interpretation of the existing constitutional amendments. It was thus a convention with a new idea. The reporters could not say that only the old, stock arguments were used. There was an air of novelty about the proceedings, indicating healthy life in the movement. The consequence was that the cause of woman's enfranchisement made a new, sudden, and profound impression at Washington.

This Convention was remarkable for the absence of the usual long series of resolutions covering every point of our demands.

Another peculiarity was the unusual amount of money that flowed into the treasury, as the following letter, among many others of the same character, shows:

MISS ANTHONY—I have this morning deposited \$500 for the use of the N. W. S. A., and I will give a check for the amount as you desire it.

MRS. M. M. CARTTER.

Washington, D. C.

Letters were read from Mrs. Esther Morris,^[139] Justice of the Peace in Wyoming Territory, and from Mrs. Jane Graham Jones, of Chicago. Senator Nye, who presided at the evening session, said, "He had not given much thought to the question of Woman Suffrage, but it was his opinion that in proportion as we elevated the mothers of voters, so were the voters themselves elevated." The audiences during this convention were large, and the press not only respectful but highly complimentary.

[Pg 443]

It was just before this enthusiastic convention that Victoria Woodhull presented her memorial to Congress and secured a hearing^[140] before the Judiciary Committee of the House, which called out the able Minority Report, by William Loughridge, of Iowa, and Benjamin F. Butler, of Massachusetts. The following is from the Congressional *Globe* of Dec. 21, 1870.

In the Senate: Mr. HARRIS presented the memorial of Victoria C. Woodhull, praying for the passage of such laws as may be necessary and proper for carrying into execution the right vested by the Constitution in the citizens of the United States to vote without regard to sex; which was referred to the Committee on the Judiciary, and ordered to be printed.

In the House: Mr. JULIAN—I ask unanimous consent to present at this time and have printed in the *Globe* the memorial of Victoria C. Woodhull, claiming the right of suffrage under the XIV. and XV. Articles of Amendments to the Constitution of the United States, and asking for the enactment of

the necessary and appropriate legislation to guarantee the exercise of that right to the women of the United States. I also ask that the petition be referred to the Committee on the Judiciary.

No objection was made, and it was ordered accordingly.

THE MEMORIAL OF VICTORIA C. WOODHULL.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled, respectfully sheweth:

That she was born in the State of Ohio, and is above the age of twenty-one years; that she has resided in the State of New York during the past three years; that she is still a resident thereof, and that she is a citizen of the United States, as declared by the XIV. Article of the Amendments to the Constitution of the United States.

That since the adoption of the XV. Article of the Amendments to the Constitution, neither the State of New York nor any other State, nor any Territory, has passed any law to abridge the right of any citizen of the United States to vote, as established by said article, neither on account of sex or otherwise. That, nevertheless, the right to vote is denied to women citizens of the United States by the operation of Election Laws in the several States and Territories, which laws were enacted prior to the adoption of the said XV. Article, and which are inconsistent with the Constitution as amended, and, therefore, are void and of no effect; but which, being still enforced by the said States and Territories, render the Constitution inoperative as regards the right of women citizens to vote:

[Pg 444]

And whereas, Article VI., Section 2, declares "That this Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and all judges in every State shall be bound thereby, anything in the Constitution and laws of any State to the contrary, notwithstanding."

And whereas, no distinction between citizens is made in the Constitution of the United States on account of sex; but the XV. Article of Amendments to it provides that "No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, nor deny to any person within its jurisdiction the equal protection of the laws."

And whereas, Congress has power to make laws which shall be necessary and proper for carrying into execution all powers vested by the Constitution in the Government of the United States; and to make or alter all regulations in relation to holding elections for senators or representatives, and especially to enforce, by appropriate legislation, the provisions of the said XIV. Article:

And whereas, the continuance of the enforcement of said local election laws, denying and abridging the right of citizens to vote on account of sex, is a grievance to your memorialist and to various other persons, citizens of the United States,

Therefore, your memorialist would most respectfully petition your honorable bodies to make such laws as in the wisdom of Congress shall be necessary and proper for carrying into execution the right vested by the Constitution in the citizens of the United States to vote, without regard to sex.

And your memorialist will ever pray.
New York City, Dec. 19, 1870.

VICTORIA C. WOODHULL.

ADDRESS OF VICTORIA C. WOODHULL JANUARY 11, 1871.

To the Honorable the Judiciary Committee of the House of Representatives of the Congress of the United States:

Having most respectfully memorialized Congress for the passage of such laws as in its wisdom shall seem necessary and proper to carry into effect the rights vested by the Constitution of the United States in the citizens to vote, without regard to sex, I beg leave to submit to your honorable body the following in favor of my prayer in said memorial which has been referred to your Committee.

The public law of the world is founded upon the conceded fact that sovereignty can not be forfeited or renounced. The sovereign power of this country is perpetually in the politically organized people of the United States, and can neither be relinquished nor abandoned by any portion of them. The people in this republic who confer sovereignty are its citizens: in a monarchy the people are the subjects of sovereignty. All citizens of a republic by rightful act or implication confer sovereign power. All people of a monarchy are subjects who exist under its supreme shield and enjoy its immunities. The subject of a monarch takes municipal immunities from the sovereign as a gracious favor; but the woman citizen of this country has the inalienable "sovereign" right of self-government in her own proper person. Those who look upon woman's status by the dim light of the common law, which unfolded itself under the feudal and military institutions that establish right upon physical power, can not find any analogy in the status of the woman citizen of this country, where the broad sunshine of our Constitution has enfranchised all.

[Pg 445]

As sovereignty can not be forfeited, relinquished, or abandoned, those from whom it flows—the citizens—are equal in conferring the power, and should be equal in the enjoyment of its benefits and in the exercise of its rights and privileges. One portion of citizens have no power to deprive another portion of rights and privileges such as are possessed and exercised by themselves. The male citizen has no more right to deprive the female citizen of the free, public, political, expression of opinion than the female citizen has to deprive the male citizen thereof.

The sovereign will of the people is expressed in our written Constitution, which is the supreme law of the land. The Constitution makes no distinction of sex. The Constitution defines a woman born or naturalized in the United States, and subject to the jurisdiction thereof, to be a citizen. It recognizes the right of citizens to vote. It declares that the right of citizens of the United States to vote shall

not be denied or abridged by the United States or by any State on account of "race, color, or previous condition of servitude."

Women, white and black, belong to races, although to different races. A race of people comprises all the people, male and female. The right to vote can not be denied on account of race. All people included in the term race have the right to vote, unless otherwise prohibited. Women of all races are white, black, or some intermediate color. Color comprises all people, of all races and both sexes. The right to vote can not be denied on account of color. All people included in the term color have the right to vote unless otherwise prohibited.

With the right to vote sex has nothing to do. Race and color include all people of both sexes. All people of both sexes have the right to vote, unless prohibited by special limiting terms less comprehensive than race or color. No such limiting terms exist in the Constitution. Women, white and black, have from time immemorial groaned under what is properly termed in the Constitution "previous condition of servitude." Women are the equals of men before the law, and are equal in all their rights as citizens. Women are debarred from voting in some parts of the United States, although they are allowed to exercise that right elsewhere. Women were formerly permitted to vote in places where they are now debarred therefrom. The naturalization laws of the United States expressly provide for the naturalization of women. But the right to vote has only lately been definitely declared by the Constitution to be inalienable, under three distinct conditions—in all of which woman is clearly embraced.

[Pg 446]

The citizen who is taxed should also have a voice in the subject matter of taxation. "No taxation without representation" is a right which was fundamentally established at the very birth of our country's independence; and by what ethics does any free government impose taxes on women without giving them a voice upon the subject or a participation in the public declaration as to how and by whom these taxes shall be applied for common public use? Women are free to own and to control property, separate and free from males, and they are held responsible in their own proper persons, in every particular, as well as men, in and out of court. Women have the same inalienable right to life, liberty, and the pursuit of happiness that men have. Why have they not this right politically, as well as men?

Women constitute a majority of the people of this country—they hold vast portions of the nation's wealth and pay a proportionate share of the taxes. They are intrusted with the most vital responsibilities of society; they bear, rear, and educate men; they train and mould their characters; they inspire the noblest impulses in men; they often hold the accumulated fortunes of a man's life for the safety of the family and as guardians of the infants, and yet they are debarred from uttering any opinion by public vote, as to the management by public servants of these interests; they are the secret counselors, the best advisers, the most devoted aids in the most trying periods of men's lives, and yet men shrink from trusting them in the common questions of ordinary politics. Men trust women in the market, in the shop, on the highway and railroad, and in all other public places and assemblies, but when they propose to carry a slip of paper with a name upon it to the polls, they fear them. Nevertheless, as citizens, women have the right to vote; they are part and parcel of that great element in which the sovereign power of the land had birth; and it is by usurpation only that men debar them from this right. The American nation, in its march onward and upward, can not publicly choke the intellectual and political activity of half its citizens by narrow statutes. The will of the entire people is the true basis of republican government, and a free expression of that will by the public vote of all citizens, without distinctions of race, color, occupation, or sex, is the only means by which that will can be ascertained. As the world has advanced into civilization and culture; as mind has risen in its dominion over matter; as the principle of justice and moral right has gained sway, and merely physical organized power has yielded thereto; as the might of right has supplanted the right of might, so have the rights of women become more fully recognized, and that recognition is the result of the development of the minds of men, which through the ages she has polished, and thereby heightened the lustre of civilization.

It was reserved for our great country to recognize by constitutional enactment that political equality of all citizens which religion, affection, and common sense should have long since accorded; it was reserved for America to sweep away the mist of prejudice and ignorance, and that chivalric condescension of a darker age, for in the language of Holy Writ, "The night is far spent, the day is at hand, let us therefore cast off the work of darkness and let us put on the armor of light. Let us walk honestly as in the day." It may be argued against the proposition that there still remains upon the statute books of some States the word "male" to an exclusion; but as the Constitution, in its paramount character, can only be read by the light of the established principle, *ita lex Scripta est*, and as the subject of sex is not mentioned, and the Constitution is not limited either in terms or by necessary implication in the general rights of citizens to vote, this right can not be limited on account of anything in the spirit of inferior or previous enactments upon a subject which is not mentioned in the supreme law. A different construction would destroy a vested right in a portion of the citizens, and this no legislature has a right to do without compensation, and nothing can compensate a citizen for the loss of his or her suffrage—its value is equal to the value of life. Neither can it be presumed that women are to be kept from the polls as a mere police regulation: it is to be hoped, at least, that police regulations in their case need not be very active. The effect of the amendments to the Constitution must be to annul the power over this subject in the States, whether past, present, or future, which is contrary to the amendments. The amendments would even arrest the action of the Supreme Court in cases pending before it prior to their adoption, and operate as an absolute prohibition to the exercise of any other jurisdiction than merely to dismiss the suit. 3 Dall., 382; 6 Wheaton, 405; 9 ib., 868; 3d Circ. Pa., 1832.

[Pg 447]

And if the restrictions contained in the Constitution as to color, race or servitude, were designed to limit the State governments in reference to their own citizens, and were intended to operate also as restrictions on the federal power, and to prevent interference with the rights of the State and its citizens, how, then, can the State restrict citizens of the United States in the exercise of rights not mentioned in any restrictive clause in reference to actions on the part of those citizens having reference solely to the necessary functions of the General Government, such as the election of representatives and senators to Congress, whose election the Constitution expressly gives Congress

the power to regulate? S. C., 1847; Fox vs. Ohio, 5 Howard, 410.

Your memorialist complains of the existence of State laws, and prays Congress, by appropriate legislation, to declare them, as they are, annulled, and to give vitality to the Constitution under its power to make and alter the regulations of the States contravening the same.

It may be urged in opposition that the courts have power, and should declare upon this subject. The Supreme Court has the power, and it would be its duty so to declare the law: but the court will not do so unless a determination of such point as shall arise make it necessary to the determination of a controversy, and hence a case must be presented in which there can be no rational doubt. All this would subject the aggrieved parties to much dilatory, expensive and needless litigation, which your memorialist prays your honorable body to dispense with by appropriate legislation, as there can be no purpose in special arguments "*ad inconvenienti*," enlarging or contracting the import of the language of the Constitution.

Therefore, Believing firmly in the right of citizens to freely approach those in whose hands their destiny is placed under the Providence of God, your memorialist has frankly, but humbly, appealed to you, and prays that the wisdom of Congress may be moved to action in this matter for the benefit and the increased happiness of our beloved country.

[Pg 448]

SPEECH OF A. G. RIDDLE,

In Support of the Woodhull Memorial, before the Judiciary Committee of the House of Representatives, as Reproduced in the Convention on the Evening of the same Day.

Mr. RIDDLE spoke as follows: Mr. *Chairman*—(Senator Nye)—I have always thought that the questions involved in this movement could be the more effectively presented by ladies; and I have never appeared in their public discussions unless by special request, and for some special purpose. But they all declare, expressly or impliedly, that the right to govern is inherent in the people. Now, if these ladies are a portion of the people, this right resides in them. There is no new right to be conferred upon them. They are simply to go into the new exercise of an old franchise; for if the right of self-government is a natural right, then does it pertain to every human being alike. Such is the recognized theory of every American constitution, and such is its practice.

As I arise I find between myself and this proposition, two or three questions, about which I am disposed to tax your patience for a moment, though there is nothing new to be said. In the outset, let me say that it is conceded by all, that the right of self-government, in America at any rate, is a natural right. You may select with care or at random, any one of the forty or fifty American constitutions that have been prepared with more or less pains, and promulgated with solemnity, and you will find there is not one that has assumed to create and confer this right of self-government. But they all declare, expressly or impliedly, that the right to govern is inherent in the people. Now, if these ladies are a portion of the people, this right resides in them. There is no new right to be conferred upon them. They are simply to go into the new exercise of an old franchise; for if the right of self-government is a natural right, then does it pertain to every human being alike. Such is the recognized theory of every American constitution, and such is its practice.

Take a step further and you find that starting with a recognition of this pre-existing right of government, Constitution makers have simply provided the means and machinery by which this right of government may work itself out. The only means placed in the hands of the individual citizen by which he may accomplish his portion of this great task is the ballot, or the *viva voce* vote. If this right of self-government is a natural right, and if it can be exercised alone by the ballot, then is the right to the ballot a natural right, and he who stands up against this everlasting right of nature, had better look to it, and take himself out of the way. As this is a political question I may venture a single word to politicians. We of the masculine gender, are all of us, more or less politicians; and of all the timid things in the world the professed politician (a member of Congress excepted) is the most timid. [Laughter.] He is afraid of his soul, as if he had one, or one large enough to occasion apprehension. [Laughter.] I have this thing to say to them, that when any great idea or great truth finds itself at large in this lower world, and is obliged to get itself incorporated into the working processes of a government, if it does not find a political party ready, willing, and worthy to receive it, it forthwith makes for itself a new party. [Applause.] And as it does not create new human beings to form a party of, it must necessarily gather them from the old parties. Just as the distinguished Senator (Senator Nye) will recollect the present Republican party was formed, and against which the two old fossil parties united, as they always do. Now, this new great idea, if rejected, will disintegrate these old parties; take that which is fit, proper, and deserving for its own great mission, leaving the residuum to unite, and crumble and pulverize together under the feet of the new.

[Pg 449]

The right of self-government, as I have said, is a natural right pertaining to all alike, and is to be exercised by the ballot. And the right to that is therefore a natural right, as is the right to wear clothes. Decency and comfort require that clothes should be worn; but they are artificial wholly. Just so is the right to vote a natural right, though the vote, or the mode of voting at least, is an artificial means. This logic can not be caviled with or gainsaid. The young man and the young woman outside of political considerations, in every other point of view, stand before the law on an equality, and what one may do, so may the other, each may govern him or herself. But not so politically; when the youth reaches the age of twenty-one the ballot comes to his hands by due course of law, protecting his natural right, he having grown to it. Why do you give him the ballot, pray, or permit him to take it for himself? Simply because it is the means by which he governs and protects himself. Nobody would start I suppose the terribly heterodox idea that it is not necessary for the young man to govern himself with the ballot. It would be one of those unheard-of atrocities that nobody would have the hardihood to promulgate in the presence of masculine associates at all. He is entitled to the right for the purpose of governing himself. Nobody was born to govern anybody else—man or woman. It is only because in political associations people become so united, that a man in order to govern himself is obliged to govern others, that we get the right to govern others at all. It grows out of our effort to govern ourselves. As an essential necessity we are obliged to govern others and to be governed by them. This is our only warrant for the government of others.

Now, I pray to know why a young maiden, when she approaches the same age, may not have accorded to her the same protection of her natural right that is accorded to the youth, and for the same purpose. In the name of all womanhood, and of all manhood, I beg to know why this may not be so? In the name of my own daughters whose whispered words haunt the chambers of my soul, asking to know why, if it is necessary for their brother to exercise this right, it is not necessary for them? Nobody need to argue to a father that his daughters are not the equals of his sons. I will never tolerate hearing it said, that my son is born to empire and sovereignty, while his sisters are born to be hidden away and yarded up in some solitary desert place, as their proper sphere. [Applause.] I do not propose to raise and educate my daughters to keep them cooped up with their feet tied until some masculine purveyor comes along with his market basket.

Oh! ye opponents of the rights of woman, why not be consistent. If, as you say, she has not the capacity to choose or exercise the elective franchise, why not choose for her in everything, and impose upon her the husband of your choice? Don't you represent her? You concede that the young woman has abundance of capacity to choose her lord and master to whom she shall be delivered, and yet she is not fit to vote for a constable. (Laughter.)

[Pg 450]

Be consistent, you who oppose us in this movement, and say she shall not have anything to do with the selection of her husband. If she is competent at an early age, in the vortex and whirlpool of life, to select him to whom first, last, and always she shall belong, may she not once in four years have the privilege of voting for President without any great hazard? Think of it. Oh! this terrible old question! We have been mining and drilling in the earth's crust, and we have got finally to the last question, or, rather, it has made its way to the surface. This question of woman's suffrage and woman's right at last comes up for final argument, and it will work its way along until it is definitely determined. Indeed, I believe it is already settled.

To return to these constitutions, from which I mean not to wander again. I said to you that these constitutions of the various American States have recognized as older than themselves the right of government. They have furnished the means, which were also older than themselves, the exercise of the elective franchise. They have not attempted to create and confer any right to govern. They simply regulate it; and they are framed upon this idea, that all people are equally entitled to govern themselves, women and men, and would all govern themselves if some were not excluded by the terms and provisions of these, their constitutions. Take up the whole thirty-five that can be found in the edition of 1864, and every one of them says that the elective franchise shall be exercised by the *male* white citizens. We have got rid of the "white." We have finally given color to the Constitution. (Laughter.) And, in getting rid of that "white," we got rid of more than was probably intended at the time. Good does get itself done by accident sometimes. It has to when bad men do it. (Laughter and applause.) Why is this term "male" used in the constitutions, pray? It was not by accident. Forty or fifty of them would not use it, except by design. It was because every mortal man knew when tinkering up a constitution that if he did not put male in, females would vote. They had the right, and there had to be a constitutional barrier erected to prevent their exercise of it. Now, the thing which we have to do is either to strike out this term "male," which, I trust, ladies (turning to the ladies on the platform), is not particularly odious anywhere else, except in the constitution.

Mrs. DAVIS and others—Not at all.

MR. RIDDLE.—I repeat, that what we have to do is either to get rid of this word "male," or to convince Congress, the courts, and the rest of the world, that it is already gotten rid of, which, I think, is easier. If it remains it can be put out in a very summary way. It makes no difference in how many constitutions it is found, nor in how many carefully considered statutes it has been incorporated, for a single provision in the Constitution of the United States is of that potency that instantaneously all constitutions and all statutes are clarified of the exclusive "male" principle, and that without other change or repeal.

And this brings me to the immediate question to be discussed, the XIV. Amendment of the Constitution, which stands as the XIV. Article. And you will understand that when the people or the legislature speak by constitution or law, and use ordinary language, that they mean what they say, and nobody can get up and say they do not mean that, or that they mean something else. There is nobody that can be heard for a moment to argue against the plain, obvious, declared, well-ascertained meaning of words. And when such words are used, it is the end of argument and of construction. The great object to be achieved, so far as women are concerned, is to bring them into the possession of the rights of citizenship. "A person" is one thing, and naturally, "a citizen" is something a little more. He or she is the creature of a political compact, having the rights, the privileges, the franchises of that particular political association, whatever they are. A very ingenious, and at the same time a very meritorious writer, recently, in overhauling these English words—and it is a pretty good thing my honorable friends from the two Houses of Congress are not to be referred to—but it is a good thing for the rest of us who use words sometimes carelessly, to see how Mr. Grant White says some of them should be used, and what they really do mean. On page 100 of his recent work on "Words and their Uses," which, so far as I know, has received the highest commendation of the critics—in speaking of this term "citizen," and how it is used, or rather how it is misused, says:

[Pg 451]

Citizen is used by some newspaper writers with what seems like an affectation of the French usage of *citoyen* in the First Republic. For instance, "Gen. A. is a well-known citizen." "Several citizens carried the sufferer," etc. The writer might as well have said that the sufferer was carried off by several church members or several "Freemasons." Now mark, he says, that "a citizen is a person who has certain political rights, and the word is properly used only to imply or suggest the possession of those rights."

That is what we should use the term "citizen" for—apply it to a naturalized person in possession of certain political franchises, rights, and privileges. Thanking Mr. Grant White for that, let us, in its light, read the first clause of the XIV. Amendment, and see what it does say and mean. "Sec. 1st. All persons;" not all male persons, nor all white persons, but "all persons born or naturalized in the United States, subject to the jurisdiction thereof, *are citizens* of the United States, and of the States where they reside." That is what they are. They are citizens. That is, "persons," are "citizens," which

means naturalized persons, clothed and permeated with, surrounded by, and put in possession of, citizenship. The term is used in the sense in which Mr. White uses it. It is no new meaning; no new use of the word.

Now turn to Webster's Unabridged, where citizen is defined: "Citizen—a person," [in the United States,]—for he inserts in brackets the expressive "U. S." to indicate what he means,—“native or naturalized, who has the privilege of voting for public officers, and who is qualified to fill offices in the gift of the people.”

Worcester says of "citizen":—"An inhabitant of a Republic who enjoys the rights of a citizen or freeman, and who has a right to vote for public officers, as a citizen of the United States."

Turn to Bouvier's Law Dictionary, in orthodox sheep skin, and see what he says a citizen is: "Citizen, one who, under the Constitution and laws of the United States has a right to vote for representatives in Congress and other public offices, and who is qualified to fill offices in the gift of the people."—4th ed., vol. 1, p. 221.

All known authority concurs in establishing this as the sole, proper signification of the word citizen; and in this sense, and in no other, is it used in the XIV. Amendment. I know that the term is sometimes used—is once used, perhaps, in the Constitution—to correspond somewhat with the term "inhabitant," as thus, "citizens of different States may sue each other in the courts of the United States," etc. But it was not necessary to shake the foundations of this great Republic, to formulate and get adopted this new amendment, for the purpose of stating that the people who were born and always had lived in the United States might be inhabitants of them. But it was necessary to say so, that cavaliers might be estopped from denying that they are citizens.

[Pg 452]

But to recur to the further clause of this XIV. Amendment. Let us see, now, really what the makers and promulgators of it did mean. "No State shall make or enforce any law"—neither make any new law, nor enforce any that had already been made—"which shall abridge the privileges or immunities of citizens of the United States." Is there any doubt now as to what "citizen" means? He, or she, or both, are persons in possession, and have by express declaration all the privileges and the immunities of citizens.

When I stated this before the Judiciary Committee this morning, a distinguished Representative from Illinois, and a very able lawyer, stopped me and said, "Mr. Riddle, babies would be citizens according to that, and would have the privilege of going straight to the ballot-box, the first thing." (Laughter.) Perhaps so; but I could not see it then, and can not see it now. All power is inherent in the people, and it is perfectly competent for this "all power" to declare at what age and under what circumstances the citizen shall vote; so that the rule applies uniformly, and excludes none. One-half of the people were excluded, and this article removes that exclusion—and that is all. Apply the gentleman's idea to other provisions of the Constitution; for instance, to this: "The right of the people to keep and bear arms shall not be infringed." Would he contend that therefore every newborn baby might at once grasp a musket? This might be constitutional, but it would put the infantry on a war-footing before the commissariat could be mobilized, I fear. (Laughter and applause.)

Women are not only citizens, but the amendment further says, that no State shall pass any law or enforce any law which shall abridge the privileges and immunities of this citizenship. The privileges—not a part of them. What do we mean when we say the privileges? For instance, when we say "the ladies," do we not mean them all? "The Senators," we mean them all. We do not merely mean the Senator from Nevada (Mr. Nye), however he may have the right to be spoken of first. (Laughter and applause.) These terms, "privileges and immunities," are not now used for the first time in the American Constitution. They are old acquaintances of ours. They have done service a great while. They occur in this same Constitution, as will be seen by referring to the second section of Article IV, on page 38 of Paschal's admirably annotated Constitution of the United States: "Citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States." Precisely, as the XIV. Amendment has it, but, as Judge Bradley recently said, with a much more enlarged meaning in the latter. They were old before the Constitution, and were incorporated into it from the fourth article of the Old Confederation, which provided, "that the free inhabitants of each of the States shall be entitled to all the privileges and immunities of the free citizens of the several States."

[Pg 453]

If you would see a comment upon these terms, read the forty-second number of the *Federalist*, or a tumefied and diluted edition of it, in Story on the Constitution, which, like some other of his books, contains some remarks of his own, and are not always the best things in them. For the benefit of the Judiciary Committee, made up, as you know, of some of the ablest lawyers and best men of the country, I procured a judicial definition of these terms, "privileges, and immunities," although Mr. Attorney Bates said none exists, and my friend Judge Paschal, a more learned man, repeated it. I referred them to the case of *Corfield vs. Coryell*, 4th vol. of the so-called "Washington Circuit Court Reports," p. 371, where these terms came up, away back in the old time. Bushrod Washington, the favorite nephew of our Washington, made the decision, ladies. He was the Washington who got all of the brains of the family outside of its great chief; and he put them to a most admirable use. He was one of the judges of the Supreme Court of the United States, and he judicially defined the meaning of these "privileges and immunities," and said that they included such privileges as are fundamental in their nature. And among them he says, is the right to EXERCISE THE ELECTIVE FRANCHISE, and to HOLD OFFICES, as provided for by the laws of the various States. And the great Chancellor Kent, quoting this case, thus approvingly incorporates its very language into his text, where it stands unchallenged, unquestioned, and uncontradicted.

"It was declared in *Corfield vs. Coryell*, that the privileges and immunities conceded by the Constitution of the United States to citizens in the several States, were to be confined to those which were in their nature fundamental, and belonged of right to the citizens of all free governments. Such are the rights of protection of life and liberty, and to acquire and enjoy property, and to pay no higher impositions than other citizens, and to pass through or reside in the State at pleasure, and to enjoy the elective franchise according to the regulations of the law of the State" (2 Kent Com., p. 71).

Why, the gentlemen of the Upper and of the Lower House, who are familiar with that decision and with its canonization by Kent, are not obliged to resort to Webster (not Daniel) and Worcester, nor to Grant White, nor even to Bouvier's Law Dictionary. They may overrule them all if they will. But they must go back to these sometimes forgotten decisions, which rest in the leaves of these dusty volumes, to these witnesses of the law, who declare that these expressions, "privileges, and immunities" include the elective franchise. And the whole people of these United States have solemnly declared "that all persons are citizens, and no State shall make or enforce any law to abridge the privileges and immunities of the citizens." If such authority and such reasoning were presented to a court on the trial of any other case in the wide world, save that of women and their rights, an advocate would be stopped by the court before he had gone half the length I have in this argument. The court would say that they would hear from the other side. (Laughter.) But this thing of opposition to woman's rights does not rest in intelligence so that it can be grasped in argument. It has no intellectual foundation anywhere. No logic supports it. No reason or argument sustains it. It rests upon no foundation of the human understanding; hence, it can not be combated; for, as Mr. Mills says, the worse it is beaten in argument the stronger it is fortified in prejudice. Men seem to think that inasmuch as this thing has always been, somehow or other, in some way or other, there was somewhere, at some time some reason for it, which could be shown now if somebody could only think of it or find it; but, of course, nobody ever did and nobody ever will. There never was any. (Laughter.)

[Pg 454]

One consideration alone is absolutely conclusive of this argument, and from it escape is impossible. "Persons born or naturalized in the United States and subject to the jurisdiction thereof," were already in the full and complete enjoyment of every privilege and immunity known to our political system, except the elective franchise and its correlative, the right to hold office. The only difference between the naturalized and unnaturalized individual is this right of voting. I pray our opponents to tell us then what is conferred by this first section of this wonderful article, if it be not these rights? Nothing else remained that it could confer; and this view alone silences cavil, even. If this section does not confer or guarantee the exercise of the elective franchise, then at infinite pains have we mined among the foundations of our marvelous structure, and have deposited there as one of them an utter sham, full of the emptiness of nothing. Let him escape this who may.

If there can still remain a question of doubt about this, I beg the attention of the doubters to the further words of the Constitution, to be found in the XV. Amendment. And here I am met with the apt inquiry, "Why, Mr. Riddle, if women are a part of 'all persons,' colored men are also a part of the same 'all persons,' and if women are made citizens and clothed with the immunities and privileges of citizenship by the XIV. Amendment, so were colored men; why, then, was it necessary to enact the XV. Amendment? This fact is fatal to your argument." Well, there was no necessity for it. It was a stupid piece of business, very stupid, and when we recover the lost art of blushing, some faces will color when that XV. Amendment is recalled. But it does us this good service; it settles the construction of this XIV. Amendment, as we contend for it, beyond all cavil. The general impression is, that the XV. Amendment confers the elective franchise upon the colored man. If it does not, then our opposers must give it up, for colored men rightfully vote. What does this article say? That the elective franchise is conferred upon persons of African descent, or those who have suffered from a previous condition of servitude? Not a word of it. It does say: "The right of citizens"—not the right of persons of African descent—"the right of citizens of the United States to vote, shall not be denied." That is what it says—"Shall not be denied or abridged, by the United States or by the several States." That does not confer suffrage; *it recognizes a right already conferred*, and says that it shall not be denied or abridged. A gentleman of the committee this morning took the ground that this amendment granted the franchise because it declares that the right to it shall not be denied! This is in effect that when a thing can not be denied, the lack of power to deny it creates it. (Laughter.) I confess I could not see it. (Laughter.) I have thought of it since, and I do not see it now. "Shall not be denied or *abridged*." How can you abridge a thing that does not exist? And would the gentleman also contend that a lack of power to cut off a thing not in existence also creates the thing? This XV. Article then treats the right of the citizen to vote as already existing, and it specifies classes, as persons of color, of certain race, and of previous servitude, as especially having the right to vote.

[Pg 455]

Where, when, and how did they get it? Was it by virtue of the XIV. Amendment? If so, it was because they were a part of the "all persons" named in it, of whom women are also a much larger and much more important part. So, past cavil, if the African received this franchise by the XIV. Article, then did women also receive it, and more abundantly! If you go back to the starting point of American politics, and say that the right is inherent in the colored man, then by the law of nature it is inherent in woman. I do not care which of these formulas you adopt. Not at all. In either event it is recognized as existing in a citizen of the United States. But my learned and subtle friend from Illinois said to me to-day, "Why, don't you see, Mr. Riddle, that they have limited the franchise in this XV. Amendment, so that it shall not be denied in the case of persons of color, and of a certain race, and previous condition of servitude, and does that not permit the States to deny it in other cases?" Well, the XV. Amendment alone would, perhaps, under the artificial rules of law, but I referred the gentleman immediately, as I refer you now, back to the XIV. Amendment where the right is conferred, and where in its great, broad, sweeping language it is declared that no State shall either enact or enforce any law that abridges the privileges and immunities of any citizen.

The XV. Amendment in no way changes the XIV., nor does it add an iota to the privileges and immunities of the citizen. It could not. It reiterates for the benefit of these classes the declaration of the XIV.; and as that declares that no State shall deny the rights of the citizen, this adds to the list the United States, and its real force is spent in conferring upon Congress power to legislate in favor of the classes named in it, a power not granted by the XIV. Well, really, this must be the end of the argument. And I repeat, you find the XIV. Amendment declares that all persons are citizens; that they have the privilege and immunities of citizens, and the XV. declares that among the privileges and immunities of citizens is the right to suffrage, because it says in words that that shall not be denied, though men do deny it. How is the XV. Amendment declaring that it shall not be denied on account of either race, color, or previous condition of servitude, to be regarded? It spends its force in these two things. The XIV. Amendment only denied the power to the several States to abridge the privileges of citizenship. The XV. Amendment goes further, and says that neither any State nor the United States shall do it, using the term "deny" with the term "abrogate" of the other. It goes

further; for the purposes of these three conditions it confers express power upon Congress to legislate, while the XIV. Amendment does not. But there is just one little thing further that I drop for the heckled to pick at. There are three classes whose right to vote shall not be denied according to the XV. Amendment—persons of color, persons on account of race, and persons who have suffered from previous condition of servitude. Now, ladies, what is really the legal status of marriage, so far as the condition of the wife is concerned?

[Pg 456]

SUSAN B. ANTHONY.—One of servitude, and of the hardest kind, and just for board and clothes, at that, too. (Laughter and applause.)

MR. RIDDLE.—And they frequently have to make and pay for their clothes, and board themselves—(renewed laughter)—and not only themselves, but board also the lord and master, who calls himself the head of the family. But that is not all of it. It is not cant; it is not popular phraseology, but it is the language of the law. The condition of the married woman is that of servitude. The law calls her husband "baron," and she is simply a woman—"feme." The law gives her to the man, not the man to her, nor the two mutually to each other. They become one, and that one is the husband—such as he is. Her name is blotted out from the living, or at best it is appended to that of the husband. She belongs to her master; all that she has belongs to him. All that she earns is his, because she is his. If she does anything that binds him, it is simply as his servant. If she makes a contract that is binding even upon herself, it is because he consents to it. She does not own anything; she does not own the children that are born of her. The husband exclusively controls them while living, and by his will he may, and often does, bequeath to somebody else the custody and care of them after his death. And the law which we men make enforces all this to-day. I trust that most of us are a great deal better than the law. If the wife of a man should suffer by an accident on a railroad, and suit should be brought to recover against the company for injury to her person, the suit brought by the husband would be upon the ground that his wife was his servant, and he had lost her service. If he did not, he could not recover.

MRS. STANTON.—Is such the law in case of a daughter?

MR. RIDDLE.—So far as that is concerned, where the daughter is a minor, it is the same as the case of a son a minor; but the wife is always the servant of the husband; she never graduates from him; she never becomes of age or arrives at the years of discretion. (Sotto voce.) If she had, she never would have entered into that condition. Miss Anthony would say the law pronounces the state of matrimony to be a condition of servitude for the wife in express terms. How does the XV. Amendment apply to her? Here is the previous condition of servitude provided for; and this XV. Amendment in its effect was but to enforce the XIV. in favor of persons held in a previous and, of course, a continuing condition of servitude. Does this really abrogate the servitude of the wife, and invoke in her favor the action of Congress? My distinguished brother, Butler, said this morning, that the clause relative to the previous condition of servitude applied only to widows. (Laughter.)

But, ladies and gentlemen, aside from badinage, for the subject is too grave and too solemn, it comes back to this thing. The Constitution of the United States solemnly declares that every person born and naturalized in the United States, and within its jurisdiction, are citizens; and that no State shall pass, or enforce a law to abrogate the privileges and immunities of citizenship. We do not need any XVI. Amendment. We need only intelligent, firm decisive, and deciding—reasonably brave courts, and to have a question made and brought to their adjudication. I propose to offer Mrs. Griffing and two or three other ladies for registration, two or three months hence, when the time comes, here. (Applause.) If they are not registered, I propose to try the strength of the Supreme Court of the District of Columbia, composed of five intelligent gentlemen, and known not to be conservatives on some questions, whatever they will prove to be on this, and see whether they will issue a mandamus. If they won't, I will take the case to the Supreme Court of the United States, and one of the present judges of that Court, who is not pre-eminently in favor of what is called woman's rights, recently passed upon this XIV. Amendment. In the case of the "Live Stock Dealers" et al. vs. "The Crescent City Live Stock Company," in the circuit court of the United States, at New Orleans, Judge Bradley, of the Supreme Court of the United States, said of the XIV. Amendment:

[Pg 457]

"It is possible that those who framed the article were not themselves aware of the far-reaching character of its terms. They may have had in mind but one particular phase of social and political wrong, which they desired to redress. Yet, if the amendment, as framed and expressed, does, in fact, bear a broader meaning, and does extend its protecting shield over those who were never thought of when it was conceived and put in form, and does reach such social evils which were never before prohibited by Constitutional Amendment, it is to be presumed that the American people, in giving it their imprimatur, understood what they were doing, and meant to decree what has, in fact, been done.

"It embraces much more. The 'privileges and immunities' secured by the original Constitution were only such as each State gave to its own citizens. Each was prohibited from discriminating in favor of its own citizens, and against the citizens of other States.

"But the XIV. Amendment prohibits any State from abridging the privileges or immunities of the citizens of the United States, whether its own citizens or any others. It not merely requires equality of privileges, but it demands that the privileges and immunities of all citizens shall be absolutely unabridged, unimpaired."—*Mrs. Bradwell's Legal News*.

What "particular phase of social and political wrong" could have been in the mind of the clear-seeing judge when he gave forth these utterances?

Gentlemen and ladies, when I stand in the presence of and contemplate for a moment this great XIV. Article, the crown of the now perfected Constitution, I bow with amazed reverence to it. It shines upon me with the light of a new revelation. And this argument is great from no effort of mine, but great in its power of self-enunciation. This article is one of those great principles that come, Messiah like, to announce themselves. It needed no forerunner, and it works its own miracles in its own good time, and will convert all to its own sway, and to its own purposes. And, I trust that ere long we shall hear from the committee of the House upon this question, and that we shall get

enlightened and intelligent discussion of it in the House of the American Representatives.

Here the argument closes, but suffer a word further. It is said that woman does not want the suffrage. Who says that she does not want it? Man says so and nobody else. Man asks the question, and answers it himself. I know it often comes from female lips, but it is man's answer.

I deny that women have declared that they don't want the ballot. They have never been asked whether they want it. When we want a response from men how do we propound the question? We submit it formally to be voted upon by the ballot. That is the way we propound a political question to men. How do they answer it? They answer it by their solemn votes at the ballot box. Propound this question, and in this solemn way to the women of the United States. Pass a law to that effect and take a vote, or else forever stop—close up all gabble on this subject, that women do not want it. Offer her the chance by which she can speak and see whether she wants it or not, and let her vote "yes" or "no." Then from that we will take another start. But don't refuse to let her answer, and assume to answer for her, and say you represent her. You barely succeed in misrepresenting men at your best, let alone this atrocious twaddle about representing women. Let her vote, and then we can tell whether you have a right to represent her or not.

[Pg 458]

We men have made the institutions for men, and for men alone; never consulted woman. We have said she was nobody, and nowhere, or, if she was found anywhere she was out of her sphere, (laughter) and must go back to nowhere immediately, and to nobody. We have gravely assumed that we understood her nature and character better than she did herself. It is one of the wondrous elements of the sexes that they shall perpetually reveal themselves to each other, and neither shall ever fully comprehend the other. Let woman speak for herself. Give her a chance to speak as man speaks, by precisely the same language, and in the same manner, and then reverently incline your heads, and listen to what she says.

I have said this great question is up for final argument. My mission was simply to present to you this dry, but very interesting question of woman's rights, under the XIV. Amendment. To my mind, the argument is perfectly invincible. It never can be met, and never will be, and it will, ultimately work out its own end.

Thanking you for the kindness with which you have listened to me, I leave this matter with you.

ADDRESS OF MRS. ISABELLA BEECHER HOOKER.

Mrs. HOOKER said: We are told by men themselves that there are too many voters already; restriction is what we want, not enlargement of the suffrage. Let us see how this is, my friends—let us reason together on this point for a few moments. The one great propelling power of this Government that moves the great political engine, and that keeps us alive as a Nation on the face of the earth, is God's own doctrine of personal liberty and personal responsibility. That is all we have to go upon. It is, in fact, fuel and steam. Liberty is the steam, responsibility puts on the brakes, and then what is the safety-valve, I ask you? Is it not our election day? Look at it in this way. Every honest lawyer will tell you that the next best thing to settling a quarrel between two belligerents is to bring the parties into court. Because the court-room is a great cooling off place, a perfect refrigerator. A man who has quarreled with his neighbor comes into court, and, before the lawyers get through with him, he wishes he hadn't quarreled. How is it that our courts act in this way? What do we gain in this? Everything. In old times a dispute between man and man was settled by blows—fisticuffs—gradually superseded by the sword, at last by the pistol; and now we have thrown that out, and established a system of jurisprudence. Now all these petty grievances must be settled in court. Private violence must no longer be permitted, and that is a great march in civilization.

The parallel case is this: We in this country—we men, I mean, for women are nobodies and nowhere when you come to the discussion of great questions like these, but I use the conventional we—we in this country are attempting to carry our ideas of liberty and responsibility into legislation, and we don't agree—we quarrel bitterly and almost come to blows again—but election days cool us off, acting like a court-room itself. We accept their judgment, and go about our business quietly till next time. Now if we were all Americans, acting under an intelligent sense of responsibility, everything might be expected to run smoothly under this regime; but the trouble is when the foreigner comes in who does not understand our institutions, who is, perhaps, ignorant, debased, and superstitious. But the foreigner is, it seems to me, the very man who needs this safety-valve of the election day more than any other on the face of the globe. We ourselves could run our own nationality; but here comes this man from the principalities of the old world—from Europe we will say, to begin with—and he has an idea that he is going to be richer, smarter, happier, more on an equality with every other man than ever he was before. He comes here, and what does he find? He finds a ladder, reaching higher into the clouds, perhaps, but the lower rounds are just as near the earth as over there, and he is on the lowest round still. He sees his next-door neighbor has more money than he has, is better educated, and commands the respect of the community, as he does not, and he is filled with disappointment, and sometimes with rage. What would he naturally do, with his old world antecedents and training, when he is thus aggrieved as he conceives himself to be? Why, burn your barn, break into your house, steal all he could from you. But what does election day do for him? On that day he is as good as anybody. He goes to the polls side by side with the first man in the land, and he rides in a carriage there, if he is too drunk to walk, and he can vote the first man in the line, if he chooses. The richest man in the country must walk behind him and wait for his turn. He drops his ballot and he is cooled off. He soon begins to get hold a little of this idea of responsibility that I am speaking of, and after a while it will come into his head—very slowly, perhaps, for we are all slow to learn these things—that he has got to work himself up and get on a par with those intelligent and influential people who are so powerful in making laws and customs.

[Pg 459]

Now, gentlemen, it seems to me if you could disfranchise every foreigner to-day who was not intelligent, or if you could make intelligence the test of voting, you would have ten barns burned where you have one now. I believe it firmly. Being naturally conservative, as I think all women are, a few years ago I really thought that ten, even twenty years' residence might be required of foreigners before they should be allowed to vote. I said they did not know enough, and so ought to be kept out

as long as that. To-day I am inclined not to limit the time a moment longer than it is necessary for men to get their naturalization papers out, and go through the required legal formalities. If disfranchisement meant annihilation, selfishly, I might be glad to get rid of this troublesome question in that way, the task of ruling this country would then be a far easier one than it is; but it does not mean annihilation. So when gentlemen talk with me, and say we have too many voters already, I reply, do not disfranchise these men, enlighten them, for God has sent them here for a purpose of His own. And I say to you gentlemen the ballot in the hands of every man is the only thing that saves us from anarchy to-day, that keeps us alive as a republic—the ballot in the hands of these ignorant men, and the more ignorant they are the more they need it, and the more we need they should have it. And let me say, in passing, that reconstruction at the South is hindered to-day for the same reason, responsibility is taken away from a large class of citizens. A disfranchised class is always a restless class; a class that, if it be not as a whole given up to deeds of violence, will at least wink at them, when committed by men either in or out of its own ranks. What the South needs to-day is ballots, not bullets.

[Pg 460]

I leave out of the question the ultimate educating power of the ballot, though I would like to make you an argument upon that alone. But I say give the poor men, ignorant men the ballot for purposes of self-defense, and because we could not live in safety in our homes otherwise. New York is poorly governed, we say, to-day, and getting to be a pretty dangerous place to live in. But what would it be if every foreigner and every ignorant man could not go out on election day, and prove that he was as good as anybody? That is human nature, and it is human nature, and plenty of it too, that we have to deal with. And now, let me ask you, what are these men sent here for and who sent them? We have got all Europe, and all Asia is coming, and who sends them? When God put into that good ship *Mayflower* those two great ribs of oak, personal liberty and personal responsibility, He knew the precious freight she was to bear, and all the hopes bound up in her, and He pledged Himself by both the great eternities, the past and the future, that that ship should weather all storms and come safe to port with all she had on board. And what God has promised He will perform. So I beg of you not to think for a moment of limiting manhood suffrage.

And if men can not live in this country in safe homes, except their neighbor men are enfranchised, can they live without enfranchised women any more? If you can not live in safety with irresponsible men in your midst, how can you live with irresponsible women? Much more, how can you grow into the stature of perfect men in Christ Jesus our Lord; how can you become perfect legislators, except your mothers are instructed on these great subjects you are called to legislate upon, that they may instruct you in their turn? You do not know anything so well as what your mothers have taught you; but they have not taught you political economy. It is not their fault that they have not, nor yours, perhaps. No man nor woman studies a subject profoundly except he or she is called upon to act upon it. What business man studies a business foreign to his own? What woman studies a business foreign to her own? In past ages this woman, in the providence of God, we will say, has been shut out from political action, for, so long as the sword ruled and man had to get his liberty by the sword, so long woman had all she could do to guard the home, for that was her part of the work; and she did it bravely and well, you will say. But now men are not fighting for their liberty with the gun by the door and the Indians outside. You are fighting for it in halls of legislation, with the spirit of truth—with spiritual weapons—and woman would be disloyal to her womanhood if she did not ask to share these heavy responsibilities with you. And she has really been training herself all these years she has seemed so indifferent; she has neglected her duty in part—I confess it freely—it is not your fault alone, gentlemen, that we are not with you to-day. If we had been as conscious of our duty and privilege years ago as we are to-day, if we had known our birthright, we should have stood by your side, welcome coadjutors, long since. So we will take the blame of the past alike—we have all been walking very slowly this path of Christian civilization. But in the greatest conflict of modern times, you announced great principles and fought for them on the field, and we stood by them in the home, and we stand by them still there. And when we come to deliberate with you in solemn council as to how these principles shall be carried into legislation, your task will be easier, our opportunities will be larger, and still our hearts will be where they have ever been—in our homes.

[Pg 461]

Forty-first Congress, 3d Session, House of Representatives, Report, No. 22, Jan. 30, 1871, recommitted to the Committee on Judiciary and ordered to be printed. Mr. BINGHAM, from the Committee on the Judiciary, made the following report.

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

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

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

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

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

The Supreme Court of the United States has ruled that, according to the express words and clear meaning of the section 2, article iv. of the Constitution, no privileges are secured by it except those which belong to citizenship. (Connor *et al.* vs. Elliott *et al.*, 18 Howard, 593). In *Corfield vs. Coryell*, 4 Washington Circuit Court Reports, 380, the Court say:

The inquiry is, what are the privileges and immunities of citizens in the several States? We feel no hesitation in confining these expressions to those privileges and immunities which are in their nature fundamental; which belong of right to the citizens of all free governments; and which have at all times been enjoyed by the citizens of the several States which compose this Union, from the time of their becoming free, independent, and sovereign. What these fundamental principles are would, perhaps, be more tedious than difficult to enumerate. They may, however, be all comprehended under the following general heads: Protection by the Government; the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety, subject, nevertheless, to such restraints as the Government may justly prescribe for the general good of the whole; the right of a citizen of one State to pass through or to reside in any other State, for the purpose of trade, agriculture, professional pursuits, or otherwise; to claim the benefit of the writ of *habeas corpus*; to institute and maintain actions of any kind in the courts of the State; to take, hold, and dispose of property, either real or personal; and an exemption from higher taxes or impositions than are paid by the other citizens of the State, may be mentioned as some of the particular privileges and immunities of citizens which are clearly embraced by the general description of privileges deemed to be fundamental; to which may be added the elective franchise, as regulated and established by the laws or Constitution of the State in which it is to be exercised.... But we can not accede to the proposition which was insisted on by the counsel, that under this provision of the Constitution, sec. 2, art. 4, the citizens of the several States are permitted to participate in all the rights which belong exclusively to the citizens of any other particular State.

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

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

That this article in the Constitution (art. 4, sec. 2) does not confer on the citizens of each State political rights in every other State, is admitted. A citizen of Pennsylvania can not go into Virginia and vote at any election in that State, though when he has acquired a residence in Virginia, and is otherwise qualified, is required by the Constitution (of Virginia), he becomes, without formal adoption as a citizen of Virginia, a citizen of that State politically. (Webster's Works, vol. 6, p. 112).

It must be obvious that Mr. Webster was of opinion that the privileges and immunities of citizens, guaranteed to them in the several States, did not include the privilege of the elective franchise otherwise than as secured by the State Constitution. For, after making the statement above quoted, that a citizen of Pennsylvania can not go into Virginia and vote, Mr. Webster adds, "but for the purposes of trade, commerce, buying and selling, it is evidently not in the power of any State to impose any hindrance or embarrassment, etc. upon citizens of other States, or to place them, going there, upon a different footing from her own citizens." (Ib.) The proposition is clear that no citizen of the United States can rightfully vote in any State of this Union who has not the qualifications required by the Constitution of the State in which the right is claimed to be exercised, except as to such conditions in the constitutions of such States as deny the right to vote to citizens resident therein "on account of race, color, or previous condition of servitude."

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

It may be further added that the 2d section of the XIV. Amendment, by the provision that "when the right to vote at any election for the choice of electors of President and Vice-President of the United States, Representatives in Congress, or executive and judicial officers of the State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, a citizen of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State," implies that the several States may restrict the elective franchise as to other than male citizens. In disposing of this question effect must be given, if possible, to every provision of the Constitution. Article 1, section 2, of the Constitution provides:

That the House of Representatives shall be composed of members chosen every second year by

the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

This provision has always been construed to vest in the several States the exclusive right to prescribe the qualifications of electors for the most numerous branch of the State Legislature, and therefore for Members of Congress. And this interpretation is supported by section 4, article 1, of the Constitution, which provides:

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

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

[Pg 464]

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

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

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

Forty-first Congress, 3d Session, House of Representatives, Report No. V., Part 2, Feb. 1, 1871, ordered to be printed.

Mr. LOUGHRIDGE, from the Committee on the Judiciary, submitted the following as the view of the minority:

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

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

[Pg 465]

The question presented is one of exceeding interest and importance, involving as it does the constitutional rights not only of the memorialist but of more than one-half of the citizens of the United States—a question of constitutional law in which the civil and natural rights of the citizen are involved. Questions of property or of expediency have nothing to do with it. The question is not "Would it be expedient to extend the right of suffrage to women," but, "Have women citizens that right by the Constitution as it is." A question of this kind should be met fairly and investigated in that generous and liberal spirit characteristic of the age, and decided upon principles of justice, of right, and of law.

It is claimed by many that to concede to woman the right of suffrage would be an innovation upon the laws of nature, and upon the theory and practice of the world for ages in the past, and especially an innovation upon the common law of England, which was originally the law of this country, and which is the foundation of our legal fabric. If we were to admit the truth of this, it is yet no argument against the proposition, if the right claimed exists, and is established by the Constitution of the United States. The question is to be decided by the Constitution and the fundamental principles of our Government, and not by the usage and dogmas of the past. It is a gratifying fact that the world is advancing in political science, and gradually adopting more liberal and rational theories of government. The establishment of this Government upon the principles of the Declaration of Independence was in itself a great innovation upon the theories and practice of the world, and opened a new chapter in the history of the human race, and its progress toward perfect

civil and political liberty.

But it is not admitted that the universal usage of the past has been in opposition to the exercise of political power by women. The highest positions of civil power have from time to time been filled by women in all ages of the world, and the question of the right of woman to a voice in government is not a new one by any means, but has been agitated, and the right acknowledged and exercised, in governments far less free and liberal than ours. In the Roman Republic, during its long and glorious career, women occupied a higher position, as to political rights and privileges, than in any other contemporaneous government. In England unmarried women have, by the laws of that country, always been competent to vote and to hold civil offices, if qualified in other respects; at least such is the weight of authority. In "Callis upon Sewers," an old English work, will be found a discussion of the question as to the right of women to hold office in England. The learned and distinguished author uses the following language:

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

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

[Pg 466]

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

And it is said by a recent writer:

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

As to the right of women to vote by the common law of England, the authorities are clear. In the English Law Magazine for 1868-'69, vol. 26, page 120, will be found reported the case of the application of JANE ALLEN, who claimed to be entered upon the list of voters of the Parish of St. Giles, under the reform act of 1867, which act provides as follows: Every man shall, in and after the year 1868, be entitled to be registered as a voter, and when registered to vote for a member or members to serve in Parliament, who is qualified as follows: 1st. Is of full age and not subject to any legal incapacity, etc., etc. It was decided by the court that the claimant had the right to be registered and to vote; that by the English law, the term man, as used in that statute, included woman. In that case the common law of England upon that question was fully and ably reviewed, and we may be excused for quoting at some length:

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

[Pg 467]

Sir William Lee, Chief Justice, in his judgment in the case of Olive vs. Ingraham, expressly says that he had perused them, and that they contained the expression of Hakewell's entire approval of the principles upon which they were decided, and of the results deduced; and we have the statement of Lord Chief Justice Lee, who had carefully examined those cases, that in the case of Holt vs. Lyle, it

was determined that a feme sole freeholder may claim a vote for Parliament men; but if married, her husband must vote for her. In the case of *Olive vs. Ingraham*, Justice Probyn says:

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

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

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

It can not be questioned that from time whereof the memory of man runneth not to the contrary, unmarried women have been by the laws of England competent voters, subject to the freehold qualification which applied alike to men and women. Married women could not vote because they were not freeholders; by the common law their property upon marriage became vested in the husband. So that it appears that the admission of woman to participation in the affairs of government would not be so much of an innovation upon the theories and usage of the past as is by some supposed.

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

[Pg 468]

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

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

This amendment, after declaring who are citizens of the United States, and thus fixing but one grade of citizenship, which insures to all citizens alike all the privileges, immunities and rights which accrue to that condition, goes on in the same section and prohibits these privileges and immunities from abridgment by the States. Whatever these "privileges and immunities" are, they attach to the female citizen equally with the male. It is implied by this amendment that they are inherent, that they belong to citizenship as such, for they are not therein specified or enumerated.

The majority of the committee hold that the privileges guaranteed by the XIV. Amendment do not refer to any other than the privilege embraced in section 2, of article 4, of the original text. The committee certainly did not duly consider this unjustified statement. Section 2, of article 4, provides for the privileges of "citizens of the States," while the first section of the XIV. Amendment protects the privileges of "*citizens of the United States.*" The term citizens of the *States* and citizens of the *United States* are by no means convertible.

A circuit court of the United States seems to hold a different view of this question from that stated by the committee. In the case of *The Live Stock Association vs. Crescent City* (1st Abbott, 396), Justice Bradley, of the Supreme Court of the United States, delivering the opinion, uses the following language in relation to the first clause of the XIV. Amendment:

The new prohibition that "no State shall make or enforce any law which shall abridge the

privileges or immunities of citizens of the United States" is not identical with the clause in the Constitution which declared that "the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States." It embraces much more. It is possible that those who framed the article were not themselves aware of the far-reaching character of its terms, yet if the amendment does in fact bear a broader meaning, and does extend its protecting shield over those who were never thought of when it was conceived and put in form, and does reach social evils which were never before prohibited by constitutional enactment, it is to be presumed that the American people, in giving it their *imprimatur*, understood what they were doing and meant to decree what in fact they have decreed. The "privileges and immunities" secured by the original Constitution were only such as each State gave to its own citizens, ... but the XIV. Amendment prohibits any State from abridging the privileges or immunities of citizens of the United States, whether its own citizens or any others. It not merely requires equality of privileges, but it demands that the privileges and immunities of all citizens shall be absolutely unbridged and unimpaired.

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

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

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

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

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

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

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

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

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

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

The majority of the committee having started out with the erroneous hypothesis that the term "privileges of citizens of the United States," as used in the XIV. Amendment, means no more than the term "privileges of citizens," as used in section 2 of article 4, discuss the question thus:

The right of suffrage was not included in the privileges of citizens as used in section 2, article 4, therefore that right is not included in the privileges of citizens of the United States, as used in the XIV. Amendment.

Their premise being erroneous their whole argument fails. But if they were correct in their premise, we yet claim that their second position is not sustained by the authorities, and is shown to be fallacious by a consideration of the principles of free government. We claim that from the very nature of our Government, the right of suffrage is a fundamental right of citizenship, not only included in the term "privileges of citizens of the United States," as used in the XIV. Amendment, but also included in the term as used in section 2, of article 4, and in this we claim we are sustained both by the authorities and by reason. In *Abbott vs. Bayley*, (6 Pick., 92,) the Supreme Court of Massachusetts says:

"The privileges and immunities" secured to the people of each State, in every other State, can be applied only to the case of a removal from one State into another. By such removal they become citizens of the adopted State without naturalization, and have a right to sue and be

sued as citizens; and yet this privilege is qualified and not absolute, for they can not enjoy the right of suffrage or eligibility to office without such term of residence as shall be prescribed by the constitution and laws of the State into which they shall remove.

This case fully recognizes the right of suffrage as one of the "privileges of the citizen," subject to the right of the State to regulate as to the term of residence—the same principle was laid down in the case of *Corfield vs. Coryell* in the Supreme Court of the United States. Justice Washington, in delivering the opinion of the court, used the following language:

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

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

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

In that case the court enumerated some of the "privileges of citizens," such as are "in their nature fundamental and belong of right to the citizens of all free governments" (mark the language), and among those rights, place the "right of the elective franchise" in the same category with those great rights of life, liberty, and property. And yet the Committee cite this case to show that this right is not a fundamental right of the citizen! But it is added by the Court that the right of the elective franchise "is to be enjoyed as regulated and established by the State in which it is to be exercised." These words are supposed to qualify the right, or rather take it out of the list of fundamental rights, where the Court had just placed it. The Court is made to say by this attempt in the same sentence, "the elective franchise is a fundamental right of the citizen, and it is not a fundamental right." It is a "fundamental right," provided the State sees fit to grant the right. It is a "fundamental right of the citizen," but it does not exist, unless the laws of the State give it. A singular species of "fundamental rights!" Is there not a clear distinction between the regulation of a right and its destruction? The State may regulate the right, but it may not destroy it.

[Pg 471]

What is the meaning of "regulate" and "establish?" Webster says: Regulate—to put in good order. Establish—to make stable or firm. This decision then is, that "the elective franchise is a fundamental right of the citizen of all free governments, to be enjoyed by the citizen, under such laws as the State may enact to regulate the right and make it stable or firm." Chancellor Kent, in the section referred to, in giving the substance of this opinion, leaves out the word establish, regarding the word regulate as sufficiently giving the meaning of the Court. This case is, in our opinion, a very strong one against the theory of the majority of the Committee.

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

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

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

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

In the Supreme Court of the United States, in the case of *Scott vs. Sanford* (19 Howard, p. 476), Mr. Justice Daniel, in delivering his opinion, used the following language as to the rights and qualities of citizenship:

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

[Pg 472]

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

In an important case in the Supreme Court of the United States, Chief Justice Jay, in delivering the opinion of the Court, said: "At the Revolution the sovereignty devolved on the people, and they are truly the sovereigns of the country, but they are sovereigns without subjects (unless the African

slaves may be so called), and have none to govern but themselves. The citizens of America are equal as fellow-citizens, and joint tenants of the sovereignty." (Chishol vs. Georgia, 2 Dallas, 470).

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

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

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

Mr. Wirt, when Attorney-General of the United States, in an official opinion to be found on p. 508, 1st volume Opinions of Attorney-Generals, came to the conclusion that the negroes were not citizens of the United States, for the reason that they had very few of the "privileges" of citizens, and among the "privileges of citizens" of which they were deprived, that they could not vote at any election.

Webster defines a citizen to be "a person, native or naturalized, who has the privilege of voting for public officers, and who is qualified to fill offices in the gift of the people." Worcester defines the word thus: "An inhabitant of a republic who enjoys the rights of a citizen or freeman, and who has a right to vote for public officers as a citizen of the United States." Bouvier, in his Law Dictionary, defines the term citizen: "One who, under the Constitution and laws of the United States, has a right to vote for Representatives in Congress and other public officers, and who is qualified to fill offices in the gift of the people." Aristotle defines a citizen to be "one who is a partner in the legislative and judicial power, and who shares in the honors of the State." (Aristotle de Repub., lib. 3, cap. 5, D.) The essential properties of Athenian citizenship consisted in the share possessed by every citizen in the legislature, in the election of magistrates, and in the courts of justice. (See Smith's Dictionary of Greek Antiquities, p. 289). The possession of the *jus suffragii*, at least, if not also of the *jus honorum*, is the principle which governs at this day in defining citizenship in the countries deriving their jurisprudence from the civil law. (Wheaton's International Law, p. 892).

[Pg 473]

The Dutch publicist, Thorbecke, says:

What constitutes the distinctive character of our epoch is the development of the right of citizenship. In its most extended, as well as its most restricted sense, it includes a great many properties. The right of citizenship is the right of voting in the government of the local, provincial, or national community of which one is a member. In this last sense, the right of citizenship signifies a participation in the right of voting, in the general government, as member of the State. (Rev. & Fr. Etr., tom. v, p. 383).

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

It is a question about which there may be some diversity of opinion, what constitutes citizenship or who are citizens. In a loose and improper sense the word citizen is sometimes used to denote any inhabitant of the country, but this is not a correct use of the word. Those, and no others, are properly citizens who were parties to the original compact by which the government was formed, or their successors who are qualified to take part in the affairs of government by their votes in the election of public officers. Women and children are represented by their domestic directors or heads in whose wills theirs is supposed to be included. They, as well as others not entitled to vote, are not properly citizens, but are members of the State, fully entitled to the protection of its laws. A citizen, then, is a person entitled to vote in the elections. He is one of those in whom the sovereign power of the State resides. (Jones on Suffrage, p. 48.)

But all such fallacious theories as this are swept away by the XIV. Amendment, which abolishes the theory of different grades of citizenship, or different grades of rights and privileges, and declares all persons born in the country or naturalized in it to be citizens, in the broadest and fullest sense of the term, leaving no room for cavil, and guaranteeing to all citizens the rights and privileges of citizens of the republic. We think we are justified in saying that the weight of authority sustains us in the view we take of this question. But considering the nature of it, it is a question depending much for its solution upon a consideration of the government under which citizenship is claimed. Citizenship in Turkey or Russia is essentially different in its rights and privileges from citizenship in the United States. In the former, citizenship means no more than the right to the protection of his absolute rights, and the "citizen" is a subject; nothing more. Here, in the language of Chief Justice Jay, there are no subjects. All, native-born and naturalized, are citizens of the highest class; here all citizens are sovereigns, each citizen bearing a portion of the supreme sovereignty, and therefore it must necessarily be that the right to a voice in the Government is the right and privilege of a citizen as such, and that which is undefined in the Constitution is undefined because it is self-evident.

Could a State disfranchise and deprive of the right to a vote all citizens who have red hair; or all citizens under six feet in height? All will consent that the States could not make such arbitrary distinctions the ground for denial of political privileges; that it would be a violation of the first article of the XIV. Amendment; that it would be abridging the privileges of citizens. And yet the denial of the elective franchise to citizens on account of sex is equally as arbitrary as the distinction on account of stature, or color of hair, or any other physical distinction. These privileges of the citizen exist independent of the Constitution. They are not derived from the Constitution or the laws, but are the means of asserting and protecting rights that existed before any civil governments were formed—the right of life, liberty and property. Says Paine, in his Dissertation upon the Principles of Government:

[Pg 474]

The right of voting for representatives is the primary right, by which other rights are protected.

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

In a state of nature, before governments were formed, each person possessed a natural right to defend his liberty, his life and his property from the aggressions of his fellow men. When he enters into the free government he does not surrender that right, but agrees to exercise it, not by brute force, but by the ballot, by his individual voice in making the laws that dispose of, control and regulate those rights. The right to a voice in the government is but the natural right of protection of one's life, liberty and property, by personal strength and brute force, so modified as to be exercised in the form of a vote, through the machinery of a free government. The right of self-protection, it will not be denied, exists in all equally in a state of nature, and the substitute for it exists equally in all the citizens after a free government is formed, for the free government is by all and for all.

The people "ordained and established" the Constitution. Such is the preamble. "We, the people." Can it be said that the people acquire their privileges from the instrument that they themselves establish? Does the creature extend rights, privileges and immunities to the creator? No; the people retain all the rights which they have not surrendered; and if the people have not given to the Government the power to deprive them of their elective franchise, they possess it by virtue of citizenship. The true theory of this Government, and of all free governments, was laid down by our fathers in the Declaration of Independence, and declared to be "self-evident." "All men are endowed by their Creator with certain inalienable rights; among these are life, liberty, and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving all their just powers from the consent of the governed." Here is the great truth, the vital principle, upon which our Government is founded, and which demonstrates that the right of a voice in the conduct of the government, and the selection of the rulers, is a right and privilege of all citizens. Another of the self-evident truths laid down in that instrument is:

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

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

[Pg 475]

Benjamin Franklin wrote:

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

James Madison said:

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

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

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

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

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

Said the learned and profound Hooker:

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

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

All British subjects, whether in Great Britain, Ireland, or the colonies, are equally free by the laws of nature; they certainly are equally entitled to the same natural rights that are essential for their own preservation, because this privilege of "having a share in the legislation" is not merely a British right, peculiar to this island, but it is also a natural right, which can not without the most flagrant and stimulating injustice be withdrawn from any part of the British empire by any worldly authority whatsoever. No tax can be levied without manifest robbery and injustice where this legal and constitutional representation is wanting, because the English law abhors the idea of taking the least property from freemen without their consent. It is iniquitous (*iniquum est*, says the maxim) that freemen should not have the free disposal of their own effects, and whatever is iniquitous can never be made lawful by any authority on earth, not even by the united authority of king, lords, and commons, for that would be contrary to the eternal laws of God, which are supreme.

[Pg 476]

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

Political liberty I would say, consists in power, which the members of the State reserve to themselves, of arriving at the public offices, or at least of having votes in the nomination of those who fill them. In countries where every member of the society enjoys an equal power of arriving at the supreme offices, and consequently of directing the strength and sentiments of the whole community, there is a state of the most perfect political liberty.

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

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

When we desire to construe the Constitution, or to ascertain the powers of the Government and the rights of the citizens, it is legitimate and necessary to recur to those principles and make them the guide in such investigation. It is an oft-repeated maxim set forth in the bills of rights of many of the State constitutions that "the frequent recurrence to fundamental principles is necessary for the preservation of liberty and good government." Recurring to these principles, so plain, so natural, so like political axioms, it would seem that to say that one-half the citizens of this republican government, simply and only on account of their sex, can legally be denied the right to a voice in the government, the laws of which they are held to obey, and which takes from them their property by taxation, is so flagrantly in opposition to the principles of free government, and the theory of political liberty, that no man could seriously advocate it.

But it is said in opposition to the "citizen's right" of suffrage that at the time of the establishment of the Constitution, women were in all the States denied the right of voting, and that no one claimed at the time that the Constitution of the United States would change their status; that if such a change was intended it would have been explicitly declared in the Constitution or at least carried into practice by those who framed the Constitution, and, therefore, such a construction of it is against what must have been the intention of the framers. This is a very unsafe rule of construction. As has been said, the Constitution necessarily deals in general principles; these principles are to be carried out to their legitimate conclusion and result by legislation, and we are to judge of the intention of those who established the Constitution by what they say, guided by what they declare on the face of the instrument to be their object.

[Pg 477]

It is said by Judge Story, in Story on the Constitution:

Contemporary construction is properly resorted to to illustrate and confirm the text.... It can never abrogate the text; it can never fritter away its obvious sense; it can never narrow down its true limitations.

It is a well-settled rule that in the construction of the Constitution, the objects for which it was established, being expressed in the instrument, should have great influence; and when words and phrases are used which are capable of different constructions, that construction should be given which is the most consonant with the declared objects of the instrument. We go to the preamble to ascertain the objects and purpose of the instrument. Webster defines preamble thus: "The introductory part of a statute, which states the reason and intent of the law." In the preamble, then, more certainly than in any other way, aside from the language of the instrument, we find the intent. Judge Story says:

The importance of examining the preamble for the purpose of expounding the language of a statute has been long felt and universally conceded in all juridical discussion. It is an admitted maxim ... that the preamble is a key to open the mind of the matters as to the mischiefs to be remedied and the objects to be accomplished by the statute.... It is properly resorted to where doubts or ambiguities arise upon the words of the enacting part, for if they are clear and unambiguous, there seems little room for interpretation, except in cases leading to an obvious absurdity or a direct overthrow of the intention expressed in the preamble. [Story on the Constitution, sec. 457.]

Try this question by a consideration of the objects for which the Constitution was established, as set

forth in the preamble, "to establish justice." Does it establish justice to deprive of all representation or voice in the Government one-half of its adult citizens, and compel them to pay taxes to and support a government in which they have no representation? Is "taxation without representation" justice established? "To insure domestic tranquillity." Does it insure domestic tranquillity to give all the political power to one class of citizens, and deprive another class of any participation in the government? No. The sure means of tranquillity is to give "equal political rights to all," that all may stand "equal before the law."

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

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

Tried by the expressed objects for which the Constitution was established, as declared by the people themselves, this denial to the women citizens of the country of the right and privilege of voting is directly in contravention of these objects, and must, therefore, be contrary to the spirit and letter of the entire instrument. And according to the rule of construction referred to, no "contemporaneous construction, however universal it may be, can be allowed to set aside the expressed objects of the makers, as declared in the instrument." The construction which we claim for the 1st section of the XIV. Amendment, is in perfect accord with those expressed objects; and even if there were anything in the original text of the Constitution at variance with the true construction of that section, the amendment must control. Yet we believe that there is nothing in the original text at variance with what we claim to be the true construction of the amendment.

[Pg 478]

It is claimed by the majority of the committee that the adoption of the XV. Amendment was by necessary implication a declaration that the States had the power to deny the right of suffrage to citizens for any other reasons than those of race, color, or previous condition of servitude. We deny that the fundamental rights of the American citizen can be taken away by "implication." There is no such law for the construction of the Constitution of our country. The law is the reverse—that the fundamental rights of citizens are not to be taken away by implication, and a constitutional provision for the protection of one class can certainly not be used to destroy or impair the same rights in another class. It is too violent a construction of an amendment, which prohibits States from, or the United States from, abridging the right of a citizen to vote by reason of race, color, or previous condition of servitude, to say that by implication it conceded to the States the power to deny that right for any other reason. On that theory the States could confine the right of suffrage to a small minority, and make the State governments aristocratic, overthrowing their republican form. The XV. Article of Amendment to the Constitution clearly recognizes the right to vote, as one of the rights of a citizen of the United States. This is the language:

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

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

But it may be said, if the States had no power to abridge the right of suffrage, why the necessity of prohibiting them? There may not have been a necessity; it may have been done through caution, and because the peculiar condition of the colored citizens at that time rendered it necessary to place their rights beyond doubt or cavil.

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

[Pg 479]

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

The rule of interpretation relied upon by the committee in their construction of the XV. Amendment is, "that the expression of one thing is the exclusion of another," or the specification of particulars is the exclusion of generals. Of these maxims, Judge Story says:

They are susceptible of being applied, and often are ingeniously applied, to the subversion of the text and the objects of the instrument. The truth is, in order to ascertain how far an affirmative or negative provision excludes or implies others, we must look to the nature of the provision, the subject-matter, the objects, and the scope of the instrument; these and these only can properly determine the rule of construction (2 Story, 448).

It is claimed by the committee that the second section of the XIV. Amendment implies that the

several States may restrict the right of suffrage as to other than male citizens. We may say of this as we have said of the theory of the committee upon the effect of the XV. Amendment. It is a proposal to take away from the citizens guarantees of fundamental rights, by implication, which have been previously given in absolute terms. The first section includes "all citizens" in its guarantees, and includes all the "privileges and immunities" of citizenship and guards them against abridgment, and under no recognized or reasonable rule of construction can it be claimed that by implication from the provisions of the second section the States may not only abridge but entirely destroy one of the highest privileges of the citizen to one-half the citizens of the country. What we have said in relation to the committee's construction of the effect of the XV. Amendment applies equally to this. The object of the first section of this amendment was to secure all the rights, privileges, and immunities of all the citizens against invasion by the States. The object of the second section was to fix a rule or system of apportionment for Representatives and taxation; and the provision referred to, in relation to the exclusion of males from the right of suffrage, might be regarded as in the nature of a penalty in case of denial of that right to that class. While it, to a certain extent, protected that class of citizens, it left the others where the previous provisions of the Constitution placed them. To protect the colored man more fully than was done by that penalty was the object of the XV. Amendment. In no event can it be said to be more than the recognition of an existing fact, that only the male citizens were, by the State laws, allowed to vote, and that existing order of things was recognized in the rule of representation, just as the institution of slavery was recognized in the original Constitution, in the article fixing the basis of representation, by the provision that only three-fifths of all the slaves ("other persons") should be counted. There slavery was recognized as an existing fact, and yet the Constitution never sanctioned slavery, but, on the contrary, had it been carried out according to its true construction, slavery could not have existed under it; so that the recognition of facts in the Constitution must not be held to be a sanction of what is so recognized.

[Pg 480]

The majority of the committee say that this section implies that the States may deny suffrage to others than male citizens. If it implies anything it implies that the States may deny the franchise to all the citizens. It does not provide that they shall not deny the right to male citizens, but only provides that if they do so deny they shall not have representation for them. So, according to that argument, by the second section of the XIV. Amendment the power of the States is conceded to entirely take away the right of suffrage, even from that privileged class, the male citizens. And thus this rule of "implication" goes too far, and fritters away all the guarantees of the Constitution of the right of suffrage, the highest of the privileges of the citizen; and herein is demonstrated the reason and safety of the rule that fundamental rights are not to be taken away by implication, but only by express provision. When the advocates of a privileged class of citizens under the Constitution are driven to implication to sustain the theory of taxation without representation, and American citizenship without political liberty, the cause must be weak indeed.

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

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

The first clause of this section declares who shall choose the Representatives—mark the language—"Representatives shall be chosen by the people of the States," not by the male people; not by certain classes of the people, but by the people; so that the construction sought to be given this section, by which it would recognize the power of the State to disfranchise one half the citizens, is in direct contravention of the first clause of the section, and of its whole spirit, as well as of the objects of the instrument. The States clearly have no power to nullify the express provisions that the election shall be by the people, by any laws limiting the election to a moiety of the people. It is true the section recognizes the power in the State to regulate the qualifications of the electors; but as we have already said, the power to regulate is a very different thing from the power to destroy. The two clauses must be taken together, and both considered in connection with the declared purpose and objects of the Constitution.

The constitution is necessarily confined to the statement of general principles. There are regulations necessary to be made as to the qualifications of voters, as to their proper age, their domicil, the length of residence necessary to entitle the citizen to vote in a given State or place. These particulars could not be provided in the Constitution but are necessarily left to the States, and this section is thus construed as to be in harmony with itself, and with the expressed objects of the framers of the Constitution and the principles of free government. When the majority of the committee can demonstrate that "the people of the States," and one-half the people of the States, are equivalent terms, or that when the Constitution provides that the Representatives shall be elected by the people, its requirements are met by an election in which less than one-half the adult people are allowed to vote, then it will be admitted that this section to some extent sustains them.

[Pg 481]

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

We are told that the acquiescence by the people, since the adoption of the Constitution, in the denial of political rights to women citizens, and the general understanding that such denial was in conformity with the Constitution, should be taken to settle the construction of that instrument. Any force this argument may have it can only apply to the original text, and not to the XIV. Amendment, which is of but recent date. But, as a general principle, this theory is fallacious. It would stop all political progress; it would put an end to all original thought, and put the people under that tyranny with which the friends of liberty have always had to contend—the tyranny of precedent.

From the beginning, our Government has been right in theory, but wrong in practice. The

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

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

It is said by the majority of the committee that "if the right of female citizens to suffrage is vested by the Constitution, that right can be established in the courts." We respectfully submit that, with regard to the competency and qualification of electors for members of this House, the courts have no jurisdiction. This House is the sole judge of the election return and qualification of its own members (article 1, section 5, of Constitution); and it is for the House alone to decide upon a contest, who are, and who are not, competent and qualified to vote. The judicial department can not thus invade the prerogatives of the political department. And it is therefore perfectly proper, in our opinion, for the House to pass a declaratory resolution, which would be an index to the action of the House, should the question be brought before it by a contest for a seat. We, therefore, recommend to the House the adoption of the following resolution:

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

That this right is included in the "privileges of citizens of the United States," which are guaranteed by section 1 of article XIV. of Amendments to the Constitution of the United States; and that women citizens, who are otherwise qualified by the laws of the State where they reside, are competent voters for Representatives in Congress.

WM. LOUGHRIDGE.
BENJ. F. BUTLER.

H. Rep. 22, pt. 2—2.

On January 20, 1871, in the House of Representatives, a bill for the better government of the District of Columbia came up. The Hon. George W. Julian, of Indiana, moved to strike out the word "male" in the section providing who shall vote, and supported his amendment as follows:

The establishment of universal male suffrage throughout the United States was preceded by its establishment in the District of Columbia and in the Territories. Following the same order, I desire that the District of Columbia shall first enjoy the further and full extension of the Democratic principle, by giving the ballot to all the people here, irrespective of sex. I know of no reason why this should not be done. I believe the question of woman's rights necessarily involves the question of human rights. The famous maxim of our fathers that "taxation without representation is tyranny" applies not to one-half only, but to the whole people. I am a Democrat in full of all demands, and I can not, therefore, accept as a real democracy, or even a republic, a government "half slave and half free."

Mr. Cook, of Illinois, who had charge of the bill, objected to "cumbering it with such an amendment," and called the previous question, which being sustained, cut off all debate. Mr. Julian then called for the ayes and noes, thus making every man put himself square on the record. The vote stood 55 ayes^[141], 117 noes, 65 not voting. The next day the House met for general debate, and Hon. Aaron A. Sargent, of California, had an opportunity to express his views of the Amendment, which he had not been able to do the previous day.

MR. SARGENT: Mr. Speaker, if no other gentleman desires to address the House, I will briefly remark that I was glad on yesterday to have an opportunity to cast my vote in favor of the proposition admitting the women of this District to the right of suffrage. I believe the time is rapidly coming when all men will conclude that it is no longer wise or judicious to exclude one-half of the intelligence, and more than one-half of the virtue of the people from the ballot-box. It is a matter of congratulation that one-third of the members who were present yesterday and voting, recorded their votes for that proposition. It was a glorious commencement. I will not take up the time of the House with any elaborate discussion of that proposition, but content myself with the remark that I was very glad of the opportunity to cast my vote for it. I trust the work thus commenced will go on until fully successful. But I would like to say further that I do not agree with those gentlemen who allege that the women who advocate this movement are universally, or to any considerable extent, desirous to unsettle family relations, or that they would change the present honored form of union of the sexes. I believe they embrace among their number, and largely embrace, the best and purest women of the land, who will have an influence growing year by year in favor of the recognition of the rights of their sex. So may it be.

During Mr. Sargent's candidacy for the Senate the following autumn, a California newspaper objected that he was in favor of woman's suffrage, and called for a denial of the truth of the damning charge. Mr. Sargent took no notice of it until a week or two later, when a suffrage convention met in San Francisco; he then went before that body and delivered a radical speech in favor of woman's rights, taking the most advanced grounds. When he was through he remarked

to a friend, "They have my views now, and can make the most of them. I would not conceal them to be Senator." This bold stand ended the objection to him on the ground of his favor to woman's rights. He opened the political campaign in 1874 before an immense audience in Platt's Hall, San Francisco, by saying, as reported in the papers of the day:

LADIES AND GENTLEMEN, FELLOW-CITIZENS: I trust the time is near at hand when the phrase "fellow-citizens" will not need the explanatory remark, "Ladies and gentlemen." I trust we are nearing the day when our wives and daughters will share with us in the duties and privileges of citizenship, and give expression to their principles and views, not only indirectly by personal influence, but at the ballot-box. I am in favor of this great reform, and hail the day when it shall purify politics by the influence of women exerted directly and legitimately at elections.

[Pg 484]

The National Woman's Suffrage Association met in Apollo Hall, New York, Anniversary Week, May 11, 1871. The audiences were large and the speakers earnest.^[142] Mrs. Griffing, the Corresponding Secretary of the Association, thus summed up the closing events of the past year:

It now appears that under the Federal Constitution and its Amendments, woman is entitled to equal rights of citizenship with man; and as voting is a fundamental right of the citizen in a free government, woman not only may, but should vote. The last Woman Suffrage Convention, held in Washington, January, 1871, called by Paulina W. Davis, J. S. Griffing, and I. B. Hooker, in behalf of the women of the country, contemplated no new issue, proposed only to discuss the XVI. Amendment, and a more thorough system of education for the women of the country, through the issue of a monthly series of tracts. With slight exception, this programme would have been the order of the Convention, as it was the indication of the call, had not the time arrived for the bugle-note, calling all "to the front." Events of the hour at once changed the direction of thought, and inaugurated a line of movement for the practical enfranchisement of, and restoration to woman, of her equal rights as an American citizen. A few days previous to the time of holding this Convention, Mrs. Victoria C. Woodhull, of the City of New York, memorialized Congress for the exercise of the elective franchise, which memorial was read in the House of Representatives by Hon. George W. Julian, early friend of the cause, referred to the Judiciary Committee and ordered to be printed.

This action on the part of Mrs. Woodhull was taken without consultation with, or even knowledge of the movers of the Convention, and by unprecedented energy and great intelligence, pressed upon the attention of both branches of Congress, upon the plea that she was "born upon the soil and was subject to the jurisdiction of the United States," and that as a citizen, she desired a voice in legislation, through the only means in a free government, that of a vote; and on this pivot she based her demand. With some difficulty she obtained permission for a hearing before the Judiciary Committee. Learning this important step taken by Mrs. Woodhull, a stranger to the Convention, a conference was held between the parties, resulting in a friendly agreement, that with consent of the chairman of the Committee, Mrs. I. B. Hooker, on the part of the Convention, should at the same time, through a constitutional lawyer, Hon. A. G. Riddle, ex-member of Congress, defend the memorialists (30,000 women) whose names were already before Congress, asking to exercise the right of the ballot.

Mrs. Woodhull spoke with power and marvelous effect, as though conscious of a right unjustly withheld, and feeling a duty, she was forbidden to do. Under the supreme law of the land, the Constitution, and the XIV. and XV. Amendments thereto, she asked equal protection to person, property, and full citizenship; in response to this, the key-note, Mr. Riddle followed with an unanswerable legal argument, sweeping away all laws of the United States, and of any State, restricting woman in the right to vote, as directly opposed to the supreme law of the land, as pointed out in the XIV. and XV. Amendments to the Federal Constitution, which he showed to be consonant with both the letter and spirit of that instrument. He also suggested that the immediate action of woman, as a citizen, might be found the most speedy method of triumph. The result of this hearing, in the printed reports of Judge Bingham and the majority, and of Judge Loughridge and Hon. B. F. Butler, the minority of the Judiciary Committee, is already before the country, and marks well the beginning of the end.

[Pg 485]

It was now clearly seen by the leaders of the movement that the agitation of woman's wrongs and oppressions was no longer a necessary part of the discussion. That in the statute books, and above all, in the heart of God, a record of this was made, and that henceforth woman's citizenship and full enfranchisement must be declared. That under the supreme law of the land her right to person, property, children, and full and equal citizenship must be pronounced and admitted; and, finally, her duty to vote, and through her highest capabilities, to assume a share of the responsibility of the State, as she has already of the home, are hereafter to be the legitimate theme of discussion till woman is emancipated. These events and this decision indicated an immediate want of a National Woman Suffrage and Educational Committee, to carry forward measures for the speedy execution of the work, and upon consultation with the experienced and wise men and women of the Convention, and with the approval of all well-wishers who were present, a committee, consisting of Mrs. I. B. Hooker (Chairwoman), J. S. Griffing (Secretary), Mrs. M. B. Bowen (Treasurer), Susan B. Anthony, Paulina Wright Davis, and Ruth Carr Dennison, was organized in the City of Washington, D. C., and the machinery set in operation to accomplish what is now known as the work of that committee. For the temporary use of this committee a part of the House of Education and Labor Committee-room, through the marked kindness of Hon. Mr. Arnell, Chairman of the Committee, was granted; afterward, the beautiful, artistic House Agriculture Committee-room, also used for the Committee on Manufactures, was generously proffered by the chairmen of both, Hon. Mr. Morrell and Gen. Smith, and is still retained.

Books are now opened for signatures to the new Declaration and Pledge,^[143] and the autographs of all women ready to exercise the elective franchise. Thousands of tracts, constitutional arguments of Mr. Riddle and Mrs. Woodhull, report of the minority Judiciary Committee, and an address to the women of the United States, are being sent to the whole country, carrying conviction to the weak, force to the active, and hastening the consummation of a triumph worthy of the struggle and undying faith of all who have nobly borne their part in this history. The names of the earnest women

[Pg 486]

[Pg 487]

who took part in this Convention, and who participated in the inauguration of the new issue, are recorded in the books of the Committee; and now, only the funds—generous and prompt contributions—are needed to respond to the call from all the States and Territories for knowledge—either by voice or pen—to complete a reconstruction of the government "of the people, for the people and by the people," without arms, court-martial, or bloodshed.

[Pg 488]

In this connection Mrs. Belva A. Lockwood's very able memorial to Congress asking suffrage for the women of the District should be mentioned. It was a well-sustained argument, showing the writer to be mistress of her subject. Mrs. Lockwood is an efficient, earnest, honest worker. She presented to Congress a large petition, fully equal in numbers to the one presented by Mrs. Dahlgren and Sherman, whose anti-suffrage petition and memorial against it formed one of the peculiar features of the work of last winter. Mrs. H. C. Spencer, of Washington, answered Mrs. Dahlgren's pamphlet with a most admirable one entitled "Problems," which has already had an extensive circulation, and is more earnestly called for than any other, with the exception of Mrs. Woodhull's constitutional argument, and Mr. Riddle's on the same question. The meetings were held daily in the committee-room during the entire session, and the interchange of thought was often very interesting and encouraging.

[Pg 489]



Isabella Beecher Hooker

On the day of the adjournment of Congress Mrs. Hooker presented thanks, in the name of the Committee, to such members of the House as had been most active in serving our cause. She said:

GENTLEMEN: The National Woman Suffrage and Educational Committee desire me to express to you their heartfelt thanks for the good service you have rendered the whole woman movement by your willingness to entertain, examine, and, in some instances, advocate our new claim that we are already enfranchised under the original Constitution and the XIV. and XV. Amendments.

To you, Mr. Julian, we are especially indebted, in that while you were the first member of the House who introduced our claim to the suffrage under the form of a XVI. Amendment, you were in the front once more when a new issue was presented in the shape of the "Woodhull Memorial." Your resolution asking the House "to participate in the proceedings," by which two women citizens of the United States "might present the moral and constitutional argument in favor of the enfranchisement of the women citizens of the United States, and in support of a memorial lately reported upon by a majority and minority of the Judiciary Committee," was in keeping with every other act of your public life, a protest against injustice, a proposition looking toward perfect equality; and we thank you for it in the name of the disfranchised millions who will one day realize, as they now do not, the significance of that act.

To you, Mr. Arnell, we owe not only the passage of "A bill to do justice to the female employes of the Government," but the first admission of women to this Capitol as citizens having common rights with the ruling class in the use of buildings devoted to the public service. In your committee-room we found not only a home, but such courtesy, such opportunity for friendly consultation with members of Congress upon subjects of deepest political importance, as must forever silence the absurd charge that men and women will cease to regard the decorums of life, to interchange its happy civilities when they become equally responsible for the welfare of the State.

To other gentlemen of the House we owe thanks also for their co-operation with you in this manly service, especially to General Wilson, of Ohio, to Mr. Morrill, of Pennsylvania, and General Butler, of Massachusetts, who have, as chairmen of their respective committees, offered us the use of their several rooms, in case the threats of a certain gentleman in the House should so terrify you, sir, that you should feel compelled to withdraw your most friendly offer. We have accepted the use of the Committee-room on Agriculture, leaving you, sir, with reluctance, simply because it is larger and more accessible than your room, and one so beautifully adorned by art, that our womanly tastes are daily gratified in its use.

[Pg 490]

To you, Mr. Loughridge, as the author of the minority report of the Judiciary Committee on the Woodhull Memorial, and to General Butler, your faithful colleague, we owe that most luminous statement of the historic position of woman, her natural, civil, and constitutional rights, and the best method of enforcing these in the interest of the women citizens of the United States. For that report, sir, we thank you from the depth of our hearts. We claim it as our bill of rights. On that line we also fight, not with weapons of steel, but with pen and voice and silent prayer; and when at last the solemn responsibilities of citizenship shall have been laid upon us by the men of this great nation, and together we shall strive to bring justice and equality into legislation and administration, we shall not forget to whom we owe this first judicial protest in these halls against traditional misrepresentations of the constitutional rights of women citizens of the Republic.

And, gentlemen, permit us to congratulate you all, that having secured equal rights to all men in these United States by your vote, and having welcomed the proscribed black man to a seat by your side in halls of legislation, you are now turning your attention to the women of the United States, with a firm resolution that they shall no longer be denied the rights nor excused from the responsibilities of a full citizenship.

Permit us to express the hope that in coming years you may be returned to this Capitol by the votes of grateful women citizens, enfranchised through your instrumentality; and should you be called to take upper seats here in remembrance of faithful service during this session, we shall congratulate not only ourselves but our common and well-beloved country; and if, gentlemen, you should find here as colleagues some of the matrons of this Republic whose names are now being daily signed to this new declaration of fealty to human rights, we have confident assurance that you will cheerfully work hand in hand with them, according to the tenor of their pledge to work with you for the maintenance of those equal rights on which our Republic was originally founded, to the end that it may have what is declared to be the first condition of just government—the consent of the governed.

Mr. JULIAN responded:—I thank you, Mrs. Hooker, and the committee you represent, for your words of cordial approbation. Such a testimony will go far to redeem the ordinary drudgery and dreariness of public life, and I shall ever cherish it with real satisfaction and pride. I ought to say, however, that in performing the acts so handsomely commended by you I did nothing but my simple duty. Indeed, constituted as I am, and believing as I do, it was morally impossible for me to do otherwise. Having espoused the cause of woman's enfranchisement more than twenty years ago, when it was first launched in the United States, and having labored so long and so earnestly for the enfranchisement of the male citizens of our country, irrespective of color or race, it would have been grossly inconsistent in me, not to say recreant and mean, to shrink from the duties for which you compliment me when invited to their performance.

You are pleased to express the hope that some of the retiring members of the XLI. Congress may hereafter be returned to the places they have filled. For myself, I am weary of the service in which I have toiled for so many years, and I welcome a season of rest, or at least a change of labor. But when your hope goes farther, and points to our return here by the votes of enfranchised women, and our welcome from a sisterhood of co-representatives in the halls of Congress, I confess the prophecy is so pleasing and the picture seems so tempting that its realization would completely reconcile me to my restored place in the House of Representatives, or even to a seat in that smaller body at the other end of the Capitol. And I am not lacking in the spirit of good courage and hope which animates you. These are revolutionary times. Whole years of progress are now crowded into days. Who will venture to judge the future by any political almanac of by-gone times? I can say with old Thomas Carlyle, "One strong thing I find here below, the just thing, the true thing." And no man or party is strong enough, no earthly power is strong enough to stay the grand march of events through which the hand of God is visibly guiding the Republic to universal liberty, and through that to enduring prosperity and peace.

[Pg 491]

Mr. ARNELL, of Tennessee, said—*Mrs. Hooker and Ladies*: You have been kind enough to refer to me by name. I think you have been over-generous in your estimation of my poor services. If I have accomplished anything, no matter how inconsiderable, for your cause, I greatly rejoice. Yet, in reality, it is my cause as much as yours—a man's cause as much as a woman's; for the inquiry you have raised is a great fundamental question, broad as humanity itself. I thank you for your wide interpretation of the invitation I gave you to occupy the Committee-room of Education and Labor. You have rightly touched its true meaning. The doors were opened hopefully, invitingly to you as the advance-guard of American women, who are soon, I trust, to take equal part with their brothers, husbands and fathers in the government of this great and free Republic.

There is a bit of history connected with this room of Education and Labor. A hard-working woman was once driven from it by vote of the House of Representatives. She carried her work across the ocean, rested it under the Italian skies, until it blossomed into everlasting stone. Then she brought it back. A great admiring city and the self-same men who had voted her out, marveled and said, "Well done, woman." Her success is a triumph for woman. Meantime you, representing, arguing a higher cause than Art, had found a footing in this very apartment from which she had been turned out. This was a higher triumph. The amiable New York *Tribune*, chuckling over a false rumor that you were denied its further use, has misstated the facts. The *Tribune* only advertised its own narrow, pretentious wishes.

In bringing the proposition before Congress to pay women the same price as men for the same work performed, I desired not only to help those spirited, deserving women in the Departments, but also to aid two and a half millions of my working sisters in this country. It seemed to me that just here was room for practical legislation. Here was an angle to be carried in this great contest for justice and freedom, and I drew my best inspiration from a bright, sunny-faced wife, who to-day is far away among the hills of Tennessee. I greatly admire and respect either a working man or woman, for I devoutly believe in this latest evangel, that "to work is to pray." Allow me to say, as a parting word, "Courage." The world may sneer at you, for it does not believe that a man is moved save by some selfish ambition. Trojan's noble fraction of a line, "*indocillis privata loqui*," is not generally considered as adapted to, or to be applied to, the domain of every-day life. Yet, ladies, far above all ridicule, misjudgment, slander, and abuse even, is the holy consciousness you have of the nobility of

[Pg 492]

your work, which is, as I have said, the emancipation and elevation of both man and woman. The great Republic, of which you are citizens, by express provision of its fundamental law, can exist only as it is free, as it is just; two ideas that lie, as I understand it, at the bottom of your movement. The country must continue one-sided, ill-balanced, imperfect in its civilization, until woman, with her peculiar nature, is admitted to that individuality which of right belongs to every human being. Therefore I bid you God-speed in your work.

Judge LOUGHRIDGE, of Iowa, spoke as follows—*Ladies*: I take pleasure in appearing here in response to your kind invitation. I understand fully your desire to express in this way your appreciation of the aid given by a portion of the Representatives to the XLI. Congress to the cause you have so much at heart—the cause of universal suffrage and political liberty.

In reference to the report of the minority of the Judiciary Committee, to which Mrs. Hooker has referred in such complimentary terms and in which I had the honor to join with the distinguished gentleman from Massachusetts, Mr. Butler, I am glad to know that you are satisfied with it, and that you think it does justice to your cause. What is written there is the honest conviction of my judgment, and in my opinion the principles contended for therein will, before many years, be accepted as the law of the land.

I desire to say one word, suggested by the remark which I have heard made frequently of late, that the only resort now for the advocates of woman suffrage is to the courts of the country. I think it is a mistake. In this country, on questions involving political rights, the courts are generally in the rear rank; the people are mostly in advance of the courts. In my opinion the most speedy and certain victory will be acquired through the political departments of the government, which are moulded and controlled by the people, and which will always in the end reflect the will of the people. You applied to Congress; although not successful, yet the support you did receive was greater than the most sanguine expected. Continue your efforts, persevere in your determination, and in the end you will win, for you are right, and the right always triumphs.

The ladies then shook hands with each of these gentlemen, and added a few words of personal thanks, after which the committee adjourned.

That the position in regard to the rights of women under the XIV. and XV. Amendments was still maintained is shown in the call^[144] and resolutions^[145] as well as the speeches in the three days' convention held in Lincoln Hall, Washington, in January, 1872.

[Pg 493]

[Pg 494]

One of the interesting episodes of this convention was the invitation extended by the Association to certain non-believers to appear in open session, and meet the champions of the cause in argument. Mrs. Gage wrote an invitation^[146] to Mrs. Dahlgren, which she most courteously declined.^[147] The idea was suggested to Mrs. Gage by the memorial which Mrs. General Sherman and Mrs. Admiral Dahlgren had presented to the Senate of the United States. Their petition was as follows:

TO THE U. S. SENATE AGAINST WOMAN SUFFRAGE.

We, the undersigned, do hereby appeal to your honorable body, and desire respectfully to enter our protest against an extension of suffrage to women; and in the firm belief that our petition represents the sober convictions of the majority of the women of the country. Although we shrink from the notoriety of the public eye, yet we are too deeply and painfully impressed by the grave perils which threaten our peace and happiness in these proposed changes in our civil and political rights, longer to remain silent.

Because, Holy Scripture inculcates a different, and for us higher, sphere apart from public life.

Because, as women, we find a full measure of duties, cares, and responsibilities devolving upon us, and we are therefore unwilling to bear other and heavier burdens, and those unsuited to our physical organization.

Because, we hold that an extension of suffrage would be adverse to the interests of the workingwomen of the country, with whom we heartily sympathize.

Because, these changes must introduce a fruitful element of discord in the existing marriage relation, which would tend to the infinite detriment of children, and increase the already alarming prevalence of divorce throughout the land.

[Pg 495]

Because, no general law, affecting the condition of all women, should be framed to meet exceptional discontent.

For these, and many more reasons, do we beg of your wisdom that no law extending suffrage to women may be passed, as the passage of such a law would be fraught with danger so grave to the general order of the country.

[Signed by Mrs. General Sherman, Mrs. Admiral Dahlgren, and other ladies to the number of 1,000.]

Mrs. Dahlgren presented a form of XVI. Amendment as follows:

SHERMAN-DAHLGREN XVI. AMENDMENT.

Congress shall have power to, and shall pass laws which shall be uniform throughout the United States.

To regulate the transfer and descent of all kinds of property.

To regulate marriages and the registration of the same, and the registration of births.

To regulate the right of dower and all rights and obligations of married persons.

To regulate divorces and to grant alimony, but no divorces *a vinculo matrimonii* shall be granted, except for the cause of adultery, and in such case the offending party shall not have the privilege of marrying during the lifetime of the offended party.

In her opening remarks Mrs Stanton said:

This is the fourth convention we have held in Washington, and the effect can hardly be estimated in the education of the American people toward woman suffrage. I feel more anxious about how women will vote than in their speedy enfranchisement. So many important political questions are seen in the horizon that woman's influence is needed to guide safely through all storms the ship of state. We propose to change our tactics. Instead of petitioning Congress for our rights we propose to settle the question before the courts, unless Congress gives us the declaratory act this winter, which I think they will. We have reasoned for twenty-five years, and we now propose to take our rights under the Constitution as it is. The people are beginning already to discuss the fitting celebration for our centennial anniversary. No grander step could mark that great national event than to extend the right of suffrage to one half the citizens of our republic.

[Pg 496]

The following letter was read at the morning session:

BROOKLYN, January 1, 1872.

MY DEAR MADAM: YOUR letter of December 30th, in which you invite me to take part in the Washington convention in behalf of woman's suffrage, is duly received.

I am engaged during the whole week with lectures in Massachusetts and Maine. I can not say that I am so sanguine of the immediate or new admission of women to the right of suffrage. But of its ultimate accomplishment I have not a doubt, since justice and expediency combine in requiring it. That manhood is, on the whole, made better and stronger by a direct participation in the duties, and responsibilities of active citizenship, notwithstanding incidental evils, is becoming the sentiment of the civilized world; nor is there any reason to doubt that, in spite of temporary and incidental evils, the same advantages would accrue to womanhood. In every wise and Christian movement for the education and enfranchisement of woman I hope always to be in sympathy. I am, respectfully, yours,
HENRY WARD BEECHER.

MR. BURLINGAME, of R. I., remarked:—I sympathize with this movement. It commands my respect and admiration. I have come here unexpected and unsolicited, because I think my wife and other women should have the same rights as the colored man and Irishman. I believe in this movement, because I believe it to be right; it is the most important question of the times. The speaker then reviewed the objections against female suffrage, and pronounced them all weak, and closed with allusions to the many heroic deeds of illustrious women now a part of history.

MRS. ISABELLA BEECHER HOOKER then presented the following report, in relation to the work of the Association for the past year:

REPORT.

The work to be done in the future is precisely what has been recommended during the past year by every member of the committee in public and in private.

1. Women should attempt to qualify and attempt to vote in every State election or otherwise, according to opportunity. This action not only serves the purpose of agitation of the whole question of suffrage, but it puts upon men, our brothers, the onus of refusing the votes of their fellow citizens, and compels them to show just cause for such proceeding. If it could be well understood that every woman who believes that she has a right to vote, would actually test her right by an appearance at the polls before and at the next Presidential election, the question as to nominees for that office would contain a new element, and the views and preferences of this large constituency would receive serious consideration at the hands of president-makers in both the great parties of the country.

[Pg 497]

2. Women should study the question of their present rights and duties, and make their views known in public and in private to the utmost extent of their ability. In a time like this, when the interests of our whole beloved country are at stake; when political corruption is appalling, and men are paralyzed with fear because of the threatened failure of republican institutions, ignorance and indifference on the part of women, who are the natural protectors of purity and honor, whether in the family or the State, are sins against God, their country, and their own souls.

3. Men and women should pour out money like water for the propagation of these views. A copy of the Declaration of Independence and of the Constitution of the United States, together with an argument on the fair interpretation of these documents, should be put into every family in the United States which has a reading member in it. Your committee are able and willing to send these documents directly into these homes—one at a time, carefully directed and franked by members of Congress, who believe they are making a patriotic and legitimate use of the franking privilege by thus educating their constituents in the first principles of a constitutional government—a government founded upon personal liberty and personal responsibility. Half a million dollars appropriated by Congress itself for this simple purpose would inaugurate a reign of patriotism and purity scarcely dreamed of as yet by the most powerful lovers of their country. But Congress has not yet even printed the able reports from the Judiciary Committee of the House, and the few copies we have been able to send out have been the gift of a private individual. Women must educate themselves—men must help them. The latter hold the purse-strings; and so surely as they desire peace, plenty, and the perpetuity of republican institutions, they must see to it that women are supplied with the sinews of war. Moral warfare costs not only heart's blood, but treasure. Women

are offering their very souls in behalf of mankind. Can men do less than empty their pockets for the good of the race?

And there is one thing more that men can and must do before the reign of justice and equality can be inaugurated. They, being voters, must pledge themselves in their own breasts, and to one another, that they will vote for such candidates in either party as are in favor of woman suffrage, and for no others. Such proceedings would settle the question in less than a year, and the peaceful working of a new *regime* would prove the wisdom and patriotism of these faithful souls before the whole world. We confidently believe that there are at least 300,000 voters to-day who desire to share the burdens and responsibilities of government with their mothers, wives, and sisters. Let them combine and speak the sovereign words, "Principle before party," and the day is won.

Mrs. Hooker and other ladies united in a memorial, which was presented in the Senate and referred to the Judiciary Committee, asking for a recognition of the rights of women under the XIV. Amendment, and asking further that the advocates of the cause be heard at the bar of the Senate. Mr. Trumbull, the chairman of the committee, was not willing for this; but, at Mrs. Hooker's solicitation, he agreed to lay the subject before the committee, and it was finally agreed that a hearing should be given on Friday morning, January 10th, at 11 o'clock.

[Pg 498]

To the Honorable Senate and House of Representatives of the United States in Congress assembled:

The undersigned, citizens of the United States, believing that under the present Federal Constitution all women who are citizens of the United States have the right to vote, pray your honorable body to enact a law during the present session that shall assist and protect them in the exercise of that right.

And they pray further that they may be permitted, in person, and in behalf of the thousands of other women who are petitioning Congress to the same effect, to be heard upon this memorial before the Senate and House at an early day in the present session. We ask your honorable body to bear in mind that while men are represented on the floor of Congress, and so may be said to be heard there, women who are allowed no vote, and therefore no representation, can not truly be heard except as Congress shall open its doors to us in person.

ELIZABETH CADY STANTON.	OLYMPIA BROWN.
ISABELLA BEECHER HOOKER.	SUSAN B. ANTHONY.
ELIZABETH L. BLADEN.	JOSEPHINE S. GRIFFING.

Hartford, Conn., December 12, 1871.

SENATE OF THE UNITED STATES, COMMITTEE ON THE JUDICIARY, }
WASHINGTON, January 10, 1872 }

MADAM: The Committee on the Judiciary, to whom was referred the memorial of yourself and others, asking to be heard before the Senate in behalf of the constitutional right of women to vote, and modified by your letter of this morning, so as to ask that the committee hold a public meeting in the Senate Chamber for that purpose, have concluded that it would not be consistent with the usage and rules of the Senate to admit memorialists to appear and advocate their claims before the Senate, nor for the committee to ask the use of the Senate Chamber for public discussion before them.

The committee would, however, be happy to receive any communication you and the other memorialists may think proper to make, or, if the memorialists prefer to present their views in person, the committee will hear them in its committee-room at 11 o'clock A.M., next Friday morning.

Very respectfully,

LYMAN TRUMBULL,
Chairman of the Committee on the Judiciary.

MRS. ISABELLA BEECHER HOOKER.

Accordingly the hearing being granted, at the appointed hour the whole convention adjourned to the Capitol, crowding not only the committee room but the corridors, thousands of eager, expectant women struggling to gain admission. The committee, [148] seated round a large table, manifested a respectful attention to each speaker in turn, complimenting them warmly at the close.

[Pg 499]

MRS. HOOKER said: *Gentlemen of the Judiciary Committee*—In accordance with your courteous invitation of the 10th, I have the honor to present to you an argument upon the question: Are women entitled to vote under the United States Constitution, as amended? It is not important to inquire what was the status of woman before the adoption of the XIV. Amendment. By that amendment they are clearly made citizens. No one denies this. The first section of the amendment is as follows:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

The whole question is, what is the meaning of the term "citizen" as here used. The term is familiar to law and politics, and the authorities are very numerous and uncontradicted which make citizenship include the right to vote. These authorities consist of lexicographers, English and American, and legal and political writers. It is said, however, that to give the term a meaning by which women become voters under it is contrary to the actual intent of Congress and the State

Legislatures in passing the amendment, as, unquestionably, the legislators who voted for it had personally (with, perhaps, a few exceptions) no thought of enfranchising women.

To this it is replied: 1. That the question is not whether they thought of enfranchising women, but whether they used the term as a term of enfranchisement at all; for if it would have enfranchised black men, it would have equally enfranchised women, and unquestionably the predominant idea in these legislators was a political benefit, not very precisely measured, to black men. 2. An inquiry as to actual intent in such a case is never admissible. A rule that allowed it would make every law uncertain. An enactment can be construed only by the language in fact used, and where that language is doubtful, by other parts of the same enactment, and by a consideration of the public evil which the law was intended to remedy. The evil to be remedied in this case was the political disadvantage under which black men, made free by the XIII. Amendment, still labored. The object was to give them a positive political benefit. The terms used are such that, necessarily and confessedly, whatever benefit accrues to black men under it accrues equally to women.

It is said, in the next place, that the term "citizen" has acquired a meaning in American usage, legal and political, that does not carry with it the idea of suffrage; and the report of the majority of the Judiciary Committee on the Woodhull memorial places its adverse construction of this amendment entirely on the ground of an American use of the term in its restricted sense. Such a use of the term undoubtedly exists. Webster recognizes it, and so do some of our political writers. But this meaning is a secondary and lower one, and has not attained such dignity of use as to encroach at all upon the well-established general meaning, and would not be presumed in a law, much less in a constitution. The American authorities are strongly in favor of the larger meaning.

[Pg 500]

The term is used in the second section of the original Constitution, article four, which provides that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States." In *Corfield vs. Coryell*, 4 Wash. C. C. R., 380, the court say: "The inquiry is what are the privileges and immunities of citizens in the several States? They may be all comprehended under the following general heads: (Here follows a statement of numerous rights, civil and political, closing as follows:) "To which may be added the elective franchise as regulated and established by the laws or constitution of the State in which it is to be exercised." And in the *Dred Scott* case, 19 Howard, 476, Mr. Justice Daniel says:

There is not, it is believed, to be found in the theories of writers on government, or in any actual experiment heretofore tried, an exposition of the term 'citizen' which has not been understood as conferring the actual possession and enjoyment, or the perfect right of acquisition and enjoyment, of an entire equality of privileges, civil and political.

And the supreme court of Kentucky, 1 Little R., 333, says:

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

These are American authorities, and would seem to settle the question that the term has not acquired a distinctive American meaning variant from the well-established general meaning.

It is said, in the next place, and finally, that the second section of the XIV. Amendment shows clearly that the term "citizen" could not have been used in the sense of full citizenship. This objection is the most serious one that the argument encounters. That section, so far as relates to this subject, is as follows:

When the right to vote is denied to any of the male inhabitants of such State being twenty-one years of age and citizens of the United States, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

The consideration of this section is perfectly legitimate in the inquiry as to the meaning of the first section. It is said, with great force, that here is an implied admission that the States retained the power to exclude black men from the right to vote, and it will be asked why, if that right is absolutely conferred by the first section, and is one of the privileges and immunities of citizens which no State may abridge, the amendment does not boldly forbid any such State legislation, instead of merely imposing certain limitations upon the State that should assume to exercise such right of exclusion.

Two answers have been made by public writers on the subject which are merely specious. One is, that if the second section be construed as admitting the right of a State to exclude certain classes of men from the franchise, yet it could not operate as an admission of the right to exclude women. The fallacy here is, that if the citizenship conferred by the first section does not secure against all legislation the right of suffrage to men, it does not secure it to women; the question being merely as to the meaning of the term "citizen" as used, and not as to its application to either sex, as such. The other answer that has been made is, that this second section is repealed by the XV. Amendment, which forbids the denial of suffrage in the cases where this section seems to allow it; and it is asked, with apparent confidence, whether a law that is repealed can have any further operation whatever. The fallacy here is, that the operation of this second section, so far as it relates to the present question, is wholly in throwing light upon the meaning of the term "citizen," as used in the first section, and this operation is just as perfect after its repeal as before; precisely as a part of a will that has been revoked by a codicil, may yet be read with the rest of the will if it will throw light upon the meaning of the whole.

[Pg 501]

It is believed, however, that a valid answer can be made to the objection which is founded upon the second section, and that the view here presented will be ultimately sustained by the legal opinion of the country.

1. It is not a necessary inference that the right to exclude from suffrage is admitted by the second section, for this section will bear a construction that is consistent with the enlarged construction

which we give to the first section; and it is a well-settled principle that a construction that favors the extension of liberty is itself to be favored, and one which restricts liberty is not to be adopted, except under a necessity. This second section provides for a penalty, in the reduction of its basis of representation, in every case where a State should deny to any class of citizens the right of suffrage. Now, this is not necessarily a concession of the right, but may be regarded as a punishment of the attempt to exercise the so-called right. The matter was practically so much within the power of the States (and the States in view were the disorganized Southern States), that it would be far easier for Congress to enforce the penalty for denying the right of suffrage than for the President to protect that right. It may be regarded as a case, well known to the law, of cumulative remedies. It is precisely as if, in addition to the express prohibition by the Constitution of the making of war by any State, there had been a provision that if any State should make war upon a foreign State, such State should pay the entire expense in which the General Government should become involved by the war. This clearly would be only a penalty and not a concession of the right, the object being to increase and not to diminish the security of the General Government against any attempt of a State to do the act prohibited.

2. The first section of the XIV. Amendment is entirely senseless and idle, except upon the construction which we claim. The term "citizen" means either "voter" or merely "member of the nation," as distinguished from an alien. Judge Cartter, in his late opinion in the case of *Spencer vs. The Board of Registration*, in the Supreme Court of the District of Columbia, sees this necessity, and that there is no intermediate status, and holds that the term means merely a person clothed with the civil rights of an inhabitant, as distinguished from an alien. Let it be borne in mind, then, that those who deny the construction which we claim, must make the word citizen mean merely "not an alien." Let it also be borne in mind that by the XIII. Amendment, which abolished slavery, every inhabitant of the land became a free inhabitant, so that nothing is now added to the force of the term "inhabitant" by prefixing to it the term "free." It follows, therefore, that the XIV. Amendment, under the adverse construction claimed, means only that the persons referred to in it are *inhabitants of the land*. Let us see, then, how it will read: "All persons born or naturalized in the United States are inhabitants of the United States and the State wherein they reside." This is sheer nonsense. In the construction of an ordinary law, passed by a Legislature in the crowded moments of its last hour, every Court would say that it must, if possible, give the law a construction that will make it have a sensible meaning and effect, and that of two constructions, one of which gives it sense and purpose and the other none, the former is without a question to be preferred. How much more should such a rule be applied to an amendment of a national constitution, deliberately adopted first by Congress and then by three-quarters of the Legislatures of the States?

[Pg 502]

3. It is a universal rule in the construction of statutes that the construction of an enabling or enlarging statute must be liberal and in the direction of enlargement. This rule is applicable with much greater force to the construction of this amendment, because, in the first place, it is dealing with the most fundamental of all political rights—that of *free citizenship in a democracy*—and is besides an amendment of a constitution, which *is itself the charter of freedom*, and the amendment is made for the very purpose of giving *larger freedom* than that free constitution originally gave. This rule alone is enough to settle the question of the construction of this amendment, especially as the question is between a construction that shall make it an enlargement of liberty and a construction that shall make it confer nothing that was not before possessed.

The whole question thus far has been considered with reference to the XIV. Amendment alone. The XV. Amendment, though, as we think, conferring no new rights, yet should be briefly noticed. That amendment is as follows: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." Here it will be seen that the language, in its natural meaning, implies a pre-existing *right to vote*. It is not pertinent to the creation of a new right, but only to the protection of a right already existing. It is like the case occurring in some of the State constitutions, where it is provided that the right of trial by jury shall not be denied or impaired, in which case it has been held not to confer a new right, but merely to protect, in its then existing form, a right that was enjoyed when the constitution was adopted. This construction of the XV. Amendment, however, though the natural and obvious one, is not a necessary one, since, if there had been no XIV. Amendment, the XV. would undoubtedly be held to create a new right of suffrage. The argument, from the language used, though not without very positive weight, can not be regarded as decisive of the question, and the claim that women are entitled to vote must rest essentially upon the construction of the XIV. Amendment.

[Pg 503]

There is, however, an adverse claim that is made under the XV. Amendment, which ought to be briefly considered. That claim is that even if the XIV. Amendment gives the right to vote, yet the XV., in prohibiting the denial of the right to vote on account of race, color, or previous condition of servitude, impliedly confers the right to prohibit it on all other grounds. Now, if it has this effect, it does so merely by impliedly repealing that clause of the XIV. Amendment which provides that the rights of citizens shall not be abridged. But it is a well-established rule of law that a repeal by implication is never favored, and will not be sustained unless the implication is a clear and necessary one. Much more would not such a repeal be sustained where the clause claimed to be repealed was a part of a constitution, and was intended as a security for human rights and liberty. The rule that would favor a construction toward liberty of the XIV. Amendment, would equally forbid a construction toward curtailment of liberty of the XV.

But it will be said that the XV. Amendment becomes without purpose and effect, and really as senseless as we claim the XIV. Amendment to be under the construction which we oppose, if it is to be regarded as operating only in the way claimed, and not as conferring rights not previously existing. This is a point of some force, and which can be replied to only by the fact that there was an impression upon the minds of the legislators and of the people, that the XIV. Amendment did not confer the right of suffrage. That impression weighs nothing in now determining the meaning of the XIV. Amendment; but it furnishes the explanation that seems to be needed of the passage of the XV. Amendment. It was in our view wholly unnecessary, but was generally thought to be necessary. The difference in the two cases is that the XV. Amendment was passed under a supposed necessity, and with, therefore, a complete object; while the XIV. Amendment, under the construction which our

opponents give to it, not only conferred nothing, but was believed at the time to confer nothing, and had therefore no purpose whatever. Our view that the XV. Amendment was unnecessary was held by some leading statesmen at the time. Mr. Sumner in the Senate declared it to be so before its passage, and proposed instead of it a mere law of Congress recognizing the right of suffrage and regulating its exercise.

It is at any rate very clear that the construction of the XV. Amendment, which makes it impliedly allow the denial of suffrage on all other grounds than the three stated, can not be sustained. Such rights as those with which it deals will never be allowed in a free constitution like ours to be curtailed or restricted by mere implication. If that construction is adopted—and a State may deny the right to vote on all other grounds but race and color and previous servitude—then, of course, a State may deny the right to all naturalized foreigners, although they have already acquired and enjoyed the right, and may also deny the right to vote to persons of a particular height or color of hair or profession. Indeed, to reduce the case to an absurdity, suppose the women are allowed to vote in Massachusetts, and, being a great majority over the men, turn around and exclude the men. This would be precisely the ground on which women are now excluded—that of sex; and yet can any one doubt that the constitutional right to vote of men would be sustained?

[Pg 504]

It is worth noticing that the Act of Congress of May 31, 1870, to carry into effect the provisions of the XIV. and XV. Amendments, is entitled, "An Act to enforce the right of citizens of the United States to vote in the several States of this Union."

Our conclusion, stated in a few words, is this: All women are citizens. Every citizen, in the language of Judge Daniel in the Dred Scott case, has "the actual possession and enjoyment or the perfect right of acquisition and enjoyment of an entire equality of privileges, civil and political." The right to prescribe qualifications rests with the States, in the absence of any law of Congress prescribing them. These qualifications involve time of residence, age, and other matters that are entirely within the reach of the citizen by acquisition or lapse of time. Mr. Sumner has demonstrated in a manner that can not be answered that the qualifications thus left for the States to prescribe must be those under which the citizen can become a voter, and can not be such as would permanently exclude him from the right of suffrage.

It has been said that it is not fair for women to take advantage of a right to vote, no matter how clearly given them, which there was no actual intention to give. This objection does not touch the argument we have been making, but it may be well to say a word upon it. The law has so far dealt so unfairly with women that it would seem as if they should not be severely criticised for taking advantage of the law, when, though by mere accident, it happens to favor them. But it is especially to be considered that their claim is in accordance with the whole spirit of the Constitution and in harmony with all the fundamental principles of our Government, while the denial of suffrage to them is in opposition to those principles. If anything is settled in this country as an abstract general principle, it is the right of tax-payers to have a voice in the legislation that is to determine their taxes and in the appointment of the officers who are to levy and expend them, and that the members of the nation should elect its rulers. Our error (and the day is not far distant when we shall all see its absurdity) is in making these fundamental rights the rights of men alone and in denying them to women. The latter have equal intelligence, patriotism, and virtue, and their fidelity to their country has been as well proved as that of men, and it is difficult to see any good reason why they should have no voice in deciding who shall be the rulers of the nation, what its laws, what its taxes and how appropriated, what the policy that is to affect, for good or evil, the business interests that they are becoming more and more largely engaged in. With all this equity in their favor, may they not be allowed, without censure, to avail themselves of a legal right? If the freedom of the slave could have been declared by our judicial tribunals under some guarantee of freedom in the National Constitution, originally intended only for white men, all lovers of freedom would have rejoiced. When Alvan Stewart, thirty years ago, attempted to get such a decision from the supreme court of New Jersey, there was not a cavil heard among the opponents of slavery. So when, in the face of the whole legal opinion of England, Granville Sharpe got a decision in favor of the slave Somerset, forever overthrowing slavery in England, by an application of latent principles of the English constitution, the whole world applauded, and does to this day. It was thus, as we understand it, that slavery was overthrown in Massachusetts, a lawyer claiming before its courts the application to a slave of a clause in its bill of rights supposed to have been intended only for white men. We would add that it would not accord at all with the good sense and directness of method that specially characterize the American people, for the friends of woman suffrage to labor years for the passage of a further constitutional amendment when they already have all that such an amendment could give.

[Pg 505]

Having attempted a strictly legal view of this question, permit me, gentlemen, to say that in my heart my claim to vote is based upon the original Constitution, interpreted by the Declaration of Independence. I believe that Constitution comprehensive enough to include all men and all women. I believe that black men needed no other charter than white men. I recognize the stress laid upon Congress, by reason of the infancy of that race, their past bondage, and the duty of protection toward them. But the great principles of liberty and responsibility contained in the Declaration and the Constitution should have afforded protection to every human being living under the flag, and properly applied they would have been found sufficient. For my own part, I will never willingly consent to vote under any special enactment conferring rights of citizenship upon me as upon an alien. Like Paul, I was free-born. "With a great sum obtained I this freedom," said the Roman centurion to this old patriot apostle, but he replied, "I am free-born." There is music in those words to my ear. They are the deep vibrations of a soul that loves its country as itself.

You sit here, gentlemen, in judgment on my rights as an American citizen, as though they were something different from your own! By whatsoever title you sit in these seats and make laws, wise or unwise, just or unjust, for this great people, by that same title do I claim my share in this great responsibility, owing allegiance to God and my own conscience alone. I may have been born with less capacity than the least among you, with small chance of growing to your mental stature, or reaching your standard of moral elevation; but I have a perfect right to sit in your midst, pigmy that I may be, since I am one of "the people" who did ordain this glorious old Constitution, and one of

"the governed," whose consent is made the basis of a government that can be called just.

It is for this reason that I and my fellow memorialists have asked to be protected in the use of our present rights, rather than endowed with any new ones; and we do pray you, gentlemen of the committee, to give immediate attention to our claim, and to report to the Senate within a short time, favorably if you can, adversely if you must, because we not only wish, in common with thousands of other women-citizens, to vote for the next President, but to have a potent voice in his nomination, and we wish to know, therefore, how far Congress will aid us, and how far we must work out our own salvation. For we can wait no longer. We feel that we have neglected our duty already, else what means this appalling official corruption that is bringing dismay to the stoutest hearts among men, and leading them to doubt the wisdom of republican institutions, the strength of the great doctrines of liberty and responsibility on which our Government is founded? We do not doubt these great doctrines, we know what they mean and whereto they tend. Our Ship of State carries two engines, gentlemen, and was built for them, but heretofore you have used only one, and now you have reached the place where not only two seas meet, but all ocean currents are struggling together for the mastery. The man power alone will not save you, but put on the woman power, and our gallant ship will steady itself for a moment, and then ride the waves triumphantly forevermore.

[Pg 506]

Gentlemen, we come to you with petitions no longer. Here is our declaration and pledge, issued a year ago this day, signed already by thousands of women, and eager names are coming every day. (Mrs. H. read the pledge and exhibited the great autograph book.)

We did hope to present this to Congress itself in the Senate Chamber to-day. We believe that women, being unrepresented in that body, are entitled to appear there by their memorialists in person, and we have so asked. But Congress has referred us to you, and you have declined even to submit our proposition officially to that body. You find no precedent for this, you say—forgetting, gentlemen, that history makes its own precedents. The men of America made theirs in 1776; the women of America are making theirs to-day, and may God prosper the right.

Mrs. STANTON said: *Gentlemen of the Judiciary Committee*: We appear before you at this time to call your attention to our memorial asking for a "declaratory act" that shall protect women in the exercise of the right of suffrage. Benjamin F. Butler, early in the session, presented a bill in the House to this effect that may soon, in the order of legislation, come before you for consideration in the Senate of the United States. As you well know, women are demanding their rights as citizens to-day under the original Constitution, believing that its letter and spirit, fairly interpreted, guarantee the blessings of liberty to every citizen under our flag. But more especially do we claim that our title deed to the elective franchise is clearly given in the XIV. and XV. Amendments. Therein for the first time, the Constitution defines the term citizen, and, in harmony with our best lexicographers, declares a citizen to be a person possessed of the right to vote. In the last year the question of woman's political status has been raised from one of vague generalities to one of constitutional law.

The Woodhull memorial, and the able arguments sustaining it made by Mr. Riddle and Mrs. Woodhull herself, and the exhaustive minority report of Messrs. Butler and Loughridge, have been before the nation for one year, and yet remain unanswered; in fact, the opinions of many of our most learned judges and lawyers multiplying on all sides, sustain the positions taken in the "Woodhull Memorial." As our demands are based on the same principles of constitutional interpretation, I will not detain you with the re-statement of arguments already furnished, but will present a few facts and general principals showing the need of some speedy action on this whole question.

[Pg 507]

Gentlemen hold seats in Congress to-day by the votes of women. The legality of the election of Mr. Garfield, of Washington Territory, and Mr. Jones, of Wyoming, involves the question whether or not their constituents are legal voters. Ultimately, this question, involving the fundamental rights of citizens, must be considered in the Senate as well as the House. Women have voted in the general elections in several of the States, and if legislators chosen by women choose Senators, their right to their seats can not be decided until it is first decided whether women are legal voters. Some speedy action on this question is inevitable, to preserve law and order.

In some States women have already voted; in others they are contesting their rights in the courts, and the decisions of judges differ as widely as the capacities of men to see first principles.

Judge Howe, Judge Cartter, and Judge Underwood have given their written opinions in favor of woman's citizenship under the XIV. and XV. Amendments. Even the majority report of the Judiciary Committee, presented by John A. Bingham, though adverse to the prayer of Victoria Woodhull, admits the citizenship of woman. In the late cases of Sarah Spencer against the Board of Registration, and Sarah E. Webster against the superintendent of election, the judge decided that under the XIV. Amendment women are citizens.

We do not ask to vote outside of law, or in open violation of it, nor to avail ourselves of any strained interpretations of constitutional provisions, but in harmony with the Federal Constitution, the Declaration of Independence, and our American theory of just government. The women of this country and a handful of foreign citizens in Rhode Island, the only disfranchised classes, ask you to-day to secure to them a republican form of government to protect them against the oppression of State authorities, who, in violation of your amendments, assume the right not merely to regulate the suffrage, but to abridge and deny it to these two classes of citizens. The Federal Constitution, in its Amendment, clearly defines, for the first time, who are citizens: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the States wherein they reside."

No one denies that "all persons," in the XIV. Amendment, is used without limitation of sex, or in other words, that not men only, but women also are citizens. Whether in theory the citizenship of women is generally admitted or not, it certainly is in practice. Women pre-empt land; women register ships; women obtain passports; women pay the penalty of their own crimes; women pay taxes, sometimes work out the road tax. In some States, even married women can make contracts, sue and be sued, and do business in their own names; in fact, the old Blackstone idea that husband and wife are one, and that one the husband, received its death blow twenty years ago, when the

States of New York and Massachusetts passed their first laws securing to married women the property they inherited in their own right.

You may consider me presumptuous, gentlemen, but I claim to be a citizen of the United States, with all the qualifications of a voter. I can read the Constitution, I am possessed of two hundred and fifty dollars, and the last time I looked in the old family Bible I found I was over twenty-one years of age.

[Pg 508]

"Individual rights," "Individual conscience and judgment," are great American ideas, underlying our whole political and religious life. We are here to-day to ask a Congress of Republicans for that crowning act that shall secure to 15,000,000 women the right to protect their persons, property, and opinions by law. The XIV. Amendment, having told us who are citizens of the republic, further declares that "no State shall make or enforce any law which shall abridge the 'privileges or immunities' of 'citizens' of the United States." Some say that "privileges and immunities" do not include the right of suffrage. We answer that any person under Government who has no voice in the laws or the rulers has his privileges and immunities abridged at every turn, and when a State denies the right of suffrage, it robs the citizen of his citizenship and of all power to protect his person or property by law.

Disfranchised classes are ever helpless and degraded classes. One can readily judge of the political status of a citizen by the tone of the press. Go back a few years, and you find the Irishman the target for all the gibes and jeers of the nation. You could scarce take up a paper without finding some joke about "Pat" and his last bull. But in process of time "Pat" became a political power in the land, and editors and politicians could not afford to make fun of him. Then "Sambo" took his turn. They ridiculed his thick skull, woolly head, shin-bone, long heel, etc., but he, too, has become a political power; he sits in the Congress of the United States and in the Legislature of Massachusetts, and now politicians and editors can not afford to make fun of him.

Now, who is their target? Woman. They ridicule all alike—the strong-minded for their principles, the weak minded for their panniers. How long think you the New York *Tribune* would maintain its present scurrilous tone if the votes of women could make Horace Greeley Governor of New York? The editor of the *Tribune* knows the value of votes, and if, honorable gentlemen, you will give us a "Declaratory law," forbidding the States to deny or abridge our rights, there will be no need of arguments to change the tone of his journal; its columns will speedily glow with demands for the protection of woman as well as broadcloth and pig-iron. Then we might find out what he knows and cares for our real and relative value in the Government.

Without some act of Congress regulating suffrage for women as well as black men, women citizens of the United States who, in Washington, Utah, and Wyoming Territories, are voters and jurors, and who, in the State of Kansas, vote on school and license questions, would be denied the exercise of their right to vote in all the States of the Union, and no naturalization papers, education, property, residence, or age could help them. What an anomaly is this in a republic! A woman who in Wyoming enjoys all the rights, privileges, and immunities of a sovereign, by crossing the line into Nebraska, sinks at once to the political degradation of a slave. Humiliated with such injustice, one set of statesmen answer her appeals by sending her for redress to the courts; another advises her to submit her qualifications to the States; but we, with a clearer intuition of the rightful power, come to you who thoughtfully, conscientiously, and understandingly passed that Amendment defining the word "citizen," declaring suffrage a foundation right. How are women "citizens" from Utah, Wyoming, Kansas, moving in other States, to be protected in the rights they have heretofore enjoyed, unless Congress shall pass the bill presented by Mr. Butler, and thus give us a homogeneous law on suffrage from Maine to Louisiana? Remember, these are citizens of the United States as well as of the Territories and States wherein they may reside, and their rights as such are of primal consideration. One of your own amendments to the Federal Constitution, honorable gentlemen, says "that the right of citizens of the United States to vote shall not be denied or abridged by any State on account of race, color, or previous condition of servitude." We have women of different races and colors, as well as men. It takes more than men to compose peoples and races, and no one denies that all women suffer the disabilities of a present or previous condition of servitude. Clearly the State may regulate, but can not deny the exercise of this right to any citizen.

[Pg 509]

You did not leave the negroes to the tender mercies of the courts and States. Why send your mothers, wives, and daughters suppliants at the feet of the unwashed, unlettered, unthinking masses that carry our elections in the States? Would you compel the women of New York to sue the Tweeds, the Sweeneys, the Connollys, for their inalienable rights, or to have the scales of justice balanced for them in the unsteady hand of a Cardozo, a Barnard, or a McCunn? Nay, nay; the proper tribunal to decide nice questions of human rights and constitutional interpretations, the political status of every citizen under our national flag, is the Congress of the United States. This is your right and duty, clearly set forth in article 1, section 5, of the Constitution, for how can you decide the competency and qualifications of electors for members of either House without settling the fundamental question on what the right of suffrage is based? All power centers in the people. Our Federal Constitution, as well as that of every State, opens with the words, "We, the people." However this phrase may have been understood and acted on in the past, women to-day are awake to the fact that they constitute one half the American people; that they have the right to demand that the constitution shall secure to them "justice," "domestic tranquillity," and the "blessings of liberty." So long as women are not represented in the government they are in a condition of tutelage, perpetual minority, slavery.

You smile at the idea of women being slaves in this country. Benjamin Franklin said long ago, "that they who have no voice in making the laws, or in the election of those who administer them, do not enjoy liberty, but are absolutely enslaved to those who have votes and to their representatives." I might occupy hours in quoting grand liberal sentiments from the fathers—Madison, Jefferson, Otis, and Adams—in favor of individual representation. I might quote equally noble words from the statesmen of our day—Seward, Sumner, Wade, Trumbull, Schurz, Thurman, Groesbeck, and Julian—to prove "that no just government can be formed without the consent of the governed"; that "the ballot is the columbiad of our political life, and every man who holds it is a full-armed Monitor." But

[Pg 510]

what do lofty utterances and logical arguments avail so long as men, blinded by old prejudices and customs, fail to see their application to the women by their side? Alas! gentlemen, women are your subjects. Your own selfish interests are too closely interwoven for you to feel their degradation, and they are too dependent to reveal themselves to you in their nobler aspirations, their native dignity. Did Southern slaveholders ever understand the humiliations of slavery to a proud man like Frederick Douglass? Did the coarse, low-bred master ever doubt his capacity to govern the negro better than he could govern himself? Do cow-boys, hostlers, pot-house politicians ever doubt their capacity to prescribe woman's sphere better than she could herself? We have yet to learn that, with the wonderful progress in art, science, education, morals, religion, and government we have witnessed in the last century, woman has not been standing still, but has been gradually advancing to an equal place with the man by her side, and stands to-day his peer in the world of thought.

American womanhood has never worn iron shoes, burned on the funeral pile, or skulked behind a mask in a harem, yet, though cradled in liberty, with the same keen sense of justice and equality that man has, she is still bound by law in the swaddling bands of an old barbarism. Though the world has been steadily advancing in political science, and step by step recognizing the rights of new classes, yet we stand to-day talking of precedents, authorities, laws, and constitutions, as if each generation were not better able to judge of its wants than the one that preceded it. If we are to be governed in all things by the men of the eighteenth century, and the twentieth by the nineteenth, and so on, the world will be always governed by dead men. The exercise of political power by woman is by no means a new idea. It has already been exercised in many countries, and under governments far less liberal in theory than our own. As to this being an innovation on the laws of nature, we may safely trust nature at all times to vindicate herself. In England, where the right to vote is based on property and not person, the *feme sole* freeholder has exercised her right all along. In her earliest history we find records of decisions in courts of her right to do so, and discussions on that point by able lawyers and judges. The *feme sole* voted in person; when married, her husband represented her property, and voted in her stead; and the moment the breath went out of his body, she assumed again the burden of disposing of her own income and the onerous duty of representing herself in the Government. Thus England is always consistent; property being the basis of suffrage, is always represented. Here suffrage is based on "persons," and yet one-half our people are wholly unrepresented.

We have declared in favor of a government of the people, for the people, by the people, the whole people. Why not begin the experiment? If suffrage is a natural right, we claim it in common with all citizens; if it is a political right, that the few in power may give or take away, then it is clearly the duty of the ruling powers to extend it in all cases as the best interests of the State require. No thinking man would admit that educated, refined womanhood would not constitute a most desirable element and better represent the whole humanitarian idea than a government of men alone.

[Pg 511]

The objections to Mr. Butler's bill, extending the provisions of the enforcement act to women, all summed up, are these:

1st. This is too short a cut to liberty. It is taking the nation by storm. The people are not ready for it. The slower process of a XVI. Amendment would be safer, surer, and do more toward educating the people for the final result. To all of which I answer, the women at least are ready and as well prepared for enfranchisement as were the slaves of the Southern plantation. There could have been no plan devised to educate the people so rapidly as the startling announcement in the Woodhull Memorial that women already had the right to vote. It has roused wise men to thought on the question, stirred the bar and bench of the nation, with the prospect of a new and fruitful source of litigation; it has inspired woman with fresh hope that the day of her enfranchisement is at hand, given the press of the country solid arguments for their consideration, and changed the tone of the speeches in our conventions from whinings about brutal husbands, stolen babies, and special laws, to fundamental principles of human rights.

This question has been up for discussion in this country over thirty years; it split the first anti-slavery society in two, was a firebrand in the world's convention, and has been a disturbing element in temperance, educational and constitutional conventions ever since, and it is high time it took a short cut to its final consummation. There have been many shorter cuts to liberty than this is likely to be, even with a declaratory act at this session. Why multiply amendments when we have liberty and justice enough in the spirit and letter of the Constitution as it now is to protect every citizen under this Government?

The simple opinion of a Chief Justice, a century ago, without any change in legislation, settled in one hour as great a question of human rights as we now submit to your consideration. Lord Mansfield, presiding in the Court of Queen's Bench, listening to the arguments in the fatuous Somerset case, with higher light and knowledge, suddenly awoke to the truth that by the laws of England, a slave could not breathe on that soil, and he so decided, and the negro was discharged. Slavery was abolished in Massachusetts in the same way, without any amendment of her constitution or new legislation, simply by the decision of her Chief Justice. So you perceive, honorable gentlemen, we have two precedents for the "short cut" we propose to liberty.

2d. Some object that it was not the "intention" of the framers of the original Constitution, nor of the amendments, to enfranchise woman. When ordinary men, in their ordinary condition, talk of the "intentions" of great men specially inspired to utter great political truths, they talk of what they can not know or understand. When by some moral revolution men are cut loose from all their old moorings and get beyond the public sentiment that once bound them, with no immediate selfish interest to subserve—as, for instance, our fathers in leaving England, or the French Communes in the late war—in hardship and suffering they dig down to the hard-pan of universal principles, and in their highest inspirational moments proclaim justice, liberty, equality for all.

[Pg 512]

Visiting Chicago not long since, I saw great pieces of rock of the most wonderful mineral combination—gold, silver, glass, iron, layer after layer, all welded beautifully together, and that done in the conflagration of a single night which would have taken ages of growth to accomplish in the ordinary rocky formations. Just so revolutions in the moral world suddenly mould ideas, clear, strong, grand, that centuries might have slumbered over in silence; ideas that strike minds ready for

them with the quickness and vividness of the lightning's flash. It is in such ways and under such conditions that constitutions and great principles of jurisprudence are written; the letter and spirit are ever on the side of liberty; and highly organized minds, governed by principle, invariably give true interpretations; while others, whose law is expediency, coarse and material in all their conceptions, will interpret law, Bible, constitution, everything, in harmony with the public sentiment of their class and condition. And here is the reason why men differ in their interpretations of law. They differ in their organizations; they see everything from a different standpoint. Could ideas of justice, and liberty, and equality be more grandly and beautifully expressed than in the preamble to our Federal Constitution?

It is an insult to those Revolutionary heroes to say that, after seven years' struggle with the despotic ideas of the old world, in the first hour of victory, with their souls all on fire with new-found freedom, they sat down like so many pettifogging lawyers, and drew up a little instrument for the express purpose of robbing women and negroes of their inalienable rights. Does the preamble look like it? Women did vote in America, at the time the Constitution was adopted. If the framers of the Constitution meant they should not, why did they not distinctly say so? The women of the country, having at last roused up to their rights and duties as citizens, have a word to say as to the "intentions" of the fathers. It is not safe to leave the "intentions" of the Pilgrim fathers, or the Heavenly Father, wholly to masculine interpretation, for by Bible and Constitution alike, women have thus far been declared the subjects, the slaves of men.

But able jurists tell us that the "intention" of the framers of a document must be judged by the letter of the law. Following this rule the Supreme Court of the District of Columbia has decided that the XIV. Amendment does affect the status of women; that it advances them to full citizenship, and clothes them with the capacity to become voters. The exact language of Judge Cartter, who spoke for the court, is as follows:

All that has been accomplished by this amendment to the Constitution, or its previous provisions, is to distinguish them (women) from aliens, and make them capable of becoming voters. In giving expression to my judgment, this clause does advance them to full citizenship, and clothes them with the capacity to become voters.

If so much has been done, we have already gone beyond the "intention" of the framers of the amendments, if, as some say, they did not intend to touch the status of woman at all. But with or without intent, a law stands as it is written—"Lex ita scripta est." The true rule of interpretation, says Charles Sumner, under the National Constitution, especially since its additional amendments, is that anything for human rights is constitutional. "No learning in the books, no skill in the courts, no sharpness of forensic dialectics, no cunning in splitting hairs, can impair the vigor of the constitutional principle which I announce. Whatever you enact for human rights is constitutional, and this is the supreme law of the land, anything in the constitution or laws of any State to the contrary notwithstanding."

[Pg 513]

SUSAN B. ANTHONY said—*Gentlemen of the Judiciary Committee*: It is not argument nor Constitution that you need; you have already had those. I shall therefore refer to existing facts. Prior to the war the plan of extending suffrage was by State action, and it was our boast that the National Constitution did not contain a word that could be construed into a barrier against woman's right to vote. But at the close of the war Congress lifted the question of suffrage for men above State power, and by the amendments prohibited the deprivation of suffrage to any citizen by any State. When the XIV. Amendment was first proposed in Congress, we rushed to you with petitions, praying you not to insert the word "male" in the second clause. Our best woman-suffrage men, on the floor of Congress, said to us the insertion of the word there puts up no new barrier against woman; therefore do not embarrass us, but wait until the negro question is settled. So the XIV. Amendment, with the word "male," was adopted. Then, when the XV. Amendment was presented without the word "sex," we again petitioned and protested, and again our friends declared to us that the absence of that word was no hindrance to us, and again they begged us to wait until they had finished the work of the war. "After we have freed the negro, and given him a vote, we will take up your case." But have they done as they promised? When we come before you, asking protection under the new guarantees of the Constitution, the same men say to us our only plan is to wait the action of Congress and State Legislatures in the adoption of a XVI. Amendment that shall make null and void the insertion of the word "male" in the XIV., and supply the want of the word "sex" in the XV. Such tantalization endured by yourselves, or by any class of men, would have wrought rebellion, and in the end a bloody revolution. It is only the friendly relations that exist between the sexes that has prevented any such result from this injustice to women.

Gentlemen, I should be sure of your decision could you but realize the fact that we, who have been battling for our rights, now more than twenty years, have felt, and now feel, precisely as you would under such circumstances. Men never do realize this. One of the most ardent lovers of freedom (Senator Sumner), said to me, two winters ago, after our hearing before the Committee of the District, "Miss Anthony, I never realized before that you, or any woman, could feel the disgrace, the degradation, of disfranchisement precisely as I should if my fellow-citizens had conspired to take from me my right to vote." We have petitioned for our rights year after year. Although I am a Quaker and take no oath, yet I have made a most solemn "affirmation" that I would never again beg my rights, but that I would come up to Congress each year, and demand the recognition of them under the guarantees of the National Constitution.

[Pg 514]

What we ask of the Republican party, is simply to take down its own bars. The facts in Wyoming show how a Republican party can exist in that Territory. Before women voted, there was never a Republican elected to office; after their enfranchisement, the first election sent a Republican to Congress, and seven Republicans to their Territorial Legislature. Thus the nucleus of a Republican party there was formed by the enfranchisement of women. The Democrats seeing this, are now determined to again disfranchise the women. Can you Republicans so utterly stultify yourselves, can you so entirely work against yourselves, as to refuse us a Declaratory Law? Can you longer deny us the protection we ask? We pray you to report immediately, as Mrs. Hooker has said, "favorably, if you can, adversely, if you must." We can wait no longer.

In the House, on January 24, 1872, the following discussion took place:

Mr. BUTLER, of Massachusetts.—I ask unanimous consent, out of the usual course of the rules, to present a petition.

The SPEAKER.—Is there objection? The Chair hears none.

Mr. BUTLER, of Massachusetts.—I am honored with the duty of presenting a petition for a declaratory law to assure the right of suffrage to the women citizens of the United States. They believe their absolute constitutional right is to vote. They here and now desire to bring to the attention of Congress the necessity of passing a new law declaring and executing that right. They claim such a law in two views: first, as of right, and secondly, as of expediency to the nation. They insist that this their right ought to be secured to them by law, and they insist also that it is expedient for the Republic that this right should be accorded to them.

The mothers of the land, who shall form the characters of all its citizens through their teaching in childhood, giving direction to the thoughts which shall hereafter govern the land, may well claim that it is expedient that they shall have a voice in making the laws which govern them, which will give them greater freedom of action than they now have, which will afford them higher opportunities for noble culture than they now have, and raise their thoughts to a plane worthy of the generation that shall come after us, which must in all its social and moral qualities take its impress from their teachings, so that the men of the land shall then be as the women of the land now are; and as you elevate and ennoble woman, in so much, in a greater ratio, will our sons be better fitted for the great duties and responsibilities of the future. No stream shall rise higher than its fountain.

Sir, I recognize the fact that I have no right at this time to trespass on the business and indulgence of the House to argue the momentous question involved in this memorial, but I present this petition of 35,000 women of America, from almost every State in the Union. From every class and condition of life, from the highest and most refined, and from the humblest and most lowly, all are represented here, all asking that their claim to what they conceive to be their greatest right, and which we claim to be the inalienable right of every male citizen shall be granted to them.

[Pg 515]

The unanimity with which they come here; the fact that without organization, almost as a matter of spontaneity, 35,000 names should have been gathered and sent to this Capitol to a committee, whose voluntary duty it was made to receive them; the fact that other names are now coming in at the rate of some 500 a day; that from California 10,000 more are on the way, all speak to the Representatives of the people in accents that can not be misunderstood, that here is a great and necessary reform which calls for the fullest consideration and the promptest action of the Congress of the United States.

They are not to be told that this is an innovation, that this is a new thing. Division of property between the husband and the wife was a greater innovation upon the feudal law, which is the foundation of our law as regards women, and a very much greater innovation than this will be. That in the parent State from which we come women have had the right to act in public affairs; from the fact that in that parent State a woman is at the head of public affairs, seems to point to us that women may safely be trusted with the right to vote.

I have desired to say this much, in presenting this petition, in order that it may be brought to the notice of the House and the country; that it may take the same place in the consideration of the people that in a not very far day in the past anti-slavery petitions took, which founded the great party which now has control of the Government of this country. There was a great reform, beginning in the little, urged on by petitions, not so numerous in its early days, and hardly so numerous in its later days, as this, scarcely arriving to the dignity of numbers of applicants which characterizes the petition which I now present; and although, when a great moneyed interest was at stake, it took years to bring that freedom which those petitions asked for, yet let me assure the House of Representatives that in my judgment, much sooner, and as certainly as the sun rolls around in its course a few more times, just so sure will the right asked for in this petition be accorded to the women citizens of the United States.

I ask that this petition, which I propose simply to show to the House in its large volume (unrolling the petition), may be referred to the Committee on the Judiciary, to whom this subject has already been referred.

Mr. ELDRIDGE.—I ask that the petition be read.

The SPEAKER.—With the names?

Mr. ELDRIDGE.—Certainly.

The SPEAKER.—That would require unanimous consent.

Mr. BUTLER, of Massachusetts.—I pray that may not be done, because I promised the Committee on Appropriations not to take much time. I ask that the petition simply be read.

[Pg 516]

The Clerk read as follows:

To the Senate and House of Representatives of the United States in Congress assembled:

The undersigned, citizens of the United States, pray your honorable bodies that in any proposed amendment to the Constitution which may come before you in regard to suffrage in the District of Columbia or any Territory, the right of voting may be given to women on the same terms as to men.

The petition was then referred to the Committee on the Judiciary.

IN THE HOUSE, JANUARY 29, 1872.—MR. PARKER, of Missouri, introduced a bill (H. R. No. 1277) to allow

women to vote and hold office in the Territories of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

IN UNITED STATES SENATE ON JANUARY 29, 1872.—THE VICE-PRESIDENT said:—The Chair has been requested to present the protest of ladies of the county of Munroe, Indiana, signed by Mrs. Morton C. Hunter, Mrs. A. Y. Moore, and several hundred other ladies, remonstrating against an extension of the right of suffrage to women, "because the Holy Scripture inculcates a different and for us a higher sphere, apart from public life; because as women we find a full measure of duties, cares, and responsibilities devolving upon us, and we are therefore unwilling to bear other and heavier burdens, and those unsuited to our physical organization; because we hold that an extension of suffrage would be adverse to the interests of the working women of the country, with whom we heartily sympathize: because these changes must introduce a fruitful element of discord in the existing marriage relation, which would tend to the infinite detriment of children, and increase the already alarming prevalence of divorce through the land; because no general law affecting the condition of all women should be framed to meet exceptional discontent." This memorial will be referred to the Committee on the Judiciary.

The National Woman Suffrage Association held its May Anniversary of 1872 in New York, at Steinway Hall. As can be seen by the call,^[149] the intention was to form a political party, but the delegates, after some discussion, decided that nominees without electors were incongruous. As usual a large number of States were represented by delegates, California sending Laura de Force Gordon, and Oregon, Abigail Scott Duniway. This convention was chiefly remarkable as being the first at which the presidency changed hands—Miss Anthony, instead of Mrs. Stanton, being elected to fill the position of chief officer.

[Pg 517]

A delegation, consisting of Mrs. Hooker, Mrs. De Force Gordon, and Miss Anthony, was sent by the National Woman Suffrage Association to the Presidential Conventions held by the Liberal Republicans at Cincinnati, the Democrats at Baltimore, and the Republicans at Philadelphia. The fruit of all the earnest labor of this delegation was a splinter in the Republican platform. This, however, was something to be grateful for, as it was the first mention of woman in the platform of either of the great political parties during our National existence. On the strength of this plank the following address was issued:

GRANT AND WILSON—APPEAL TO THE WOMEN OF AMERICA FROM THE NATIONAL WOMAN SUFFRAGE ASSOCIATION.

Women of the United States, the hour for political action has come. For the first time in the history of our country woman has been recognized in the platform of a large and dominant party. Philadelphia has spoken and woman is no longer ignored. She is now officially recognized as a part of the body politic. The fourteenth plank of its platform declares:

The Republican party mindful of its obligations to the loyal women of America expresses gratification that wider avenues of employment have been open to women, and it farther declares that her demands for additional rights should be treated with respectful consideration.

We are told that this plank does not say much, that in fact it is only a "splinter;" and our "liberal" friends warn us not to rely upon it as a promise of the ballot to woman. What it is, we know full better than others. We recognize its meagerness; we see in it the timidity of politicians; but beyond and through it all, we farther see its promise of the future. We see in it the thin edge of the entering wedge which shall break woman's slavery in pieces and make us at last a nation truly free—a nation in which the caste of sex shall fall down by the caste of color, and humanity alone shall be the criterion of all human rights. The Republican party has been the party of ideas, of progress. Under its leadership, the nation came safely through the fiery ordeal of the rebellion; under it slavery was destroyed; under it manhood suffrage was established. The women of the country have long looked to it in hope, and not in vain; for to-day we are launched by it into the political arena, and the Republican party must hereafter fight our battles for us. This great party, this progressive party, having taken the initiative step, will never go back on its record. It needed this new and vital issue to keep it in life, for Cincinnati indorsed its work up to this hour; the constitutional amendments, the payment of the bonds in gold, the civil service reform, the restoration of the States. It thanked the soldiers and sailors of the Republic, it proposed lands to actual settlers. The Republican party went up higher; it remembered all citizens. The widows and orphans of the soldiers and sailors were not forgotten; it acknowledged its obligation to the loyal women of the Republic, and to the demands for additional rights, of all women, whatever their class, color, or birth, it promised "respectful consideration." Its second plank declared that "complete liberty and exact equality in the enjoyment of all civil, political, and public rights should be established and maintained throughout the Union by efficient and appropriate State and Federal legislation." These two planks are the complement of each other, and are the promise of exact and equal justice to woman. They were the work of radical woman suffrage Republicans—of Wilson, Sargent, Loring, Claflin, Hoar, Fairchild, and others. They were accepted by the candidates. General Grant, in his letter, expresses his desire to see "the time when the title of 'citizen' shall carry with it all the protection and privilege to the humblest, that it does to the most exalted." His course since his elevation to the Presidency has always been favorable to increased rights for women. He has officially recognized their competency, and has given them many government positions. Senator Wilson is an old and staunch advocate of woman suffrage, and his letter in pointed terms refers to the recognition given woman by his party, and says, "to her new demands it extends the hand of grateful recognition, and it commends her demands for additional rights to the calm and careful consideration of the nation." And, too, thus early in the campaign, the strongest men of the party, among whom are Forney, of the *Philadelphia Press*, Gerrit Smith, Bowen, of the *New York Independent*, and President White, of Cornell University, speak of this recognition as introducing a new era into politics.

[Pg 518]

While the old and tried Republican party in its platform and candidates thus gives woman assurance that her claim to equal political rights is to be respected, the other party in the field gives her no

promise either in its platform or the letters of its nominees. The Liberal Republican party is a new party; it has no record; it has done no work; it is wholly untried; it ignores women; and by its silence in regard to the equal rights of one-half of the people—the most important question now in the political horizon—it proves itself unworthy of its name, unworthy of woman's confidence, and unworthy of the votes of truly liberal men. In regard to its candidates, Gratz Brown, once our friend, has practically denied his record. Horace Greeley, its chief nominee, has for years been our most bitter opponent. Both by tongue and pen he has heaped abuse, ridicule, and misrepresentation upon our leading women, while the whole power of the *Tribune* has been used to crush out our great reform. And now that he is a candidate for election to the highest office in the country, he still continues his bitter and hostile course toward one half of its citizens. He presses the iron-heel of his despotism upon their liberties; and, in answer to our appeals, he says he "neither desires our help nor believes us capable of giving any."

What can liberty expect from such a man? What can woman hope from such a party? Women of the Republic, you can not in self-respect give your aid to such nominees; you can not in self-respect work for such a party. It has repulsed you, pushed you back, said to you "go hence."

The Republican party, with Grant and Wilson as its standard-bearers, opens its doors to you. By its fourteenth plank it invites your aid and co-operation.

Shall it not have it? Women of the South, will you not work for your own freedom? Women of the North, will you not strive for your own enfranchisement?

There is a tide in the affairs of men
Which taken at the flood leads on to fortune.
But we must take the current when it serves our turn,
Or lose our ventures.

For us to-day this tide has risen; for us to-day the current serves our turn. Let us lay aside our party preferences. Let us one and all forget our many grievances of the past; let us forget the many times we have been ignored, buffeted, and spurned by politicians. Let us throw our whole influence of voice and pen into this campaign, and in making it a success for the Republican party, make it a success for ourselves.

And now an especial word to the Women Suffrage organizations of the country. Prepare to hold mass meetings in all the large cities of your States; be ready to co-operate with Republican committees; send into the election districts your best women speakers, circulate addresses and documents throughout every school district; persuade fathers, brothers, husbands, and sons to work and vote for Grant and Wilson; offer your own votes, as in many election districts women's votes have already been received and counted; in every possible way throw the whole weight of your influence on the side of the Republican party. By persistent, united action for one party during this Presidential canvass, the women suffragists of the nation will make themselves felt as a power by both.

Women speakers, do not hesitate, do not vacillate; let no party or personal consideration bias you to act against the Republican party at this momentous crisis. Remember we owe to it a debt of gratitude that it has made for us this opportunity, that it has thus launched our cause into the political arena, where it must go on and on till justice and equality to woman shall at last triumph in a true Republic; "a government of the people, for the people, and by the people."

On behalf of the National Woman Suffrage Association.

SUSAN B. ANTHONY, President,
MATILDA JOSLYN GAGE, Chair. Ex. Com.

ROCHESTER, July 19, 1872.

The Congressional Republican Committee published thousands of this appeal, and scattered them over the country. It also telegraphed to the President of the National Woman Suffrage Association, to go to Washington in order to consult with the committee as to what women could do to aid in the coming campaign. Miss Anthony's plan was cordially accepted, and liberal appropriations placed at her disposal by both the National and New York Republican Committees for carrying on a series of meetings.^[150] The first of this series was at Rochester, and was presided over by Hon. Carter Wilder, Mayor of the city, the last in Cooper Institute, New York, at which meeting Luther R. Marsh occupied the chair.

Mrs. Livermore and Mrs. Stanton, by special invitation of Republican State Committees, also took part in the canvass in Connecticut and Pennsylvania.

FOOTNOTES:

[127]Honorable Hamlin, Sumner, Patterson, Rice, Vickers, Pratt, Harris, Cook, Welcker, Williams, Cowles, Bowles, Gilfillen.

[128]On Resolutions—Miss Susan B. Anthony, Dr. J. P. Root, Miss Phoebe Couzins, Rev. Samuel J. May, Mrs. M. E. J. Gage, Mrs. Colby, Mrs. Jacob Ela.

On Finance—Mrs. Paulina W. Davis, Miss S. B. Anthony, Mrs. B. Lockwood, Mrs. M. Wright, Mr. Wilcox.

On Credentials—Mrs. Josephine S. Griffing, Mr. Stillman, Mrs. A. D. Cridge.

[129]*Resolved*, That the National Woman's Suffrage Convention respectfully ask the XLI. Congress of the United States—

First. To submit to the Legislatures of the several States a XVI. Amendment to the Federal Constitution, prohibiting the disfranchisement of any of their citizens on account of sex.

Second. To strike the word "male" from the laws governing the District of Columbia.

Third. To enfranchise the women of Utah as the one safe, sure and swift means to abolish polygamy in that Territory.

Fourth. To amend the laws of the United States so that women shall receive the same pay as men for services rendered the government.

[130]

WASHINGTON, Jan. 19, 1870.

Miss SUSAN B. ANTHONY—DEAR MADAM:.... Accept my assurance of full and cordial sympathy with the movement to extend the right of suffrage to the women of the country, and my pledge to make that sympathy active on the first and all occasions that may arise for my official action.

Very respectfully your obedient servant,

E. G. ROSS.

WASHINGTON, Jan 19.

Mrs. ELIZABETH CADY STANTON—MADAM: Your favor of the 18th instant, inviting me to address the convention now in session in this city for the promotion of the cause of female suffrage, has been received. I regret that my official duties will not allow me the time to comply with this request; but I assure you, and the ladies with whom you are associated, that I am heartily in sympathy with the efforts you are making for the success of the cause which you especially have so long and so ably advocated. I beg further to say that the bestowal of the right of equal political suffrage upon the women of this republic can not, in my judgment, be much longer withheld, and that whatever influence I have shall be exerted, at every proper opportunity, to hasten the consummation for which you are laboring. I have the honor to be, very truly, yours,

MATT. H. CARPENTER.

[131]Rev. Olympia Brown, Connecticut; E. H. Heywood and Jennie Collins, Massachusetts; M. Adele Hazlitt, Michigan; Mrs. Francis Minor and Phoebe Couzins, Missouri; Hon. Henry B. Stanton; Judge Barlow, Canastota; Josephine S. Griffing, Rev. Phebe A. Hanaford, Lizzie M. Boynton, Maud D. Molson, Susan B. Anthony, Gen. E. M. Lee, Act Gov. Wyoming; Hon. A. G. Riddle, Washington; Hon. Jas. W. Stillman, Rhode Island; Col. R. G. Ingersoll, Illinois; Hon. J. M. Scovill, New Jersey; Dr. James C. Jackson, New York; Mrs. Louisa H. Dent, New York; Lillie Peckham, Wisconsin; Mrs. M. E. J. Gage, New York; Mrs. Dr. S. Hathaway, Boston; and S. D. Dillaye, Syracuse.

[132]The Fifth Avenue Conference proposition was presented to the members of the National Association, duly discussed, and so far as one of the parties could do, accepted; that is, the National Society pledged itself to be merged into a Union Association, provided the American would make the same surrender at its first Anniversary. But as this overture for peace was rejected, the mission of the Union Society ended, leaving the National free to reassert itself and go forward with its catholic platform and persistent demands for "National protection for United States citizens," while the American devoted itself primarily to State legislation.

[133]WOMAN SUFFRAGE CELEBRATION.—The twentieth anniversary of the inauguration of the woman suffrage movement in this country, will be celebrated in Apollo Hall, in the city of New York, on the 19th and 20th of October, 1870. The movement in England, as in America, may be dated from the first National Convention, held at Worcester, Mass., October, 1850. The July following that convention, a favorable criticism of its proceedings and an able digest of the whole question appeared in the *Westminster Review*, written by Mrs. John Stuart Mill, which awakened attention in both hemispheres. In the call for that convention, the following subjects for discussion were presented: Woman's right to *education*, literary, scientific and artistic; her *avocations*, industrial, commercial and professional; her *interests*, pecuniary, civil and political: in a word, *her rights* as an individual, and her *functions* as a citizen. It is hoped that the Old and the New World will both be largely represented by the earlier advocates of this reform who will bring with them reports of progress and plans for future action. An extensive foreign correspondence will also add interest to the meetings. We specially invite the presence of those just awakening to an interest in this great movement, that from a knowledge of the past they may draw fresh inspiration for the work of the future and fraternize with a generation now rapidly passing away. As those who inaugurated a reform, so momentous and far reaching in its consequences, should hold themselves above all party considerations and personal antagonisms, and as this gathering is to be in no way connected with either of our leading woman suffrage organizations, we hope that the friends of real progress everywhere will come together and unitedly celebrate this Twentieth Anniversary of a great National Movement for Freedom.

Committee of Arrangements.—Lucretia Mott, Sarah Pugh, Elizabeth C. Stanton, Ernestine L. Rose, Samuel J. May, Mrs. C. I. H. Nichols. On behalf of the Committee,

PAULINA W. DAVIS, Chairman.

[134]In 1843, John Neal, of Portland, Maine, gave a lecture in New York which roused considerable discussion; it was replied to by Mrs. Eliza W. Farnham, with all the objections which have ever been urged, and far more ably than by any of the later objectors. Mrs. Farnham lived long enough to retrace her ground and accept the highest truth. "Woman and her Era" fully refutes her early objections. Mr. Neal's lecture,

published in *The Brother Jonathan*, was extensively copied, and as it reviewed some of the laws relating to woman and her property, it had a wide, silent influence, preparing the way for action. It was a scathing satire, and men felt the rebuke.

In this conflict for principle, the names of Wm. L. Garrison, Wendell Phillips, Edmund Quincy, Oliver Johnson, Parker Pillsbury, S. S. Foster, William Henry Channing, Samuel J. May, Charles Burleigh, James Mott, Frederick Douglass, Edmund M. Davis, and Robert Purvis, stand out conspicuously, and will so be remembered in all the future.

[135]*Resolved*, That at the close of over twenty years of persistent agitation, petitioning, State Legislatures and Congress for the right of suffrage, we, who inaugurated this reform, now demand the immediate adoption of a XVI. Amendment to the Federal Constitution, that shall prohibit any State from disfranchising its citizens on the ground of sex; and whatever national party does this act of justice, fastens the keystone in the arch of the Republic.

Resolved, That as neither free trade, finance, prohibition, capital and labor, nor any other political question, can be so vital to the existence of the Republic as the enfranchisement of women, it is clearly our duty to aid and support the great National party that shall first inscribe woman suffrage on its banner.

Resolved, That our thanks are due to the Democratic party of Utah and Wyoming for securing to woman her right of suffrage in those Territories.

Resolved, That the Democratic party of Kansas, in declaring, at its recent convention at Topeka, the enfranchisement of women in its judgment a most reasonable and timely enterprise, no longer to be justly postponed, is entitled to the hearty support of the friends of our cause in that State.

Resolved, That the American Equal Rights Association, in sending Susan B. Anthony to the National Democratic Convention in 1868, and the Massachusetts Suffrage Association, in sending Mary A. Livermore to the Republican State Convention in 1870, have inaugurated the right political action, which should be followed in the National and State Conventions throughout the country.

Resolved, That we rejoice in the fact that the Republican Legislatures of Iowa and other Western States have submitted to the people the proposition to strike the word "male" from their Constitutions.

Resolved, That it is as disastrous to human progress to teach women to bow down to the authority of man, as divinely inspired, as it is to teach man to bow down to the authority of Kings and Popes, as divinely ordained, for in both cases we violate the fundamental idea on which a Republican government and the Protestant religion are based—the right of individual judgment.

Whereas, The accident of sex no more involves the capacity to govern a family than does the accident of Papal election or royal birth the capacity to govern a dominion or a kingdom; therefore,

Resolved, That the doctrine of woman's subjection, enforced from the text, "Wives, submit yourselves unto your husbands," should be thrown aside, with the exploded theories of kingcraft and slavery, embodied in the injunction, "Honor the king," and "Servants, obey your masters."

Resolved, That as the gravest responsibilities of social life must ever rest on the mother of the race, therefore law, religion, and public sentiment, instead of degrading her as the subject of man, should unitedly declare and maintain her sole and supreme sovereignty over her own person."

[136]Married afterwards to Père Hyacinth.

[137]Chief among the guests were Mrs. Margaret Lucas, of Scotland, sister of John and Jacob Bright; Mrs. Governor Jewell, of Conn.; Mrs. Elmes, of Birmingham; Mrs. Caroline Stratton, and Miss Sarah Pugh, of Philadelphia; Lucretia Mott, Abby H. Price, Adelle Hazlett, Olympia Brown, Mrs. Davis, Mrs. Lucas, Mrs. Stanton, Mrs. Gage, and Miss Anthony; Mrs. Godbie, wife of one of the leading reform advocates of Utah; Mrs. Denman, of Quincy, Ill.; Mrs. Laura Curtis Bullard, and Dr. Clemence Lozier.

Among the gentlemen present were Alexander Delmar, Rev. Henry Powers, Mr. Lewis, of the *National Intelligencer*, Col. Hastings, Theodore Tilton, Oliver Johnson, Prof. Wilcox, and Mr. Packard, of the Business College, and others.

[138]CALL FOR A NATIONAL SUFFRAGE CONVENTION AT WASHINGTON.—We, the undersigned, desiring to secure a full discussion of the question of the enfranchisement of women during the present session of Congress, with a view to the speedy passage of a XVI. Amendment to the Federal Constitution, invite all men and women desiring this change in the Constitution to meet us in convention for that purpose in the city of Washington on the 11th and 12th of January. Eminent speakers will be present from all parts of the country, including several members of Congress, and plans of work will be presented and discussed. We earnestly urge you, dear friends, to come together at this time in a spirit of unselfishness and of hard work, and let us take one another by the hand and move onward as never before.

PAULINA W. DAVIS, JOSEPHINE S. GRIFFING, ISABELLA B. HOOKER.

[139]Mrs. Esther Morris, a large fine-looking woman, administered justice in that

Territory for nearly two years, and none of her decisions were ever questioned.

[140]The hearing took place in the committee room, which was crowded with a goodly assemblage of men and women. Judge Bingham, of Ohio, was chairman, Gen. B. F. Butler, of Mass., was prominent in favor of the cause. Messrs. Eldridge, B. C. Cook, I. A. Peters, Ulysses Morcur, Wm. Loughridge, Michael Kerr, S. W. Kellogg, and G. W. Hitchcock formed the rest of the committee. The claimants for woman suffrage were represented by Mrs. V. C. Woodhull and Mrs. L. D. Blake, New York; Mrs. I. B. Hooker, Rev. O. Brown, Conn.; Mrs. P. W. Davis, Miss K. Stanton, Rhode Island; Mrs. J. Griffing, and Mrs. Lockwood, D. C.; and Miss Susan B. Anthony. The proceedings were opened by the reading of her memorial by Mrs. Woodhull. It was the first time the lady had ever appeared in public, and her voice trembled slightly with emotion which only made the reading the more effective. She claimed not a XVI. amendment; but that under the XIV. and XV. Amendments, women have already the right to vote, and prayed Congress merely to pass a declaratory resolution to that effect.—The Washington *Republican*.

[141]Yeas—Messrs. Allison, Arnell, Asper, Atwood, Banks, Barry, Buck, Buffinton, Burdett, Churchill, Amasa Cobb, Clinton L. Cobb, Coburn, Cullom, Darrall, Joseph Dixon, Ela, Farnsworth, Finkelnburg, Hamilton, Harris, Hawkins, Hoar, Alexander H. Jones, Julian, Kelley, Lawrence, Long, Loughridge, Maynard, Milnes, William Moore, Morey, Daniel J. Morrell, Negley, Orth, Packard, Paine, Pierce, Platt, Pomeroy, Porter, Prosser, Sargent, Scofield, Shanks, William J. Smith, Stevenson, Stoughton, Strickland, Twichell, Cadwallader C. Washburn, Willard, John T. Wilson, and Wolf.

[142]Among the speakers were Isabella Beecher Hooker, Paulina Wright Davis, Minnie Swayze, Mrs. Dr. Hallock, Josephine S. Griffing, Victoria C. Woodhull, Anna Middlebrook, Matilda Joslyn Gage, Susan B. Anthony, Elizabeth Cady Stanton, Lucretia Mott.

[143]*An Appeal to the Women of the United States by the National Woman Suffrage and Educational Committee, Washington, D. C.:*

DEAR FRIENDS:—The question of your rights as citizens of the United States, and of the grave responsibilities which a recognition of those rights will involve, is becoming the great question of the day in this country, and is the culmination of the great question which has been struggling through the ages for solution, that of the highest freedom and largest personal responsibility of the individual under such necessary and wholesome restraints as are required by the welfare of society. As you shall meet and act upon this question, so shall these great questions of freedom and responsibility sweep on, or be retarded, in their course.

This is pre-eminently the birthday of womanhood. The material has long held in bondage the spiritual; henceforth the two, the material refined by the spiritual, the spiritual energized by the material, are to walk hand in hand for the moral regeneration of mankind. Mothers, for the first time in history, are able to assert, not only their inherent first right to the children they have borne, but their right to be a protective and purifying power in the political society into which those children are to enter. To fulfill, therefore, their whole duty of motherhood, to satisfy their whole capacity in that divine relation, they are called of God to participate with man in all the responsibilities of human life, and to share with him every work of brain and heart, refusing only those physical labors that are inconsistent with the exalted duties and privileges of maternity, and requiring these of men as the equivalent of those heavy yet necessary burdens which women alone can bear.

Under the Constitution of the United States justly interpreted, you were entitled to participate in the government of the country, in the same manner as you were held to allegiance and subject to penalty. But in the slow development of the great principles of freedom, you, and all, have failed both to recognize and appreciate this right; but to-day, when the rights and responsibilities of women are attracting the attention of thoughtful minds throughout the whole civilized world, this constitutional right, so long unobserved and unvalued, is becoming one of prime importance, and calls upon all women who love their children and their country to accept and rejoice in it. Thousands of years ago God uttered this mingled command and promise, "Honor thy father and thy mother, that thy days may be long upon the land which the Lord thy God giveth thee." May we not hope that in the general recognition of this right and this duty of woman to participate in government, our beloved country may find her days long and prosperous in this beautiful land which the Lord hath given her.

To the women of this country who are willing to unite with us in securing the full recognition of our rights, and to accept the duties and responsibilities of a full citizenship, we offer for signature the following Declaration and Pledge, in the firm belief that our children's children will with fond veneration recognize in this act our devotion to the great doctrines of liberty in their new and wider and more spiritual application, even as we regard with reverence the prophetic utterances of the fathers of the Republic in their Declaration of Independence:

DECLARATION AND PLEDGE OF THE WOMEN OF THE UNITED STATES CONCERNING THEIR RIGHT TO AND THEIR USE OF THE ELECTIVE FRANCHISE.

We, the undersigned, believing that the sacred rights and privileges of citizenship in this Republic were guaranteed to us by the original Constitution, and that these rights are confirmed and more clearly established by the XIV. and XV. Amendments, so that we can no longer refuse the solemn responsibilities thereof, do hereby pledge ourselves to accept the duties of the franchise in our several States, so soon as all legal restrictions are removed. And believing that character is the best safeguard of national liberty, we pledge ourselves to make the personal purity and integrity of candidates for public office

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

You have no new issue to make, no new grievances to set forth. You are taxed without representation, tried by a jury not of your peers, condemned and punished by judges and officers not of your choice, bound by laws you have had no voice in making, many of which are specially burdensome upon you as women; in short, your rights to life, liberty, and the pursuit of happiness are daily infringed, simply because you have heretofore been denied the use of the ballot, the one weapon of protection and defense under a republican form of government. Fortunately, however, you are not compelled to resort to force in order to secure the rights of a complete citizenship. These are provided for by the original Constitution, and by the recent amendments you are recognized as citizens of the United States, whose rights, including the fundamental right to vote, may not be denied or abridged by the United States, nor by any State. The obligation is thus laid upon you to accept or reject the duties of citizenship, and to your own consciences and your God you must answer, if the future legislation of this country shall fall short of the demands of justice and equality.

The participation of woman in political affairs is not an untried experiment. Woman suffrage has within a few years been fully established in Sweden and Austria, and to a certain extent in Russia. In Great Britain women are now voting equally with men for all public officers except members of Parliament, and while no desire is expressed in any quarter that the suffrage already given should be withdrawn or restricted, over 126,000 names have been signed to petitions for its extension to parliamentary elections, and Jacob Bright, the leader of the movement in Parliament, and brother of the well known John Bright, says that no well-informed person entertains any doubt that a bill for such extension will soon pass.

In this country, which stands so specially on equal representation, it is hardly possible that the same equal suffrage would not be established by law, if the matter were to be left merely to the progress of public sentiment and the ordinary course of legislation. But as we confidently believe, and as we have before stated, the right already exists in our National Constitution, and especially under the recent amendments. The interpretation of the Constitution which we maintain, we can not doubt, will be ultimately adopted by the courts, although, as the assertion of our right encounters a deep and prevailing prejudice, and judges are proverbially cautious and conservative, we must expect to encounter some adverse decisions. In the meantime it is of the highest importance that in every possible way we inform the public mind and educate public opinion on the whole subject of equal rights under a republican government, and that we manifest our desire for and willingness to accept all the rights and responsibilities of citizenship, by asserting our right to be registered as voters and to vote at the Congressional elections. The original Constitution provides in express terms that the representatives in Congress shall be elected "by the people of the several States," with no restrictions whatever as to the application of that term. This right, thus clearly granted to all the people, is confirmed and placed beyond reasonable question by the XIV. and XV. Amendments. The act of May, 1870, the very title of which, "An Act to enforce the rights of citizens of the United States to vote," is a concession of all that we claim, provides that the officers of elections throughout the United States shall give an equal opportunity to all citizens of the United States to become qualified to vote by the registry of their names or other prerequisite; and that where upon the application of any citizen such prerequisite is refused, such citizen may vote without performing such prerequisite; and imposes a penalty upon the officers refusing either the application of the citizen to be qualified or his subsequent application to vote. The Constitution also provides that "each House shall be the judge of the elections, returns, and qualifications of its own members." When, therefore, the election of any candidate for the lower House is effected or defeated by the admission or rejection of the votes of women, the question is brought directly before the House, and it is compelled to pass at once upon the question of the right of women to vote under the Constitution. All this may be accomplished without the necessity of bringing suits for the penalty imposed upon public officers by the act referred to; but should it be thought best to institute prosecutions where the application of women to register and to vote is refused, the question would thereby at once be brought into the courts. If it be thought expedient to adopt the latter course, it is best that some test case be brought upon full consultation with the National Committee, that the ablest counsel may be employed and the expenses paid out of the public fund. Whatever mode of testing the question shall be adopted, we must not be in the slightest degree discouraged by adverse decisions, for the final result in our favor is certain, and we have, besides, great reason to hope that Congress, at an early day, will pass a declaratory act affirming the interpretation of the Constitution which we claim.

The present time is specially favorable for the earnest presentation before the public mind of the question of the political rights of women. There are very positive indications of the approaching disintegration and reformation of political parties, and new and vital issues are needed by both the great parties of the country. As soon as the conviction possesses the public mind that women are to be voters at an early day, as they certainly are to be, the principles and the action of public parties will be shaping themselves with reference to the demands of this new constituency. Particularly in nominations for office will the moral character of candidates become a matter of greater importance.

To carry on this great work a Board of six women has been established, called "The National Woman Suffrage and Educational Committee," whose office at Washington it is

Resolved, That we rejoice in the rapidly organizing millions of Spiritualists, labor reformers, temperance, and educational forces, now simultaneously waking to their need of woman's help in the cause of reform.

Resolved, That the movement for the enfranchisement of woman is the movement of universal humanity; that the great questions now looming upon the political horizon can only find their peaceful solution by the infusion of the feminine element in the councils of the nation. Man, representing force, would continue in the future, as in the past, in the New World as in the Old, to settle all questions by war, but woman, representing affection, would, in her true development, harmonize intellect and action, and weld together all the interests of the human family—in other words, help to organize the science of social, religious, and political life.

Resolved, That our thanks are due to Governor Campbell, of Wyoming, for his veto, and to the Republican members of the Legislature of Wyoming, for their votes against the bill disfranchising the women of that Territory.

Resolved, That the thanks of the women of America are due to Hon. Benjamin F. Butler for introducing so early in the present session of Congress, a bill to enfranchise woman under the Constitution, and also to Hon. Wm. Loughridge and to the Hon. Benjamin F. Butler for their admirable minority report, at the last session, sustaining the Woodhull memorial.

[146]

WASHINGTON, D. C., January 8, 1872.

Mrs. Admiral Dahlgren—MADAM: The National Woman Suffrage Association is to hold a three days' convention the present week, in Lincoln Hall, commencing on the morning of Wednesday, the 10th. Nothing would afford the officers and speakers of the convention greater pleasure than to hold a debate, during some session, with yourself and your friends, upon the question of woman suffrage. As you have publicly expressed your opposition to woman's enfranchisement, not only through the papers, but also by a petition against it to Congress, we feel sure you will gladly accept our invitation and let us know your reason for the faith that is within you.

Mrs. Elizabeth Cady Stanton, as president of the association and convention, will afford you every opportunity for argument, and will herself enter the list against you. Not only Mrs. Stanton, but all members of the committee, cordially extend this invitation for debate, to be held at any session most convenient for yourself.

An early answer is desirable.

MATILDA JOSLYN GAGE,
Chairman of the Committee of Arrangements.

[147]*Mrs. Matilda Joslyn Gage, Chairman Committee of Arrangements*—MADAM: Mrs. Sherman and myself are this morning in receipt of a note from you in which you invite us, in the name "of the officers and speakers of the National Woman Suffrage Association," to hold a debate upon the question of "woman suffrage," and mention that "Mrs. Elizabeth Cady Stanton, as President of the association and convention, will afford every opportunity for argument, and will herself enter the lists," etc.

In reply to this invitation, for which we thank you, in so far as it may have been extended in a true desire to elicit fair argument, we would remind you that in the very fact of soliciting us to "hold debate" on a public platform, on this or any other question, you entirely ignore the principle that ourselves and our friends seek to defend, viz., the preservation of female modesty.

The functions of men and women in the State as citizens are correlative and opposite. They can not be made common without seriously impairing the public virtue.

Our men must be brave, and our women modest, if this country may hope to fulfill her true mission for humanity.

We protest against woman suffrage, because the right of petition may safely be considered as common to all, and its exercise most beneficial.

We publish written articles, giving "our reasons for the faith that is within us," because we may, consistently with the home life and its duties, make such use of whatever talents God may have confided to our keeping. To these printed articles, in which we have fully and at different times explained our views, we are happy to refer you.

We likewise hold that an appeal to the public made in this manner is much more likely to evolve a clear apprehension of this important subject, as presenting a strict issue to the reasoning faculties, and one undimmed by those personalities which generally are indulged in during the course of oral debate. I am, truly yours,

MADELINE VICTOR DAHLGREN.

WASHINGTON, January 9, 1872.

[148]Lyman Trumbull of Illinois, Chairman, Roscoe Conkling of New York, Frelinghuysen of New Jersey, Matthew Carpenter of Wisconsin.

[149]PEOPLE'S CONVENTION.—The undersigned citizens of the United States, responding to the invitation of the National Woman Suffrage Association, propose to hold a Convention at Steinway Hall, in the city of New York, the 9th and 10th of May.

We believe the time has come for the formation of a new political party whose principles shall meet the issues of the hour, and represent equal rights for all.

As the women of the country are to take part for the first time in political action, we propose that the initiative steps in the convention shall be taken by them, that their opinions and methods may be fairly set forth, and considered by the representatives from many reform movements now ready for united action; such as the Internationals, and other Labor Reformers—the friends of peace, temperance, and education, and by all those who believe that the time has come to carry the principles of true morality and religion into the State House, the Court, and the market place.

This convention will declare the platform of the People's Party, and consider the nomination of candidates for President and Vice-President of the United States, who shall be the best possible exponents of political and industrial reform.

The Republican party, in destroying slavery, accomplished its entire mission. In denying that "citizen" means political equality, it has been false to its own definition of Republican Government; and in fostering land, railroad, and money monopolies, it is building up a commercial feudalism dangerous to the liberty of the people.

The Democratic party, false to its name and mission, died in the attempt to sustain slavery, and is buried beyond all hope of resurrection.

Even that portion of the Labor party which met recently at Columbus, proved its incapacity to frame a national platform to meet the demands of the hour.

We therefore invite all citizens who believe in the idea of self-government; who demand an honest administration; the reform of political and social abuses; the emancipation of labor, and the enfranchisement of woman, to join with us and inaugurate a political revolution which shall secure justice, liberty, and equality to every citizen of the United States.

ELIZABETH CADY STANTON, ISABELLA BEECHER HOOKER,
MATILDA JOSLYN GAGE.

[150]The speakers were Rev. Olympia Brown, Matilda Joslyn Gage, Susan B. Anthony, Isabella Beecher Hooker, Elizabeth Cady Stanton, Dr. Clemence S. Lozier, Helen M. Slocum, Lillie Devereux Blake.



Belva A. Lockwood

CHAPTER XXIV.

NATIONAL CONVENTIONS 1873, '74, '75.

Fifth Washington Convention—Mrs. Gage on Centralization—May Anniversary in New York—Washington Convention, 1874—Frances Ellen Burr's Report—Rev. O. B. Frothingham in New York Convention—Territory of Pembina—Discussion in the Senate—Conventions in Washington and New York, 1875—Hearings before Congressional Committees.

THE fifth Washington Convention was held in Lincoln Hall, January 16th and 17th, 1873. The President, Miss Anthony, in opening, said:

There are three methods of extending suffrage to new classes. The first is for the Legislatures of the several States to submit the question to the vote of the people; that is to those already voters. Before the war this was the only way thought of, and during all those years we petitioned to strike the word "male" from the State Constitutions. The second method is for Congress to submit to the several legislatures a proposition for a XVI. Amendment that shall prohibit the States from depriving women citizens of their right to vote. The third plan is to take our rights under the XIV. Amendment of the Constitution which declares "that all persons are citizens," and "no State shall deny or abridge the privileges or immunities of citizens."

Again, there are two ways of securing the right of suffrage under the Constitution as it is; one by a declaratory act of Congress instructing the officers of election to receive the votes of women, the other in appeals to the courts by instituting suits as women have already done, in order to secure a judicial decision on the broad interpretation of the Constitution "that all persons are citizens, and all citizens voters." The vaults in yonder Capitol hold the petitions of many thousands of women for a Declaratory Act, and the calendars of our courts show that many are already testing their right to vote under the XIV. Amendment. I stand here under indictment for having exercised my right as a citizen to vote at the last election; and by a fiction of the law, I am now in custody, and not free on this platform.

A series of resolutions^[151] were reported, and discussed at great length.

[Pg 522]

After the appointment of committees,[A] Matilda Joslyn Gage made the annual report. She said:

Though the casual observer might think but little progress had been made during the year, this is not the fact. There has been in many ways a marked advance, and although I do not claim to have a complete and exact record, I would mention points which have come under my notice.

Soon after the opening of the last session of Congress several important bills were introduced. The Hon. Mr. Hoar introduced a bill against Territorial disfranchisement, which, as women vote in two Territories, was a bill having an important bearing upon this question of suffrage. About the same time, the Hon. Mr. Butler introduced a bill for a Declaratory Law to protect women citizens in their right to vote. During the progress of our annual Convention in January last, a memorial was presented, and a hearing obtained before the Senate Judiciary Committee. The speeches made by women at that time have been printed in pamphlet form, and extensively circulated throughout the nation. Within a few days after this hearing, a petition, containing 35,000 names, was presented to the House by the Hon. Benjamin F. Butler. During his remarks upon this occasion his coadjutors left their seats and pressed around him, so anxious were they to hear, until, in order to give all an equal chance, the Speaker was forced to call to order.

The Hon. Matt. Carpenter made an elaborate argument before the Supreme Court, in the Myra Bradwell case. Mrs. Bradwell, as is well known, is the editor of a paper, entitled the *Legal News*, which is ably conducted, and accepted as authority by the profession. Mrs. Bradwell, upon applying for admission to the bar in Illinois, found her husband a "legal disability," and carried her case up to the Supreme Court. This argument was also published and circulated in pamphlet form.

[Pg 523]

The Hon. Mr. Munroe, member from Indiana, presented a petition from the women of that State, praying for the removal of political disabilities; and in the Senate Mr. Wilson introduced a bill to allow women to hold office in the Territories.

In February an argument was made before the Senate Military Committee in behalf of women who served in the army. Mrs. Admiral Dahlgren argued in person before a Congressional committee, in reference to moneys due her deceased husband.

.

Mrs. Lockwood and Mrs. Spencer both gave interesting statements in regard to women voting in the District of Columbia, and ably argued their right to do so under the National Constitution. Mrs. Lockwood introduced the following resolution:

To the Honorable Senate and House of Representatives, in Congress assembled:

We, the undersigned, citizens of the United States, being deprived of some of the privileges and immunities of citizens, among which is the right to vote, beg leave to submit the following resolution:

Resolved, That we, the officers and members of the National Woman Suffrage Association, in convention assembled, respectfully ask Congress to enact appropriate legislation, during its present session, to protect women citizens in the several States of this Union in their right to vote.

FRANCIS MILLER, Esq. said that he had one reason for congratulation in being engaged in the suit with Mr. Riddle, as it gave him an opportunity to do something for the women of his country. Under the XIV. Amendment he contended that women had the right to vote, and no lawyer that read the amendment could decide in any other way.

It was not true that the cohorts of this issue had been defeated every time, but it was true that they had gained two victories. Chief-Justice Cartter had decided that woman was a full citizen, and had not the right to vote, simply because they had not passed a law necessary for the purpose. If the XIV. Amendment did not confer suffrage they must go through the States with a new amendment, and fight a battle in each. He thought that very obscure ideas prevailed on the subject. How could anyone that had no self-government enjoy any inalienable right? It was said that the ballot was a

creature of legislation, consequently not natural. This was an absurdity. There was no way in the world for a man to govern himself except by the ballot. To deny any one the only means of exercising that right is a wrong before heaven and should be redressed. He did not propose to go into a legal argument; the best of his ability has been expended in the cause, and is before the public.

At the evening session Mrs. Gage gave the following address:

Mrs. GAGE said: We hear many fears expressed in regard to the danger of "centralized power," and the growing tendency of the nation toward it. The people have been told that through this tendency their liberties were endangered. The truth is just the contrary. "State rights" has from the very commencement of this Government been the rock on which the ship of the nation has many times nearly foundered, and from which it is to-day in great danger. The one question of the hour is, Is the United States a Nation with full and complete National powers, or is it a mere thread upon which States are strung as are the beads upon a necklace?

[Pg 524]

Let us look back a hundred years. The War of the Revolution commenced merely as a rebellion of the Colonies against the Nation to which they belonged. Though all were located on the continent of America, each colony was under its own charter, separate and distinct from every other one. Each colony resisted what it deemed to be acts of oppression against itself. Therefore, the War of the Revolution began as the resistance of individual colonies, but with the progress of this resistance grew up a feeling of united interests, and in 1774 eleven of these colonies, and a portion of the twelfth, connected themselves under certain articles of association. The colonies still considered themselves as belonging to the British Empire, and in these articles avowed their allegiance to His Majesty, George the Third. Although we date the birth of our nation two years later, our nationality actually dates back to these articles of association, for the colonies bound themselves as one in regard to non-importation, non-exportation, and non-consumption; the first two pledges having National bearing as regarded commerce, and the last one regulating internal affairs in a National manner. This course of the colonies made them one, and has had a bearing on our every step since, even up to this day of grace, January 17, 1873. Resolutions of independence and freedom from all control of Great Britain were introduced into the Colonial Congress in June, 1776, and the committee which was then appointed to draft a declaration of independent government was required to base it upon the first resolution of the June declaration of rights, which said, "These United Colonies are, and of right ought to be, free and independent," etc. The veriest school-boy needs not to be told the date of this instrument, which we are fond of terming the "Great Charter of our Liberties;" yet even professed statesmen, from that day to this, have seemingly forgotten that this declaration was agreed to, and signed by the already United Colonies in their Congress assembled, and issued as the action of "one people." No new Congress met; the declaration was not the act of single colonies, or states, but the act of already united colonies, or states, and in this instrument we first find our National name of United States.

The members of Congress did not sign this declaration as New Yorkers, or Virginians, or New Englanders, but as Americans. Nor was it referred to different colonies for approbation, but on that very Fourth of July, 1776, Congress, with already National authority, flung to the world the announcement that these united colonies were a Nation, and ordered that copies of the declaration should be sent to the several colonial assemblies, conventions, councils of safety, and to each of the commanding officers of the Continental troops, and that it should be proclaimed in each of the United States, and at the head of the army. We see, therefore, that the Declaration of Independence, in being truly National, was wholly centralizing—and much more so than any act since, and is therefore the truest basis of our liberties.

Our age has annihilated space; danger lies in darkness and distance. With every newspaper, every railroad, every line of telegraph, danger from centralized National power grows less. With the newspaper, the railroad, the telegraph, the course of the government is constantly before our eyes. The reporter penetrates everywhere, the lightning flashes everywhere, and before plans are scarcely formed here in Washington, the miner of California, the lumberman of Maine, and the cotton-grower of Carolina are passing opinions and interchanging views upon them with their neighbors. The increase of education in the common schools, and the vast private correspondence of the country, too, help to put the proceedings of the government under the cognizance of the whole people. Our danger lies elsewhere, and to clearly see it we must still look back to the early history of our Nation. For a few months after the Declaration of Independence, our new-born republic worked under a common sentiment, for a common interest; but ultimately self-interest prompted the claim of "State Rights." This doctrine was, by wise men, seen to be utterly destructive to the government, and in the second year of our independence it became necessary to fight this State-right doctrine, and the second step was taken in centralization, by the Articles of Confederation, which were declared to make the Union perpetual, and States were forbidden to coin money, establish their own weights and measures, their own post-offices, and forbidden to do many other things which, by right, belong to independent self-controlling States.

[Pg 525]

So anxious was the Nation to set its own power upon a firm basis, entirely over and above that of the States, that back in these articles of confederation we find the term "privileges and immunities," that vexed phrase in the present discussion. In the fourth article, the inhabitants of each State were declared to be entitled to all privileges and immunities of free citizens of the several States, etc. These articles, unlike the declaration, were made dependent upon ratification by the Legislatures of the several States, which was not fully accomplished till 1781.

For awhile all went merry as a marriage bell. Power had been further centralized, and the Nation felt secure. But there had been left a little loophole, which was destined to create State claims in defiance of the general government. Congress soon found that under the articles of confederation the limitation of States was more theoretical than practical. It found that though, in a general way, the United States possessed national powers, as over boundaries, peace and war, the issue of money, the establishment of post-offices, etc., yet in the very necessary matter of revenue, and the regulation of trade and commerce, it was powerless against the States. The old form of the confederation was found insufficient to secure the full independence of the United States as a

Nation, and in the very year that the articles were fully adopted, and before the last State had given its adherence (1781), a member of Congress from New Jersey moved a recommendation to the States to invest Congress with additional means of paying the public debt and prosecuting the war of the Revolution, by laying duties on imports and prize goods.

This proposition at once roused opposition, and it is well to remember that it did not first come from a Southern State. "State rights" is not a peculiar Southern doctrine. South Carolina was not the original nullifying State. It was Rhode Island, which then, as to-day, set at defiance national authority, and asserted her right to control her own internal affairs. The New England States, which claim to lead the Union in all that is grand and good, must be made to bear the shame of the evils into which they have also led. Even John C. Calhoun learned his first State rights lessons in Connecticut and Massachusetts of the most eminent men; of President Dwight when a student in Yale college, and Theophilus Parsons, with whom he read law in Massachusetts. When Rhode Island, in 1781, refused to comply with the recommendations of Congress in regard to levying duties on imports and prizes, she looked only at her own interests as a sea-board State. The address of her Assembly to Congress, through Hon. William Bradshaw, gave reasons of purely local self-interest for her refusal; but her State selfishness was seen by the patriots of the hour not to be even that of an enlightened State-interest, and Congress at once declared there "could be no general security, no confidence in the Nation, at home or abroad, if its actions were under the constant revisal of thirteen different deliberations."

[Pg 526]

It therefore became necessary to take another step in the centralization of power, and let it be remembered that every such successive step we have traced was taken in the interests of liberty, and for the benefit of the whole people. The Nation has acted in the defense of its citizens against the tyranny of States. We are not first citizens of Rhode Island, or South Carolina, but, if we belong to the Nation at all, we are first parts of that Nation. I am first a citizen of the United States, then a citizen of the State of New York, then a citizen of Onondaga county in that State, and then a citizen of the town of Manlius, and lastly, a citizen of the village of Fayetteville. That every person born or naturalized in the Nation, is first a citizen of the Nation, must be borne in mind, for upon that depend the liberties of every man, woman and child in the Nation, black or white, native or foreign. Although Rhode Island led in State rights, she had many followers, as only four States complied with the recommendation of Congress to invest that body with more powers for collecting the revenue and prosecuting the war. This non-compliance led to active debate. In regard to the public debt it was said, "That it must, once for all, be defined and established on the faith of the States, solemnly pledged to each other, and not revocable by any, without a breach of the general compact." If a feeling of insecurity existed in regard to the property interests of the Nation when but thirteen legislative bodies assumed their control, how much greater is the insecurity of our personal interests if they are, as is assumed, under the control of thirty-seven separate legislative bodies, and subject to their constant revision?

The controversy soon based itself upon the security of human rights. It was said that it "had ever been the pride and boast of America that the rights for which she contended were the rights of human nature," that "the citizens of the United States were responsible for the greatest trust ever confided to a political society," and that it was for "the people of the United States, by whose will and for whose benefit the Federal Government was instituted, to decide whether they would support their rank as a Nation." Virginia and New York ultimately led in the proceeding which caused the formation of the Constitution; New York, through her Legislature, declaring that the radical source of the government embarrassments lay in the want of sufficient power in Congress, and she suggested a convention for the purpose of establishing a firm National government. Out of this agitation grew the Constitution of the United States, which was the third great step in the centralization of power. The pride and the boast of this country has been more fully centered, if possible, on the Constitution than on the Declaration, and yet the Constitution was not framed until eleven years after our existence as a Nation—not ratified by the whole of the original States until about fourteen years after we had taken rank as a free and independent people—Rhode Island being the last State to give her adherence—and it was expressly framed and adopted in order to centralize power, and to destroy the State rights doctrine.

[Pg 527]

Washington himself, in transmitting, as President of the Convention, the Constitution to Congress, said: "It is obviously impracticable in the Federal Government of these States to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all," and in the deliberations of the Convention upon the subject, they kept steadily in view that which appeared to them "the greatest of every true American—the consolidation of our Union, in which is involved our prosperity, safety, and, perhaps, our National existence." Thus we see not only the desire of the originators of the Constitution to strengthen the National power by that instrument, but we also have the views of Washington himself in regard to the necessity of consolidating power in the Nation.

The various amendments to the Constitution have been adopted with the intent of further defining and securing National power. The first ten, which were called the conciliatory amendments, were suggested in the conventions of a number of the States at the very time of adopting the Constitution. The first Congress which met thereafter proposed twelve amendments, of which ten were adopted in 1791, only two years after the full adoption of the Constitution. These ten amendments secured religious freedom, freedom of speech, the right of people to be secure in their houses, trials by jury, etc. All of them centralizing power in the National hands, and at the same time securing broader liberty to the people. These amendments were passed at the first session of the First Congress. An eleventh amendment was proposed by the Third National Congress in 1794, and declared ratified in 1798, thus making eleven amendments to the Constitution in the short space of seven years. In 1803 a twelfth amendment was proposed by the Eighth Congress, and ratified in 1804.

We pass now over quite a space of time, in which the National power and State power retained their relative positions to each other. Perhaps in no better place can I mention two constantly existing, yet diverse tendencies in the people of the United States, which are well-defined in the minds of but few persons. There are two kinds of centralized power, one dangerous to liberty, and the other

fortifying and securing liberty. The dangerous is that which has grown to such dimensions in the various States, multiplying legislation and regulating each petty local concern within its borders, down to a village cemetery. This has led to that destruction of liberty—a multiplication of statutes which have scarcely been recorded ere a second legislative body has annulled them. Each State has, in fact, been an immense centralized power; and as bitter as has been the South against centralized National power, we have in it seen a most imperious, tyrannical exercise of centralized power under the specious name of State rights. The evil is such a constantly increasing one under the old constitutions, that they are being revised in many States with special intent to check this centralizing tendency. New York has now a commission sitting, and Pennsylvania a convention in session, for the purpose of revising their constitutions, and attention has been especially directed to this dangerous feature of State centralization. The new constitution of Illinois limits the passage of special laws by its legislature to certain specified subjects, leaving all local interests in the hands of local corporations. The need of the hour—and, in fact, I may say the new tendency of the hour—is toward diffused power within the limits of States in matters pertaining solely and entirely to their small or local interests.

[Pg 528]

The centralization that fortifies and secures liberty is National centralization, which we have traced through six steps since 1776, and which has, within the last ten years, received a new impetus by the XIII., XIV., and XV. Amendments, and which, as they successively followed each other at short intervals, may be termed the seventh, eighth, and ninth steps in centralization. By and through these three amendments the Nation fortified and enlarged its powers in reference to personal rights. It defined citizenship; it secured the exercise of the ballot—and we can not fail to see that in these last three centralizing steps, it more broadly than ever before enlarged the bounds of liberty. The protection of citizens of the Nation, by the Nation, is the national duty.

This is the second tendency of which I spoke. Most persons who have been awake to the evils of State centralization, have applied the same rules of judgment to National centralization. The two are dissimilar as are darkness and light. State centralization is tyranny; National centralization is freedom. State centralization means special laws; National centralization means general laws. The continued habit of States to make laws for every part of their own boundaries brought to the surface the "State rights" theory which precipitated upon us our civil war. States had become so absolute in themselves that out of it grew the feeling of absoluteness in regard to the Nation. But is it not strange that after the late sad experience there can still be found people so stupid as not to see that the security of individual citizens of the Nation in matters pertaining to their personal political rights, does lie, and in the very fact of our Nationality must lie, in National power superior to State power? The corner-stone of our Nation is political equality. Our ancestors came here for civil and religious freedom. To secure political freedom they formed themselves into a Nation; if the United States has no power to protect its citizens it is not a Nation.

The eighth step in centralization, the XIV. Amendment, specifically declares that "all persons born or naturalized in the United States, are citizens of the United States, and of the States in which they reside." Notwithstanding this plain language—notwithstanding the corner-stone of this Nation is political equality—notwithstanding the chief right of citizenship in this country is a right to share in making its laws—notwithstanding the Constitution and laws of the United States which shall be made in pursuance thereof, are declared to be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the constitution or law of any State to the contrary notwithstanding, yet 10,000 naturalized citizens of the United States have, during this session of Congress, petitioned that body for protection of their rights as citizens of the United States against the State in which they live.

[Pg 529]

"State rights" is again rearing its head. Rhode Island is again raising her hand against National power. She again assumes to be superior to the United States. All foreign-born citizens of that State, not possessed of a freehold estate of \$134 value, or property amounting to an annual rental of \$7, are, by State law, forbidden to vote. These men were naturalized under a law of the United States, not under a law of Rhode Island. The United States not only made them citizens, but expressly in the XIV. Amendment declares them to be citizens, and yet little Rhode Island presumes to be stronger than the United States.

Here again arises what I have shown to be the question of the hour. Is the United States a Nation? If it does not possess powers to protect its own citizens it is not a Nation. Citizens of the United States are entitled to protection, whether they are robbed of their liberties in a Spanish dungeon, or in the States of Rhode Island or New York. The Judiciary Committee of Congress has reported adversely upon the petition of the 10,000 naturalized citizens of Rhode Island. Does Congress intend to sustain State Rights? What better is it for those 10,000 men that they became naturalized? If they are first citizens of the United States, as the XIV. Amendment declares, they should be protected in their rights of citizenship by the United States against the States, and their thirty-seven isolated methods of legislation. This adverse report of the Judiciary Committee in regard to the 10,000 disfranchised men of Rhode Island, foreshadows the course of Congress in regard to the great class of citizens now knocking at its door. Women claim National protection as citizens of the Nation.

The original Constitution in its fourth article touches upon State control, for it declares that the Constitution shall guarantee to every State a republican form of government. The "shall" is imperative. It shall! Even as long ago as 1787 it was declared that the people of the States should no longer be dependent upon State caprice for their rights, but the general government took upon itself the authority and the duty of enforcing in each State a republican form of government. Either this article is a mere sounding phrase, or the Constitution has such power, although until the XIV. Amendment the real status of citizenship had not been settled. People thought of themselves as first citizens of the States, then of the United States, but now such a position can not be taken. The eighth step in centralization settled that point; "every person," not every male person—but "every person born or naturalized in the United States"—"is a citizen of the United States, and of the State in which he resides." First, entitled to national protection, and through the Nation to State protection. Moreover,

The Constitution and the laws made in pursuance thereof, are by article sixth of the Constitution, declared to be the supreme law of the land, and the Judges in every State shall be

bound thereby; anything in the Constitution or laws of any State to the contrary notwithstanding.

Is the Constitution supreme in the case of the 10,000 naturalized citizens of Rhode Island, whose petition the honorable judiciary reported adversely upon, the 12th of December?

The naturalized citizens of our country should rise *en masse* against his attack upon their liberties. If Rhode Island can say that a naturalized citizen shall not vote unless possessed of a certain amount of property, any State can, with equal justice, enact a law declaring that only those naturalized citizens who live in brick houses shall vote; a law, equally as binding as the present property qualification in Rhode Island, can be enacted, that only those foreign-born citizens who come over in a Cunarder shall vote. Why not? If a State has a right to deprive one class of citizens of its vote for one cause, it has a right to deprive any other class of its vote for any reason.

[Pg 530]

The power and the mischief do not stop here. If a State has power over the political rights of a naturalized citizen of the United States, it has like power over the native-born citizen. If a State has power over the franchise of the women citizens of the United States, it also has power over the men citizens. Unjust laws, like curses, go home to roost; they can always be made to plague their enactors. When the rights of any one class of citizens are assailed, a blow is struck against the rights of all. The danger to individual liberty lies in special laws. If States are powerful enough to weaken the National constitution, then are we weak indeed. The safety of the citizen lies in a strong National constitution: it lies in a National centralization of power that shall override the States in their attempt to destroy individual rights.

If the National government has not power over the ballot in the several States, where did the United States Commissioner get his authority to institute proceedings against Miss Anthony for voting in the State of New York? If the ballot is in the control of the States, then is the United States guilty of a high-handed outrage against New York, in the case of the fourteen women who are now bound over for trial in Rochester for voting at the last election. If the control of the franchise is the right of each State as sovereign, then the National law of 1870 in regard to frauds in voting was an unauthorized interference of the United States in a matter belonging solely to the respective States. On the contrary, if the question as to who may vote in any State—exclusive of black men, over whom it is conceded the nation has thrown its aegis of protection—is one of National control, how does it happen that the Judiciary Committee of the present Congress reported adversely upon the petition of the 10,000 naturalized citizens of Rhode Island? If, then, voting is a matter of State control alone, what authority had the United States to prosecute Susan B. Anthony? One of two things is plainly true. Either the United States authorities had no right to prosecute Miss Anthony in the State of New York, or, if they had, then they had the right to regulate suffrage in Rhode Island. If the general government could not extend suffrage to Irishmen in Rhode Island, it could not abolish it for women in New York.

The time has passed when men can take their choice between "State sovereignty" and "centralized power." What State of the thirty-seven has power to make a treaty, to form an alliance, to declare war? Not one, because not one of them is a sovereign State. An attempt would be treason against the Nation. If the general government can not be secure with a diversity of laws in regard to war, or the tariff, in regard to questions of property, how much less secure is it with diverse laws in regard to personal rights; in regard to the elective franchise, the vital principle of our government.

[Pg 531]

This government does not stand to-day on free trade, or tariff, or the war-power, or its right to manage post-offices, or to coin money, or to make treaties. Not one of these singly, nor all collectively, form the ground-plan of this Nation. This Nation stands upon the ballot, the self-governing power; it stands upon the right of every person governed by the Nation to share in the election of its rulers.

How can statesmen believe the Nation secure unless personal rights are held inviolable? The National government has control over money, currency, and national banks. It will not trust its question of finance to individual States; shall it trust the personal political rights of its citizens where it can not its money? Is it not an anomaly that the lesser rights shall be held by the Nation, the greater by the States?

In the case of the 10,000 naturalized citizens of Rhode Island, and that of Susan B. Anthony and other women of New York and elsewhere, who try to vote, there is one great dissimilarity. The suffrage of the 10,000 is only regulated. As soon as each one secures real estate to the small value of one hundred and thirty-four dollars, he votes; but there women can never vote, simply because they are *women*. Property amounts to nothing; education amounts to nothing; even native-born citizenship amounts to nothing; the ballot for them is not regulated but prohibited because they were born women instead of men. Congress would quickly waken up to an appreciation of its power over the ballot, if under pretense of "regulating" suffrage, all the male citizens of a State were denied the ballot simply because they were men. The Nation would lose no time in deciding that a regulation of a character not possible to overcome was not a regulation, but a prohibition destructive of every natural right. The word "deny" would be elucidated by able lawyers and lexicographers. We should then be told that to deny pre-supposes an existing right; that only positive rights can be denied, and force of arms would be invoked to maintain the existence of those rights.

The battle for suffrage is narrowed down to the meaning of "privileges and immunities." Those who believe the consent of the governed to be the fundamental principle of the Nation, define "privileges and immunities" as the right of voting, which is the only "consent." Thaddeus Stevens went so far as to affirm that "inalienable rights" in the Declaration meant the ballot. Persons who thus define "inherent rights" belong to the true national, patriotic class. But others, deeply tintured with belief in the supreme right of States, declare "privileges and immunities" to comprehend anything and everything except the ballot. Even some good Republicans, contrary to the principles indorsed and sustained by them in the war amendments, led by their prejudices against acknowledging woman's right to self-government; have declared that "privileges and immunities" merely signify civil and legal rights, but not political. Such was the groundwork of the argument of the Hon. Matt.

Carpenter in the Myra Bradwell case. What a farce! It declared at an early day that the United States possessed the greatest trust ever confided to a "political society." "Political society" is the foundation of our nation, and our political trust is the ballot.

[Pg 532]

It has been said by a member of the present Congress that no man in that body doubts that the Constitution authorizes women to vote, precisely as it authorizes trial by jury and many other rights guaranteed to the citizens of the United States, but that in order to give them practical force there must be legislation; that these guaranteed rights are not self-executing. This is a fine legal quibble, stated for a purpose; but since legal minds disagree upon this point, a caviller might say no law is self-executing; all laws require enforcement. It may be said that the Ten Commandments are not self-executing; yet though given to Moses, not only as the underlying constitution of the Jewish nation and all nations, they contain self-executing provisions, bearing the penalties of their infraction within themselves. By their simple statement they carry within themselves the authority for their enforcement. The provision that the sun shall each day rise and run its accustomed rounds is a self-executing provision, until some Joshua vetoes this divine right of the sun.

The Constitution is the supreme law of the land, and no difficulty should be found in executing its provisions. But while, as aimed against the exercise of arbitrary power, we have no objection to the passage of a declaratory law which shall make plain to every United States judge, and to the most obtuse inspector of election, that women are voters, we still claim that the recent "Act for enforcing the XIV. Amendment" should protect woman in the exercise of her rights of self-government.

Although the States ratified the XIII., XIV. and XV. Amendments by the requisite two-thirds vote, they still find it difficult to realize the fact that these amendments have actually strengthened the National power. The Enforcement Act, and the previous law in regard to frauds in voting, may be called definitions of these last centralizing steps, but as yet neither amendments nor definitions are fully comprehended. A Rhode Island lawyer astutely said: "The people of the United States have not yet awakened to a sense of the vast centralizing power hidden in the XIV. Amendment." Opposition and struggles have already come, and will continue to arise, but legislators may beat their brains as they will, the fact of new National centralization still remains. Though State power dies never so hard, die it must, as only through reorganized National power can the political rights of citizens of the United States be protected.

"Citizen suffrage" is to-day the battle-ground of "State Rights," and the denial of woman's constitutional right to vote, and of National protection in voting, is the weapon it uses against the Nation. This question of citizen suffrage is not a woman question alone, but it is a question of the rights of citizenship affecting every man in this wide land. Let us, then, have the centralization which shall recognize the United States as the supreme political power of the land, which shall no longer allow the political rights of citizens of the United States to be the plaything of thirty-seven petty legislatures, of thirty thousand ambitious demagogues. Without this, our National experiment is a failure; without this, we are not freemen, but slaves; without this, we are neither protected nor self-protecting; without this, centralized State power, under the specious name of "State rights," will continue to be a many-headed monster, impossible to overcome. Elect the President direct by the people, and for a single term, if you will; take from him his immense official patronage; base senatorship upon population, not upon State sovereignty through legislative gift; limit the power of the judiciary: these steps must come; make of the people in reality what they now are in theory—sovereigns, not first of States, or the Nation, but of themselves, possessing in themselves all rights, all powers, whose exercise is only delegated to the Nation as their servant.

[Pg 533]

The call^[152] for the annual May Convention in New York announced the interesting fact that it was the Twenty-fifth Anniversary of the Woman Suffrage movement. The speakers^[153] represented many of the far Western States. Among the letters of interest was one from Madam Mathilde Francisca Anneke, of Milwaukee, Wisconsin, who accompanied her letter with a beautiful laurel wreath to be presented to the founder of the Woman's Rights movement, the venerable Lucretia Mott.^[154] The resolutions embody the substance of the various speeches made at that Convention. The following letters were read:

[Pg 534]

MY DEAR MISS ANTHONY:—Being detained from attending this very important Convention, which celebrates twenty-five years of as honest and glorious work as ever was done by man or woman upon the face of the earth, permit me through yourself, as president of the National Society, to address a few words to my fellow-workers in the cause of political equality.

At first, let me beg you, my friends, one and all, to read the report of the first Convention held at Seneca Falls, twenty-five years ago, as I have just been doing for the third time, that you may join me in heartfelt admiration of the distinguished women who there enunciated a "declaration of sentiments" equal to the old Declaration of Independence, and founded on a similar list of grievances as those which provoked and justified the Revolutionary war. Especially will you note the speech of a woman there, hardly thirty years of age, which for philosophic comprehension of the great truths of liberty and responsibility, for patriotism and eloquence, has not been surpassed in the history of our country. This alone should be sufficient to send the name of Elizabeth Cady Stanton, side by side with the grandest of our revolutionary statesmen, down to the latest posterity.

[Pg 535]

The moving spirit of the occasion, however, we are told, was Lucretia Mott, who spoke with her usual eloquence to a large and intelligent audience on the subject of "Reform in General," and, from time to time, during the numerous sessions of the Convention, swayed the assembly by her beautiful and spiritual appeals, and was the first to affix her name to this prophetic and inspired "Declaration of sentiments"—an act which she will tell you to-day, I trust, has brought to her more joy than, perhaps, any other act of her life.

Had I the means, the printed report of this Convention should be placed in the hands of every woman in the United States capable of reading it and understanding its high import. And, my friends, if this could be done, our labors would be well nigh ended, and those women who so desire might approach the polls unmolested, leaving their sisters "who have all the rights they want" in the comfortable security of homes made twice secure in that they are guarded by the watchful care of

the mothers as well as by the courage of the fathers of the republic. That these noble women, so intensely in earnest to secure the blessings of liberty to all their posterity, and so deeply conscious of the heavy responsibilities of such a trust, should have suspended their claims during the season of our civil war, and have thrown themselves into the contest for the rights of enslaved black men, is only new proof, where none was wanting, of the unselfishness of their nature, and the purity of their motive. But the war being over, and a new million of black males being added to the many million white males as rulers of the land, what do we find to-day? Susan B. Anthony, the Garrison of the woman's rights movement, not dragged by a rope round her neck, through the streets of Rochester, precisely, but indicted for the crime of attempting to vote for her rulers, she being an honest citizen of the United States, and a tax-paying, law-abiding citizen of the State of New York! Nevertheless, permit me, dear friend, to congratulate you upon the immense progress in our work which this indicates. It is but a little time since you and your illustrious compeers were counted only worthy of jests and sneers or contemptuous neglect. That you are called to-day to answer for the crime of loving liberty too well, declares to us who are watching your career, that the beginning of the end is close at hand, that slavery is soon to cease, and reconstruction to begin under the auspices of noble women not a few, and of the noble men who have acted as a body-guard through all these years of struggle.

I have heard that with your accustomed indomitableness you have been attempting to instruct your possible jurors of the county upon the just principles of personal liberty and a republican form of government. But have you considered in doing this to what an incompetent jury you are possibly consigning your case, and with it the hopes of multitudes of your sisters, who, less favored than yourself, in not actually having been allowed to enter the sacred precincts of the polls, have put their trust in you as in one who should not fail, sooner or later, to achieve a victory for herself and for us all? Have you considered the result of white male legislation for nearly one hundred years, in elaborating a jury that must inevitably consist of fools or knaves, and twelve of these to declare in unison upon a case of which they have formed no previous opinion, though the papers have rung with it, and you have lectured every night for more than a month to crowded houses upon it? But even this difficulty you are able to meet, and we leave our destiny in your hands with unfaltering hope and faith, saying only, as many a time before, God bless Susan B. Anthony.... In conclusion, let me urge upon you, dear friends, one and all, that each man and woman of you shall work for impartial suffrage as though the welfare of our beloved country depended upon the devotion of each single life, and the day is ours. I am now and always yours for liberty,

ISABELLA BEECHER HOOKER.

WASHINGTON, May 5, 1873.

MISS SUSAN B. ANTHONY:—Your favor requesting my opinion of the recent decisions of the Supreme Court of the United States, in the New Orleans and Bradwell cases, was received yesterday. I had not then seen those decisions, indeed they were not ready for distribution until to-day. I have very hastily run over them and only feel prepared to say that there is nothing in them necessarily conclusive of the suffrage cases. The opinion of the Court in the New Orleans cases is given by a bare majority, four out of the nine justices dissenting, and the majority expressly say: "We hold ourselves excused from defining the privileges and immunities of citizens of the United States, which no State can abridge until some case involving those privileges may make it necessary to do so." This language leaves us entirely at liberty to present the question whether suffrage is one of these "privileges" to their consideration.

There are expressions in the dissenting opinions that upon the rules of interpretation applied to any other subject than the rights of women would indicate that the minority were fully prepared to admit that the recent amendments to the Constitution—the new *magna charta* as one of the justices styles them—recognized the right of suffrage in women. Justice Field says: "That only is a free government, in the American sense of the term, under which the inalienable right of every citizen to pursue his happiness is unrestrained, except by just, equal, and impartial laws."

Justice Bradley says: "The States have not now, if they ever had, any power to restrict their citizenship to any classes or persons. A citizen of the United States has a perfect constitutional right to go to and reside in any State he chooses, and to claim citizenship therein, and an equality of rights with every other citizen, and the whole power of the nation is pledged to sustain him in that right. He is not bound to cringe to any superior, or to pray for any act of grace, as a means of enjoying all the rights and privileges enjoyed by other citizens."

Such language on any other subject would be conclusive, but the crust of custom and prejudice is hard and thick and strong, and the heat of the lava of regeneration may not yet have weakened it sufficiently to allow of its destruction and removal.

We will try to have our cases fully prepared for argument when reached in the call of the calendar, which will be about next January, and after doing our best in them will have to trust for success if not in this in some other effort.

Very truly yours,

FRANCIS MILLER.

Miss Anthony gave the incidents of her arrest and trial to an immense audience in the evening, moving them alternately to laughter and indignation. At the close of this convention a large reception was given to the friends of woman suffrage by Dr. Clemence Lozier at her hospitable home in 34th street, New York. Her spacious parlors were crowded until a late hour. The occasion was enlivened with music, readings, and short, spicy speeches.

The National Woman Suffrage Association held its fifth convention at Washington in January, 1874. Before the arrival of the principal actors, the hall was filled with spectators. Soon after 11 o'clock the President, accompanied by a large number of speakers^[155] and friends, came on the stage. Many interesting letters were received^[156] and a series of resolutions^[157] reported.

Mrs. Gage occupied the evening with an address on Judge and Jury. The following brief sketch of the convention by Frances Ellen Burr is as good a summary of the proceedings as we find.

(Correspondence *Hartford Times*,) WASHINGTON, Jan. 15, 1874.

The National Woman Suffrage Convention opened in Lincoln Hall this morning with a full house.

Miss Anthony opened the meeting by reading the call, and then briefly stated its purposes, which were to bring influences to bear upon Congress that will secure National protection for women in their right to vote. Black men are the only ones guaranteed by the National Constitution in their right to vote. Women ask for the same security. A letter from the Hon. E. G. Lapham, of New York, puts a point in the closing paragraph to the effect that the most degraded elector, who would sell his vote for a dollar, or for a dram, couldn't be induced by the offer of a kingdom to sell his right to vote.

[Pg 539]

Miss Anthony stated that the two articles of the woman suffrage creed were: First, That every woman should get her vote into the ballot box whenever she could get a judge of election to take it; and wherever refused, should go just the same again next time. Second, That all women owning property should refuse to pay taxes. She read a memorial to Congress for "no taxation without representation," the closing paragraph running as follows:

Therefore, We pray your honorable bodies to pass a law during the present session of Congress, that shall exempt women from taxation for national purposes so long as they are unrepresented in national councils.

Mrs. Spencer has a case now pending in the Supreme Court of the United States. She carried a suit for herself and seventy-two other women who applied to be made voters and were refused. She has prepared a petition for woman suffrage for the women of the District of Columbia, on the ground, as Miss Anthony stated it, that as "this little ten-mile square belongs to us all, if the women here are enfranchised, those of the rest of the nation can not long be shut out." As Congress has absolute control over the District, no one can dispute its right to enfranchise the women here, even though they dispute its control of this matter in other parts of the nation. Miss Spencer submitted the following petition for woman suffrage by the women of the district of Columbia:

Whereas, The Supreme Court or the District of Columbia in the ease of Spencer against the Board of Registration has decided that by the operation of the first section of the XIV. Amendment to the Constitution of the United States, "Women have been advanced to full citizenship and clothed with the capacity to become voters," and

Whereas, The same court further decided that the said first section of the XIV. Amendment does not execute itself, but requires the supervision of legislative power in the exercise of legislative discretion to give it effect. And

[Pg 540]

Whereas, The Congress of the United States is the legislative body having exclusive jurisdiction over this District,

Therefore, We respectfully pray your honorable bodies for the passage of an act amending an act entitled "An act to provide a government for the District of Columbia," approved Feb. 21, 1871, by striking the word "male" from the seventh section of said act, thus placing the constitutional rights of the women of this District, as declared by the highest judicial tribunal, under the protection of the legislative power.

She said it might surprise and encourage many, as it did her, to learn that neither the Constitution of the United States nor any State constitution, nor legislative enactment, general or local, has ever forbidden women to vote. They have simply permitted certain male citizens to vote, and have said nothing about women whatever. It is one thing to forbid women to vote; it is quite another thing to simply fail to expressly declare that they may. Some people think the Bible forbids women to vote because it doesn't say anything about it from beginning to end. True, it does not give any authority for it. Neither does it give any authority for using sewing-machines or clothes-wringers. The zeal of the people who search the Scriptures in the interest of bigotry and intolerance, assumes that all that is not commanded to women is strictly forbidden. Judge Cartter says the general Constitution interposes not a single obstacle to woman suffrage, and there is therefore no need of a new amendment; while the State constitutions simply leave her right in abeyance by omitting to declare it. That this view of the general constitution largely prevails is shown by so many women bringing suits against those who have rejected their votes, under the constitution as it is. Mrs. Spencer's manner is very pleasing, and her speech was pungent and to the point. She closed with the following pithy illustration of the need of woman's influence in legislative matters:

I wanted a loaf of bread one day in a great hurry, and found six dram-shops on one square and only one bakery, and that was shut.

Mrs. Spencer was followed by Mrs. Gage, Mrs. Stanton, Mr. Black, and Mr. Davis, of Philadelphia, son-in-law of Lucretia Mott. Committees on resolutions and finance were appointed, and the meeting adjourned till afternoon.

F. E. B.

WASHINGTON, Jan. 17.

This convention, of which I sent you some account in my last letter, adjourned last night, *sine die*. Lincoln Hall has been crowded at all the sessions except one, when an admission fee was charged. And the admission fee worked up a little unpleasantness in another direction, for in such a case a license has to be bought of the city authorities. So on Thursday evening before the meeting opened, word was sent to Miss Anthony in the ante-room, that a police officer was after her. "Well, let him come then," she replied; "I shan't go after him, that's sure." In due time the policeman walked in, brass buttons and all. Miss Anthony had a pleasant little conversation with him for a few minutes. The policeman was very mild and amiable, and so was Miss A. Having had considerable experience

with officers of justice(?), she has gotten a little used to them—in fact, rather indifferent. Hard knocks and rubs conduce to philosophy, and Miss Anthony has acquired a philosophy akin to that of Diogenes in his tub. She told the policeman she had no intention of paying this government for the poor privilege of coming here to demand justice at its hands. While Miss Anthony was as calm as a June morning, and wholly indifferent in the matter, Mrs. Belva Lockwood, a practicing attorney in this city, raised such a din about the policeman's ears that he took to his heels, and didn't darken the ante-room doors of Lincoln Hall again while the convention was in session. That license remains *in statu quo*.

[Pg 541]

Mrs. Stanton said that people were always saying women didn't want to vote, but the fact that the word "male" was in all the statute books showed that men knew all the time that they would vote if they had a chance. But whether they want to or not is a matter, she claimed, that had nothing to do with the question. It is time woman had a civil rights bill. No woman can enter Columbia College, Princeton, Harvard, or Yale. During the century we have spent \$16,000,000 for the boys of New York, and \$1,500,000 for the girls. Are you willing to believe, women, that your girls are sixteen times less valuable than the boys? What is the reason of this low valuation of woman? Because she is never to have anything to do with the State. It is a humiliating thing to ask, but I insist that the white women of this country be placed on the same civil and political footing with the colored men from the plantations of the South. If a woman traveling alone is belated at night, the hotels slam their doors in her face and turn her into the street. We want a civil rights bill that shall make every white woman just as respectable as a negro or a white man.

Mrs. Blake followed with an anecdote of a girl who applied for admission to Ann Arbor University. One of the sentences she had to translate from the Greek was this one from Antigone: "Seeing then that we are women, ought we not to be modest and not try to compete with men?" She took the highest honors in Greek, and was ahead of every man in the class. She prepared a Greek composition and introduced this sentence: "Seeing then that we are men, ought we not to be ashamed that we have been vanquished by women?"

Mrs. Stanton thought if girls could come out of colleges and schools ahead of the boys in their studies, it was pretty clear proof that they could accomplish almost anything within the power of human capacity, for girls have to study under all sorts of disadvantages that boys do not have to contend with. Hang a hoop-skirt on a boy's hips; lace him up in a corset; hang pounds of clothing and trailing skirts upon him; puff him out with humps and bunches behind; pinch his waist into a compass that will allow his lungs only half their breathing capacity; load his head down with superfluous hair—rats, mice, chignons, etc., and stick it full of hair-pins; and then set him to translating Greek and competing for prizes in a first-class university. What sort of a chance would he stand in running that race or any other!! Mrs. Stanton read a civil rights bill for women, to be presented to Congress. This bill is to secure to them, equally with colored men, all the advantages and opportunities of life; open to them all colleges of learning; secure to them the right to sit on juries; to sue and be sued; to practice in all our courts on the same terms with colored men; to be tried by a jury of their peers; to be admitted to theaters and hotels alone; to walk the streets by night and by day, to ramble in the forest, or beside the lakes and rivers, as do colored men, without fear of molestation or insult from any white man whatsoever, to secure equal place and pay in this world of work.

[Pg 542]

She also presented a series of resolutions, nine in number. The first five are for freedom generally, and no taxation without representation. The sixth and seventh denounce the bills of Senators Frelinghuysen and Logan, the former being designed to deprive the women of the Territories of jury trial, and the latter to restore the common law in the Territories. The eighth recognizes the importance of the organization of the Grangers; and the ninth opposes the granting of general amnesty to former rebels. This resolution Mrs. Stanton denounced, speaking in favor of universal amnesty. Quite a spicy discussion ensued on this resolution, which was drawn up by Mrs. Joslyn Gage. Mrs. Stanton in her remarks in opposition, said it was hardly worth while for women in their conventions to throw any stigma on Jefferson Davis. The institution of slavery was sustained by the North as well as the South; the North got out expurgated editions of books for the Southern market. It was in bad taste for the North to denounce the South, and it was in particularly bad taste for woman suffragists who are clamoring for representation and for the ballot, to call for its denial to any part of the nation.

Col. R. J. Hinton, of Washington, also denounced the resolution, saying that it violated one of the fundamental principles of the woman suffrage platform, which is that the limitation of suffrage is a gross outrage. Miss Anthony very pertinently said: "All the trouble on this platform is that we haven't the right to vote. If we had it we shouldn't complain of anybody else voting." The resolution was voted down by a large majority.

At the evening session the Hall was literally packed. Mrs. Dundore of Baltimore, and Miss Taintor of California were the first speakers. Then the fascinating St. Louis lawyer, Miss Phoebe Couzins, whose logic is as sound as her wit is sparkling, was introduced, and delivered an address on "Woman as Lawyer," a subject which, in most hands, would have put the audience to sleep, but in hers, kept them wide awake with laughter and applause at her brilliant sallies. At the conclusion of her speech the Hutchinsons sang a stirring song, and then Miss Anthony introduced the colored member of Congress from South Carolina, Mr. A. J. Ransier, who spoke unqualifiedly in favor of woman suffrage. Mr. Ransier is president of a woman suffrage association in South Carolina. He was a little inclined to repeat himself, and after having returned several times to the statement that he had "no speech to make," an old lady in the audience popped up on the bench and said: "Well, if you haven't got a speech to make, I have," and immediately started out at the rate of twenty-five knots an hour, utterly oblivious of the rights of Mr. Ransier, who already had the floor, and who was very politely waiting for her to subside. Miss Anthony, after patiently waiting some time, said she should have to call the lady to order, but she paid no attention to the call. After a while the ludicrous situation set the audience to smiling audibly, and the louder they smiled, and the greater the excitement grew, the swifter flew the old lady's tongue. After consultation among the managers of the meeting, it was finally decided to send a policeman to quietly remove this garrulous disturber of the peace. A policeman was accordingly summoned, but his entreaties had no effect on the old lady,

who stoutly maintained her perch, and declared she would not go with him. Then Miss Couzins descended from the platform, and accomplished with her winning ways what the policeman couldn't. She calmed the troubled waters—got the old lady to sit down by her side and keep the peace the rest of the evening. Who wouldn't maintain the peace when entreated from such a quarter? Mr. Ransier was enabled to finish his speech—a really good one—Miss Anthony remarking at its close that she wished she could have had him for her judge instead of Mr. Hunt. She then made a wide awake and telling speech, which, if this letter were not already too long, I should like to give. At its close she introduced Mrs. Guthrie, a daughter of Frances Wright, that woman of rare mind and original thought, who came from England to this country some forty or more years ago; and who, with Robert Owen and some others, tried to start a colony on the community system. To the surprise of all, Mrs. Guthrie declared herself opposed to woman suffrage. At the close of her remarks the Doxology was sung, and the convention adjourned *sine die*.

F. E. B.

The correspondent of the Boston *Commonwealth*, after giving a pen-picture of the ladies on the platform, said:

The Convention laid out some very practical work for the consideration and action of Congress. It circulated a petition and obtained six hundred names of citizens, both men and women of the District, asking that the word male be stricken from the organic act of the District government. This was presented by Mr. Dawes, for Mr. Butler, to the House, and referred to the Judiciary Committee, before the members of which the ladies to-day had a hearing. Their case was presented and briefly argued by Mr. Miller, a lawyer of some promise and reputation, a resident of the District. Mrs. Sarah Spencer, of Washington, addressed the Committee on the legal points involved. She said that the petitioners did not conceal the point that the XIV. Amendment did not give them the right to vote, but since Congress had referred them to the State legislatures, they came now to ask that the women of the District be allowed to vote. Mrs. Spencer answered the argument so often made, that all of the bad women would vote and the good ones would stay at home. She said in reply to this oft-repeated objection, that she had found in talking with that class they made the same objection to woman suffrage that the fashionable women make, and were quite as averse to its adoption. Again, she said statistics show the lamentable fact that only one-fifth of this class live to be eighteen years of age; their average length of life being only five years, no real danger was to be apprehended from giving woman the ballot. Mrs. Spencer spoke with feeling, and evidently made a favorable impression upon the Committee. Mrs. Lockwood made a few pertinent remarks. As this lady has lately been admitted to the bar in this city, she can speak from experience upon many points of law and fact. Miss Burr, of Hartford, asked simply for full justice, eschewing law and legal lore upon the subject, willing to be numbered with Plato and John Stuart Mill on this question. Miss Couzins appealed to the heart; as so many knock-down arguments had been hurled at their heads she preferred to attack the heart. She said she felt great delicacy in appearing before so much learning and wisdom, but the veteran commander-in-chief of the forces, Miss Anthony, had ordered her to the front, and when she told her she must spike a gun, like a good soldier, although a raw recruit, she obeyed. Miss Anthony introduced the speakers, and closed the meeting with a few well-chosen words.

[Pg 544]

It was a picture worthy the brush of an old master. Eleven lawyers seated around a table, with Benjamin F. Butler at the head, listening to women pleading for the right of self-government. Their faces, as they listened, every one of them with respectful attention, was a study worthy the most thoughtful student of human nature. Some of them listened, no doubt, for the first time to an argument in favor of this innovation, but the most unbelieving were evidently impressed with the earnestness and strong feeling displayed in the advocacy of the cause. The room was well filled with spectators, drawn together, some from sympathy, others from idle curiosity, but all were compelled to respectful consideration by the ease, dignity, and ability displayed by the ladies in presenting their cause. Only upon the faces of a few newspaper reporters just emerging from adolescence into manhood, rested the traditional sneer at the strong-minded; and when the hour for adjournment arrived, one of the members of the Committee remarked he regretted that a longer time could not have been given to the ladies. To those who think the cause of woman suffrage has gone backwards, we commend the proceedings of this meeting of the Judiciary Committee.

In addition to the petition for suffrage in the District, another one has also been drawn, which Mr. Loughridge, of Iowa, will present at an early day, asking for the remission of the fine imposed upon Miss Anthony for voting at the last Presidential election.

By the way, an incident showing the singular independence of Gen. Grant happened on Saturday. When the President was taking his afternoon stroll down Pennsylvania Avenue, he met Miss Anthony and Miss Couzins. Instead of bowing and passing on, as most any one of the high dignitaries occupying official position would have done, he stopped, shook hands, and entered into conversation with them. The chief justiceship being the absorbing subject of interest, Miss Couzins suggested the name of Elizabeth Cady Stanton, since he seemed to have so much trouble in getting a man to suit. The President pleasantly replied he would not subject any woman to the ordeal of such an examination as she would be subjected to over Sunday, if the announcement of the nomination to that office were made. Miss Anthony said if he would only nominate Henry R. Selden, her counsel, the man who had brains and courage enough to defend her for voting for him, the country would at once recognize it as the best possible thing that could be done. The group, as they stood there on the avenue, the President of the United States with a pleased and animated face, and Miss Anthony, whom everybody knows and respects, even although they don't believe in suffrage for women, and the strikingly handsome young lawyer from St. Louis, in animated conversation over the Chief Justiceship, was the object of attraction of all passing by. If some fortunate photographer could have taken the picture his fortune would have been secured beyond doubt.

The May Anniversary^[158] of 1874 was held in Irving Hall, with the usual list of speakers.^[159] The attendance was large throughout. Martha C. Wright, one of the most judicious and clear-sighted women in the movement, was elected president. A large number of letters^[160] was received from nearly every State in the Union.

[Pg 545]

On May 28th, 1874, while the bill to establish the Territory of Pembina was pending in the Senate, Mr. Sargent, of California, moved to add "sex" to line 10 of section 5, which would make the clause read:

Resolved, That the Legislative Assembly shall not, at any time, abridge the right of suffrage, or to hold office, on account of sex, race, color, or previous condition of servitude of any resident of the Territory.

Mr. SARGENT.—In the same connection I move in the first line of section 5 to strike out the word "male," so as to read "every inhabitant of the United States."

[Pg 546]

The PRESIDENT *pro tempore*.—The question is on the amendment of the Senator from California.

Mr. SARGENT.—At the time when the last National Convention of the Republican party assembled in Philadelphia, which nominated General Grant for his second term, there was assembled a body of able, respectable ladies of the United States, who urged upon that convention a consideration of the subject involved in the amendment which I propose; and as a concession to the demand made by those persons, a plank was inserted in the platform whereby it was declared that the Republican party would treat with consideration the claims of women to be admitted to additional rights. Since that time, although the Republican party has had a two-thirds majority in both Houses of Congress and elected the President of its choice, and now has full power and has had ever since the assembling of this Congress to carry out this promise, not one step has been taken in this direction. It has not been for want of petition or solicitation. It certainly has not been because the matter has not been called to the attention of both Houses of Congress, for petition after petition has been presented, and no action has been taken except adverse action in the other House, the committee reporting back those petitions with the recommendation that the prayer be not granted. In the Senate we have not yet been favored with the views of the committee to whom those petitions were referred. Considering that a great constitutional question was involved, it might be assumed that these subjects would receive very early attention at the hands of the committees of the Senate; but up to this time we have had no light on the matter.

I believe, Mr. President, that the amendment which I offer to this bill is justified by the organic law of the United States, and in fact required by that law. Before the adoption of the XIV. and XV. Articles of Amendment to the Constitution of the United States women were hedged from the ballot-box by the use of the word "male." Since that time another rule has been prescribed by the organic law, giving to all citizens of the United States the right to exercise this highest privilege of a citizen. By the XIV. Article of Amendment it is provided that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." This most important declaration is now the organic law of the United States. It does not say "all males born or naturalized in the United States," but "all persons," and it can not be contended successfully that a woman is not a person, and not a person within the meaning of this clause of the Constitution.

This being the status of all individuals, male and female, they being citizens of the United States, it is provided that "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law." Of course if any State is prohibited from doing this, any Territory should be prohibited from doing it, because no Territory can constitutionally do that which a State itself can not do. Then, if women are citizens of the United States, and there is no right to abridge the privileges and immunities of citizens of the United States, as proclaimed by the supreme law of the land, what are these privileges and immunities? Grant White, in his able work on "Words and Their Uses," defines, on page 100, the privileges and immunities of citizens, and among them gives the right to vote and the right to hold office. Webster gives the same definition of the word "citizen" and so does Worcester, and Bouvier's Law Dictionary speaks expressly of these rights of citizens of the United States to vote and hold office; and there is little adverse authority to these definitions.

[Pg 547]

The Constitution, if it needs construction at all—and it would hardly seem to need it in a case so plain as this—must be construed by the ordinary and authoritative use of the words contained in it; and here is both the ordinary and the authoritative use of those words. This matter has not been without judicial construction. In the Circuit Court Reports (4 Washington, 371), it was held that these privileges and immunities included the right to hold office and to exercise the elective franchise; and this view was adopted by Chancellor Kent in his Commentaries, volume II., page 71. So that both by United States courts and the best and highest commentary upon the laws of the United States the construction which I contend for of the XIV. Amendment is insisted upon and ably illustrated. The considerations which I have urged address themselves not merely to Republicans, they address themselves with great force to my Democratic friends who are such sticklers for the Constitution. Although that is true, nevertheless the Republican party has pledged itself especially to a respectful consideration of these demands in its last national platform, and it has control of both Houses of Congress and of the executive department.

Passing from that consideration, we have all persons born or naturalized in the United States declared by the Constitution to be citizens; and we have the meaning of the word "citizen" given by our courts, by our lexicographers, by our law commentators; we have further their "privileges and immunities" settled by all these authorities to include the right to vote and the right to hold office. In consonance with this organic law, the policy of which is not open to discussion because it has been adopted according to all the legal forms by the people of the United States, I offer this amendment.

Were this the time and place, and were not the discussion foreclosed by the considerations which I have already advanced, I might speak at some length upon the advantage which there would be in the admission of women to the suffrage. I might point with some pride to the experiment which has been made in Wyoming, where women hold office, where they vote, where they have the most orderly society of any of the Territories, where the experiment is approved by the executive officers

of the United States, by their courts, by the press, and by the people generally; and if it operates so well in Wyoming, where it has rescued that Territory from a state of comparative lawlessness to one of the most orderly in the Union, I ask why it might not operate equally well in the Territory of Pembina or any other Territory? I hope the time is not far distant when some of the older States of the Union like New York, or Massachusetts, or Ohio may give this experiment a fuller chance. But so far as it has gone, the experiment has been entirely in favor of legislation for admitting women to the ballot-box. And I do not believe that in putting these higher responsibilities upon women we degrade their character, that we subject them to uncongenial pursuits, that we injure their moral tone, that we tarnish their delicacy, that we in any way make them less noble and admirable as women, as wives, and mothers. I believe that by realizing the intention of the Constitution, which uses words that are so fully explained by our courts and by our writers upon the uses of words, we simply open a wider avenue to women for usefulness to themselves and to society. I think we give them an opportunity, instead of traveling the few and confined roads that are open to them now, to engage more generally in the business of life under some guarantee of their success. I believe that, instead of driving them to irregular efforts like those which they recently have made in many of the States to overthrow liquor selling, it will give them an opportunity through the ballot-box to protect their families, to break up the nefarious traffic and purify society. As it is now, their energies in this direction are repressed, and sometimes in order to have force are compelled to be exercised even in opposition to law. I would give them an opportunity to exercise them under the forms of law, and I would enforce the law by the accession of this pure element. I do not think that they would be corrupted by it, but rather that society and politics would be purified by admitting them to the ballot-box and giving them this opportunity.

I therefore trust that, in the spirit of the pledge that was made by us as Republicans, in the spirit of the adhesion to the Constitution professed by our democratic friends, there may be an assent to this amendment, and that the United States will engraft this feature in the organic law of this new Territory. There is nothing peculiar in the form of this proposition. All the original steps which we took toward circumscribing slavery were taken by engrafting provisos on the organic laws of Territories, from Nebraska down, providing that the Territories, when organized, should not do this or that affecting the liberty of human beings. In the mode pursued by that legislation, and according to those precedents, I now propose that the Constitution shall be invoked; that women shall have the right in this Territory which is guaranteed by the organic law.

Mr. STEWART.—If this region is to be created into a Territory, I think it eminently proper that this amendment should be adopted. The question of female suffrage is a question that is being seriously considered by a large portion of the people of the United States. We may think lightly of it here; we may think it never will be accomplished; but there are a great many earnest people who believe if females had the ballot they could better protect themselves, be more independent, and occupy useful positions in life which are now denied to them. Whether they be correct or not, it is not necessary for us to determine in passing upon this amendment. Here is a new Territory to be created, and it is a good opportunity to try this experiment. If it works badly, when the Territory becomes a State there is nobody committed. It is not an amendment of the organic law of the nation. This is a bill simply providing for the organization of a Territory and for a preliminary government, and I should like for one to see this experiment tried. It is suggested by my friend on my right (Mr. Conkling) that it can not spread unless it is catching. (Laughter.) If it works well, if it succeeds in protecting females in their rights and enabling them to assert their rights elsewhere and obtain such employment as is suitable to them, I hope it will become catching and spread all over the country, if that is the light in which it is to be treated. I am in earnest about this matter. I think this new Territory is the place to try the experiment. If it works badly, we can see it, and no great harm will be done. If it works well, the example will be a good one and will be imitated. We first tried the experiment of negro suffrage in the District of Columbia, and it became catching and spread all over the South. Now, when there is a large portion of the people of the United States desirous of having this principle illustrated, here is a fair field for the illustration of it, that they may see and we may see, whether there is anything in their arguments by the practical illustration of them for a few years until this new Territory shall become a State. I say let them have female suffrage there and try it. If it works well, their arguments will be vindicated; if it works badly, it need not be followed. I hope that the Senator from Minnesota will consent that this shall become a part of the law. Let us try it. It will do no harm.

Mr. BOREMAN.—I do not propose to enter into a discussion of the question of the constitutionality or unconstitutionality of woman suffrage, nor a discussion of the propriety or impropriety of the adoption of a provision in favor of it upon this bill. I think this is not a very good time to "try experiments," to use the language of the Senator from Nevada, and I trust we may have a vote upon this question.

The PRESIDING OFFICER (Mr. Ingalls in the Chair).—The question is on the amendment proposed by the Senator from California.

Mr. SARGENT and Mr. SPRAGUE called for the yeas and nays, and they were ordered.

Mr. MORTON.—I desire simply to state my views upon this amendment; views long entertained. I am in favor of the amendment on what I regard as the fundamental principles of our Government, upon the theory upon which we have based our Government from the beginning. The Declaration of Independence says:

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness.

The word "men" in that connection does not mean males, but it means the human family; that all human beings are created equal. This will hardly be denied. I remember it was formerly contended that the Declaration of Independence in this clause did not include black people. It was argued learnedly and frequently, in this Chamber and out of it, that the history surrounding the adoption of that declaration showed that white men only were intended. But that was not the general judgment of the people of this country. It was held to embrace all colors and all races. It embraces both sexes;

not simply males, but females. All human beings are created equal. That is the foundation principle of our Government. It then goes on to say:

That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

[Pg 550]

If these rights are fundamental, if they belong to all human beings as such, if they are God-given rights, then all persons having these God-given rights have a right to use the means for their preservation; the means is government: "To secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed." I ask you whether the women of this country have ever given their consent to this Government? Have they the means of giving their consent to it? The colored men had not given their consent to it. Why? Because they had not the right to vote. There is but one way that the consent to government can be given, and that is by a right to a voice in that government, and that is the right to vote. I know it was argued in times past in regard to the South that the master gave the consent on the part of his slaves; that he represented them; that he had their good at heart, and that he gave their consent. We denied that. We know it was not true. Now, sir, to come down to the main question, I ask if the women of this country have given their consent to this Government? You say they are consenting. I say they are assenting to it, the majority of them; but they have no means of giving their consent to this Government within the theory of the Declaration of Independence; and they can not consent to it unless they have a voice, have a right to vote "yes" or to vote "no."

What was the old theory of the common law? It was that the father represented the interests of his daughter, the husband of his wife, and the son of his mother. They were deprived of all legal rights in a state of marriage, because it was said that they were taken care of by those who stood to them in these relations; but they never were taken care of. The husband never took care of the rights of his wife at common law; the father never took care of the rights of his daughter; the son never took care of the rights of his mother. The husband at common law was a tyrant and a despot. Why, sir, he absorbed the legal existence of his wife at common law; she could not make a contract except as his agent. Her legal existence was destroyed, and the very moment the marriage was consummated he became the absolute owner of all her personal property. What was the theory of it? The old theory of the common law, as given in elementary writers, was that if the wife was allowed to own property separate from her husband it would make a distinct interest; it would break up and destroy the harmony of the marriage relation; the marriage relation must be a unit; there must be but one interest; and therefore the legal existence of the wife must be merged into that of the husband. I believe a writer as late as Blackstone laid it down that it would not do to permit the wife to hold any property in severalty from her husband, because it would give to her an interest apart from his.

We have got over that. It took us one hundred and fifty years to get past that, and from year to year in this country, especially in the last twenty-five years, we have added to the rights of the wife in regard to property and in many other respects. We now give to her a legal status in this country that she has not in England or in any European country. She has now a legal status that she had not twenty-five years ago, and progress is still going on in that direction. While it was argued by old law-writers and old law-makers that to allow women to hold property separate from their husbands was to break up the harmony of the marriage relation, we know practically that it has not worked that way. We know that as we have made woman independent, recognized her legal existence as a wife, secured her rights, it has elevated her. We know that instead of disturbing the marriage relation, it has improved it constantly; and I believe that the woman has the same natural right to a voice in this Government that the man has. If we believe in the theory of our Government that must be so. I believe that as you make woman the equal of man in regard to civil rights, rights of property, rights of person, political rights, you elevate her, you make her happier; and as you do that you elevate the male sex also.

[Pg 551]

This idea that women will be degraded by allowing them to go to the polls comes down to us from other countries and from remote periods of civilization. Why, sir, in countries now that claim to be civilized it is said that to allow the wife or the mother to go to the dinner-table with the husband and meet his guests face to face degrades her and degrades them. In some countries a woman must not appear on the streets unless she is so closely veiled that she can not be recognized; for it is said to allow her to go upon the streets barefaced or so thinly veiled that she can be recognized, subjects her to insult and degrades her; and in some countries to-day it destroys her character as effectually as other things would destroy her character in our country. We know that is a prejudice; and the idea that woman will be degraded by giving her the right of suffrage is a remnant of that same idea. It is born of the same parentage. It has no sounder reason for it than these other nations have. I believe that to give women the right of suffrage would elevate the character of suffrage in this country. It would make the polls more decent, more respectable than they are now. Why, sir, fifty years ago the idea of women attending political meetings was intolerable to a great many people. The idea of her going to lectures of a scientific character was thought to be out of all reason. But now women go to political meetings. In almost every canvass in my State there are nearly as many women who attend the meetings as men. What is the effect of it? Are they degraded? On the contrary, their presence elevates the character of those meetings. It is an assurance of peace, it is a security against rowdyism and violence, because in this country men have to be very low if they are guilty of rowdyism or blackguardism in the presence of women. We have a habitual respect for them; and I can testify from my own experience in politics that the attendance of women upon political meetings, so far from degrading them or affecting men injuriously, has elevated the character of political assemblages, has made them more respectable, has secured to them immunity from violence, and from degrading scenes and blackguardism, and so it will be at the polls. When a woman is allowed to go to the polls and vote her sentiments and convictions, it will have the same effect there that her presence has in society. There is not a bit of doubt about it. And there will be no more discord in the family circle than there was when, in violation and against the old principles of the common law, you gave a woman the right to retain her legal existence after marriage and to own property separate and apart from her husband. These old notions have been giving away one

[Pg 552]

after another little by little, and we shall finally come down to the true theory of our Government in all respects, and that is to allow every person, man or woman, who is to be affected and controlled by the Government, whose interest or whose happiness is to be controlled by or depends on the administration of that Government, to have an equal voice in that Government. Therefore I give my vote heartily and cheerfully for this amendment.

Mr. FLANAGAN.—I confess, sir, that I was delighted when my distinguished friend from California presented this amendment. Unlike my distinguished friend from Indiana, however, I am a new convert to this doctrine. He has been of this opinion long since, I am gratified to learn. I have reflected much on this subject, and within the last few months I have settled down in my determination, and that is to advocate this great measure. Why have I so recently arrived at that conclusion? In the last few months the women's war upon the whisky trade and intemperance at large has prompted me thus to declare unequivocally for them and their glorious efforts. It is from them and with them that I hope, judging from their success up to this time, to save this great Nation from the worst curse known to the human family, that of intemperance; and I believe it is they and only they through Almighty God who can do it. Man has been found incompetent and unable to perform that great and desired object. And gratified am I to receive the idea from my distinguished friend, that if women had the right to vote they would not be expelled from many pursuits as they now are, or be compelled to go upon the streets as they now are, seeking in self-defense the preservation of man. The effect of this measure on politics has been so well described by the distinguished Senator from Indiana that I need not comment upon that branch of the subject. They would tend to purify the atmosphere morally, either at the ballot-box or anywhere else, I care not where it may be. They are more directly interested in good morals, in the temperance of the world and everything bearing on that line, than the husbands are. I think it is a right they are entitled to in every sense of the word, and from this time henceforth I am a woman's rights man.

Mr. MERRIMON.—Mr. President, I will not yield to any Senator in the measure of my respect for and admiration of woman; I do not propose by any act or word of mine to detract from her dignity or to diminish the pleasures she may enjoy in this life; but I claim the right to be the judge, in conjunction with herself, of what is best calculated to elevate and protect her dignity and promote her happiness. I do not believe that woman herself believes that her dignity would be elevated or her happiness promoted by putting her upon an exact equality, civilly or politically, in both points of view, with man; and very strong and controlling evidence of that fact is, that neither in this country nor in any country has woman—I mean the great mass of them—ever demanded such a state of things. Our Government has existed for about a hundred years, and the number of females who have demanded to be invested with equal political and civil rights and to be placed upon an exact equality with the male portion of our population, compared with those who have remained in retirement, who have staid at their homes and lived and ruled within that sphere in which it seems God intended that they should rule, is as a drop in the sea. So it appears in this conclusive way that the women of America do not demand this state of things. They do not protect themselves by votes, nor do they need to do so. They shape the man when he is a child, rule him with the power of love, and thus they shape, affect, and often control the destinies of men, nations, and empires. I do not propose, however, to go into a discussion in detail of what the women desire or what we ought to grant. My main purpose is to reply very briefly to some remarks that fell from the honorable Senator from Indiana [Mr. Morton] in reference to the Declaration of Independence. I differ, with all respect, from the revolutionary construction which he puts upon that instrument. It is true, as he says, that the Declaration of Independence provides in these words:

[Pg 553]



Ellen Clark Sargent

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness.

Now, I maintain in the first place that we must put a reasonable construction on those words.

Plainly, to my mind, all men are created equal in point of natural rights, certainly not equal in point of civil rights, not equal in point of political rights. By nature man has no civil or political rights. Natural rights are one sort of rights; civil rights are another sort of rights; and political rights are a third sort of rights. Every human being has a natural right to life and liberty; but every human being has not a natural right to government. He has not a natural right to the civil rights conferred and defined by a system of government. When he becomes subject to civil government he surrenders a part of his natural rights—agrees that civil government may regulate these and then enjoys the benefit of civil rights conferred by civil government; but then he does not thereby necessarily become entitled to political rights. He can not become entitled to political rights until they shall be conferred upon him by government.

Mr. MORTON.—Will the Senator cite what follows?

Mr. MERRIMON.—When our fathers adopted the Declaration of Independence, and declared these general truths, they had reference to the natural rights of man, and only to those rights. They well knew the distinctions to which I have adverted, had them in view and acted upon them, as I shall now proceed to show.

Mr. MORTON.—It says that "to secure these rights" referred to, the right of life, liberty, and the pursuit of happiness, "governments were instituted which derive their just powers from the consent of the governed." Now, I ask if women are a part of "the governed?"

Mr. MERRIMON.—Yes, sir; they are a part of "the governed," and I say that they have not only assented, but they have consented to this system of government.

Mr. MORTON.—How?

Mr. MERRIMON.—I say so, because they have never raised their voice in opposition to it; they have given for nearly a century their highest moral sanction to it; we have had a moral expression from the American women with a degree of unanimity and cordiality that is striking. I am warranted in saying that nine hundred and ninety-nine out of every thousand have given their moral assent, in as full a measure as it was possible for them to do, to our system of government. They have sustained it under all circumstances with their love, their hands, and their hearts, with their smiles and their tears, educated their children to love it and to die for it. They have manifested their love for it in every form, it has never appeared, be it said to their honor, that they disliked or disapproved it. They have had the right under the bill of rights of every State in the Union, they have had the right under the Constitution of the Union at all times to memorialize the States and to memorialize Congress, protesting against any abridgment of their natural or civil rights, if they deemed there was any abridgment of those rights. But I repeat what I said a while ago, the number who have thus memorialized Congress and the State governments, compared with those who have not opened their mouths on this subject, is as a drop in the sea compared to the waste of waters. They have yielded their assent to this system of government; they have ratified it by every means in their power outside of exercising the political right to vote. I know that there are a few women in the country who complain, but those who complain, compared with those who do not complain, are as one to a million.

[Pg 554]

But to get back to the point. Those who established the Declaration of Independence gave an exposition to their view of it in the formation and administration of the several State governments they adopted. For years in those State governments they provided civil and political distinctions and discriminations; they provided that certain classes of white men should enjoy certain classes of rights, that certain other men should not enjoy the same rights. They provided that the male population should enjoy rights that the female should not enjoy. They provided that the white race should be free and that the black race should be slaves. They did that, and according to their action and the organic laws which they adopted, they said in the most solemn manner they could, that that system of government carried out the purposes they meant to declare and define in the Declaration of Independence. They not only did that, but they had a right to do it, nor was it inconsistent with the declaration, for it referred only to natural rights, and when they instituted governments they provided civil and political rights, and therefore there was no contradiction and no practical absurdity as is suggested. Their theory was practical and adapted to the comprehension and protection of human rights. They were not visionary theorists but practical statesmen. They were not radical but conservative in their notions of government. Not only the State governments did at first what I have indicated, but when the American people came to establish the Constitution of the United States they again provided in the Constitution a distinction and discrimination between the male and the female portion of the American people; they provided that the males should hold the offices, that the males should have the right to vote; and not only that, but by way of further exposition of their views of the nature, purposes, and meaning of the Declaration, they provided that the black race should be slaves. That Constitution recognizes negro slavery in three several provisions.

Mr. MORTON.—Does the Senator speak of the Constitution of the United States?

Mr. MERRIMON.—Yes, sir. In the matter of representation, slavery was expressly provided for; it was recognized in another provision relative to prohibiting the importation of certain persons until after the year 1808; and in another provision which provided that those held to labor, escaping to another State, should be surrendered to their masters on demand. The Constitution of the Union, made in pursuance of this very Declaration of Independence and conforming to it, recognized a distinction between the white race and the black race, and recognized and provided distinctions between the male and the female portions of the people of the American Union, and thereby in the most absolute manner drew the civil and political distinctions that have been kept up in one way or another from that day to this, and which I contend, with a view to good government, so far as the male and female portions of the American people go, ought to be kept up and perpetuated. It seems to me that any one who will take into consideration the facts to which I have called attention must see that the broad, radical construction which the Senator puts on the Declaration of Independence can not be sustained by reason, authority, or practice.

[Pg 555]

But, sir, I want now to refer to the position taken by the Senator from California [Mr. Sargent]. He says that under the Constitution by the XIII., XIV. and XV. articles of Amendment, Congress has no power to deprive the females of this country of the right of suffrage. That I deny as emphatically as I can. I read from Paschal's Annotated Constitution, p. 65:

18. But citizenship of the United States, or of a State, does not of itself give the right to vote; nor, *e converso*, does the want of it prevent a State from conferring the right of suffrage. (Scott vs. Sandford, 19 Howard, 422.)

The right of suffrage is the right to choose officers of the Government, and it does not carry along the right of citizenship. (Bates on Citizenship, 4, 5.) Our laws make no provision for the loss or deprivation of citizenship. (*Id.*)

The word "citizen" is not mentioned in this clause, and its idea is excluded in the qualifications for suffrage in all the State constitutions. (*Id.*, 5, 6.)

Mr. SARGENT.—What clause is he commenting on?

Mr. MERRIMON.—He is commenting on section 2 of article 1. He says further:

American citizenship does not necessarily depend upon nor co-exist with the legal capacity to hold office or the right of suffrage, either or both of them.

No person in the United States did ever exercise the right of suffrage in virtue of the naked, unassisted fact of citizenship. (*Id.*)

There is a distinction between political rights and political powers. The former belong to all citizens alike, and cohere in the very name and nature of citizenship. The latter (voting and holding office) does not belong to all citizens alike, nor to any citizen merely in virtue of citizenship. His power always depends upon extraneous facts and superadded qualifications; which facts and qualifications are common to both citizens and aliens. (Bates on Citizenship.)

I read these hasty citations of authority which happen to be convenient to show that there is a distinction between political power and political rights, and in further support of the distinction between citizenship, or civil rights, and political rights.

Mr. SARGENT.—Will my friend allow me a moment?

Mr. MERRIMON.—Yes, sir.

Mr. SARGENT.—The author there is commenting on the second section of the first article of the Constitution, and I think his reasoning on that upon general principles may be correct, at any rate it is in consonance with the authority that he cites. But it will be observed that by the XIV. article, section 1, it is provided that—

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

And then it says:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens,

Covering the whole broad ground. Whatever may be the privileges and immunities of citizens are covered and protected by this clause. This is subsequent to the article commented on there and changes the spirit of the old Constitution, is inconsistent with it, repeals it, or modifies it *pro tanto*; or else there would be no object in the adoption of the XIV. article.

Mr. MERRIMON.—I was just coming to the discussion of that Amendment. The XIV. Amendment applies to civil rights. As I have shown, a citizen merely by virtue of citizenship does not enjoy political rights; neither the right to vote nor the right to hold office. The manifest object and purpose of the XIV. Amendment was to secure to all the American people equality of right in the States, equality of right under the United States, civilly, not politically; and that is made more manifest when we consider the second section of the XIV. Amendment. It is in these words:

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Thus it appears the amendments recognized the right of the State itself to regulate the political right to vote. The XV. article of Amendment still further confirms my view. It provides that "the right of citizens of the United States to vote"—and that word "vote" is material there—"the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State." Note what follows: "On account of race, color, or previous condition of servitude." The right of a citizen of the United States in the first place to vote shall not be abridged on account of three considerations, to-wit: race, color, or previous condition of servitude. Why was it limited to those three causes? Manifestly because the framers of this article saw that Congress had the power to abridge the rights of the colored race—indeed, any race—in the matter of voting and in the matter of holding office as well. Can it be contended that the United States would not have the power today to provide that a negro or an Indian or a Chinese or a Mongolian, if naturalized, and a citizen, should not hold office under the United States Government? It is plain they would have such power.

But they can not act upon the ground of race, color, or previous condition as to the matter of voting, and the restriction is to that alone. This clause provides expressly that as to voting the right of no human being shall be abridged because of his race, or his color, or his previous condition of servitude, but such right may be abridged for any other cause or consideration. This amendment did not impose a restriction simply on the power of the United States. In order to protect the colored race in the Southern States, and indeed I may say throughout the whole Union, this provision embraces the States as well as the United States, and provides that the States shall not have power to abridge the right to vote on any one of three accounts—race, color, or previous condition of servitude. But that does not imply that the States shall not have the power to abridge this right for other causes. Each State has the power to-day to abridge the right to vote because a man can not read, because he can not write, or for any similar cause. The States have power to provide that a man shall not be allowed to hold office or to vote because he can not read or because he can not write, or for any cause whatever. That is not only so according to the plain construction to be given to the XV. Amendment, but some of the States exercise such power in this country to-day.

Mr. SARGENT.—Will the Senator allow me to direct his mind to one consideration?

Mr. MERRIMON.—I will.

Mr. SARGENT.—The XV. Amendment to the Constitution which the Senator refers to, reads: "The right of citizens of the United States to vote shall not be denied or abridged:" It does not create a right, it says "the right"; it speaks of something existing which shall not be denied. The right, then, to vote is the right of a citizen of the United States; the right exists. In other words, the right which exists of citizens of the United States to vote shall not be denied or abridged.

Mr. MERRIMON.—There is no affirmative provision or principle in the Constitution that confers such a right, and my friend arrives at his conclusion by a simple inference; that is all. And I apprehend that a right of so much moment, contravening the whole policy of the Government, heretofore, can not be established by a simple inference; and especially in the strength and in the face of the fact, however it might be as to other matters, that the United States shall not have the power to abridge the right for the cause mentioned. Besides this, if I concede what the honorable Senator says, he must acknowledge that it is within the power of the United States to abridge the right to vote for other causes than those stated. The constitution of Connecticut prescribes these qualifications: Every white male citizen of the United States; one year's residence; freehold of the yearly value of six dollars; good moral character; able to read any article of the Constitution or any section of the statutes of the State. But if that State had undertaken to restrict the right to vote because a man was black or because he belonged to a particular race, or because heretofore he had been subject to a condition of servitude, that would be absolutely null and void; or if they had put in that he should not vote because he was white it would be null and void.

Next, by the constitution of Massachusetts, the right to vote is limited to "male citizens (excepting persons or paupers under guardianship); residence in the State one year; in the town or district six months; having paid all required taxes." That constitution has existed since 1780. It was provided further in that constitution that "no person shall have the right to vote or to be eligible to office under this Commonwealth who shall not be able to read the constitution in the English language and write his name. So that the power which I insist belongs to the United States, and I think I have shown belongs to the States, not only exists, but is actually exercised by States, at least two States of the Union, at this moment; and indeed in nearly or quite all the States there are more or less restrictions of the right to vote; and the State and the Union have absolute power to abridge the political right to vote except for three causes only, and those three causes are race, color, or previous condition of servitude.

Mr. STEWART.—I hope that the Senate will not suppose that there is any constitutional question here involved. It is simply a question of regulating the suffrage in a Territory, exclusively under the jurisdiction of the Congress of the United States. There is no doubt of the power of Congress to allow women to vote in the Territories, and I hope there will not be a great deal of time spent on that matter.

Mr. MERRIMON.—Why do you want to go into a remote, sparsely settled Territory to make the experiment?

Mr. STEWART.—Why not try it everywhere? Why not try it in North Carolina? Because we can not.

Mr. MERRIMON.—Why not try it in this city?

Mr. STEWART.—Because we have not the power to do it.

Mr. MERRIMON.—You have in the District of Columbia.

Mr. SARGENT.—We tried the question of negro suffrage in Nebraska first.

Mr. STEWART.—Negro suffrage was opened in a Territory when there were less people in it than there are here, and see how that has spread.

Mr. MERRIMON.—My friend did not hear my question. Why not confer suffrage on the women of the District of Columbia.

Mr. SARGENT.—We will the first time we get a chance.

Mr. STEWART.—The Senator from North Carolina asks, "Why not try it here?" The question has been suggested whether there is not a constitutional reason for not trying it here, and that constitutional question applies to males as well as females. The Constitution says that Congress shall have exclusive power of legislation within the District of Columbia, and it shall exercise like power over places owned by the United States with the consent of the States for arsenals, dock-yards, and other needful buildings, making this District under the exclusive control of Congress. I think that nothing but the emergencies of the case could have justified the experiment we tried here with negro

suffrage; but we did it. We now have a fair field in the West where the country is rich and inviting, as my friend from Minnesota says, a country that is able to become a State; the land fertile, the climate salubrious, and is to be occupied by the very best people, and we can try it there under the most favorable auspices.

Mr. CONKLING.—May I ask a question?

Mr. STEWART.—Most certainly.

Mr. CONKLING.—The Senator has assured us so often that he is in earnest, that I know he will be able to afford those like me who are following him, although they may be somewhat in the dark, the requisite information. Some Senator inquired of my friend why he did not try the experiment here, and he answered that Congress has power to legislate here, and therefore there is no experiment to try here. Now I know my friend does not mean to paddle out of any thing, because he has courage enough to stand up to it; and I submit to him that that is rather "thin." Under the organic law of this District men vote here annually; the things upon which they vote are prescribed; and if the Senator is in earnest, I should like to know some better reason why he does not try it here. An amendment is in order on this bill to try it here. We have confessedly in this District, exceptionally in this District the entire power upon this question; and if the Senator is in earnest, knowing as he does that under the organic law, of which as a member of the committee of investigation he has learned so much, voting is to be done and is now committed exclusively to men and denied to women, I beg him to state some broader and better answer to the question why he does not try it here. And let me remind him at the same time that under the rules of the Senate an amendment is in order to this bill; he need not go beyond this bill in order to insure the right in the District of Columbia.

[Pg 559]

Mr. STEWART.—Inasmuch as the Senator from New York has designated me as the leader whom he is to follow, and I take it for granted he is in earnest in his question, I shall occupy the time of the Senate briefly in answering it. When the question arises for suffrage at all in this District, with my present ideas, I shall vote for female suffrage in this District. I was saying that I do not think there need be any popular voting at all in this District by males or females, for the reason that the great mass of people here are merely sojourners. I think we should govern the District directly by the Congress of the United States, that can pass all needful laws. When the question comes up properly as to the District, it will be time enough to meet it. Here is the question directly up as to a Territory, and there is no doubt about this being a good opportunity.

Mr. CONKLING.—I beg to inquire when ever in time or eternity that question will come up here, unless some champion who has the courage and genius of my friend brings it up? Who shall bring it up if he refuses to do it? And when a bill is pending to which that amendment is appropriate, and his attention is called to it, if he flinches, if he goes back, who shall we hope for to come hereafter who will break a lance in such a cause? I say to him that unless he wants to discourage me and other men of less courage who are trying to follow him, he must not flinch by saying that he can not do anything about it until it comes on a motion to bring it up. He should bring it up himself.

Mr. STEWART.—The only fear I have as to the Senator from New York is that he will not have sufficient courage to follow. (Laughter.) The question is up now. The question is squarely up on this amendment whether we will allow the females in this distant Territory to vote. I propose to vote for it. He has said that I was his leader. The only question now is whether he has the courage to follow my lead, I following the lead of the Senator from California. I want to put his courage to the fullest test now. I only ask him to follow me in this one little step. If he breaks down here, I hope he will not say any thing more about it; and I am afraid he will. I will say to him, however, that the time will come when he will look very much astonished if anybody questions the right of a female to vote; and when that time comes, I shall never mention his past record to him because I do not mention unpleasant things to gentlemen. I say that for his benefit in case he should not do the gallant thing he proposes to do of following me, I following the lead of the Senator from California. The question is squarely up, and is nothing more than this: will you give women a chance to try this experiment where it is admitted it can do no harm, and where a large portion if not a majority of the people of the United States believe it will do a great good? Try this experiment there; and if the struggle which is inaugurated there shall spread over the country as the struggle that was inaugurated in Kansas spread over the country and finally terminated in the colored man having full rights, if it should have full effect on the rest of the country, so be it. I rather think it will.

[Pg 560]

Mr. MERRIMON.—In the discussion in which I engaged, I was more anxious about the principle involved than I was about the particular amendment, and therefore I hardly mentioned it in the hasty argument which I submitted. In order to support my position now, I desire to read a report from the Judiciary Committee which embraces the very subject under discussion, the question of the power of the State governments and the Federal Government to abridge the right to vote and hold office. The subject came before that committee in the way of a petition of certain citizens of the State of Rhode Island who insisted that their rights as citizens of the United States were abridged—

Mr. STEWART.—Will the Senator allow me to ask him a question?

Mr. MERRIMON.—Certainly.

Mr. STEWART.—Suppose the American people come to the conclusion that it is right that females should vote, does not the Senator think there will be plenty of ways to accomplish it notwithstanding that report of the Judiciary Committee?

Mr. MERRIMON.—O yes, I think so; but I do not care to debate that. My object was to throw light on this question. I do not want a wrong construction put upon the powers of the Government at this day. It is important that we should be upon the right line and keep upon it; and with a view to strengthen my argument I ask the Clerk to read the report which I send to the desk. It is very brief; and I beg leave to say now that it is well known to the Senate and must be known to the country that this committee embraces the ablest lawyers in this country on constitutional law.

The CHIEF CLERK read the following report submitted by Mr. EDMUNDS on the 26th of May, 1870:

The Committee on the Judiciary, to whom was referred the petition of citizens of Rhode Island setting forth, by reference, the XIV. and XV. Articles of Amendment to the Constitution of the United States, and stating that, "the State of Rhode Island, notwithstanding the provisions of the above-named amendments, persists, in and by the first section of article 2 of the constitution of said State, in denying and abridging the right of about 10,000 citizens of the United States to vote at any and all elections holden in said State," and praying that Congress will "pass such appropriate legislation as may be found necessary to obtain for, and secure to, the citizens of the United States resident in Rhode Island all the rights, privileges, and immunities guaranteed to them by the Constitution of the United States," respectfully report:

That the constitution of Rhode Island, adopted in 1842, prescribes two alternative classes of qualifications for voting. The first gives to *all* male citizens of the United States of a certain age, etc., the right to vote, if they own real estate of the value of \$134, or which shall rent for \$7 per annum. The second gives to every male *native* citizen of the United States of a certain age, etc., the right to vote, if he pays a tax of \$1 a year, etc., although he may not own real estate. No man or party has ever questioned the right of the people of Rhode Island and of every other State to establish such a constitution of government as maybe agreeable to their views of the public welfare in that State, although its provision as to suffrage may not conform to the opinions of other States. At the time when this constitution of Rhode Island was adopted the right to regulate the qualifications of voters belonged exclusively to the respective States. The petition under consideration fully recognizes this, but it raises the question (although studiously framed in such a manner as not to declare or insist upon such a conclusion) whether, by the XIV. and XV. Amendments to the Constitution of the United States, natives of foreign countries who have become citizens of the United States are not entitled to vote in Rhode Island, without regard to the qualifications imposed by her Constitution?

[Pg 561]

The committee is unanimously of the opinion that this question must be answered in the negative.

The "privileges and immunities of citizens of the United States" mentioned in the petition as secured by the XIV. Amendment do not include the right of suffrage. If they did, the right must necessarily exist in *all* citizens of the United States from the mere fact of citizenship, without the power in any State or in Congress to abridge the same in any degree; and in such case, therefore, no qualification of any kind could be imposed, and all persons (being citizens), males and females, infants, lunatics, and criminals, without respect to age, length of residence, or any other thing, would be entitled to participate directly in all elections. Every provision in every State which experience has proved to be essential to security and good order in society would thereby be overthrown. It is enough to say that the rights secured by this amendment to the constitution are of an altogether different character.

The XV. Amendment does apply to rights of suffrage, and to those only. By it the State of Rhode Island, in common with every other State, is forbidden to deny or abridge the right of citizens of the United States "to vote on account of race, color, or previous condition of servitude." But, plainly, the constitution of Rhode Island does not preclude any citizen from voting on either or any of the grounds thus prohibited. No fact of race, or color, or previous servitude prevents any citizen from voting in Rhode Island. Neither of these qualities depends in any degree upon the place of his nativity. This seems too obvious to need discussion. It is also a fact, appearing in the public records of Congress and doubtless known to the petitioners, that when the XV. Amendment was under consideration by Congress it was proposed to embrace in it a prohibition of any denial of suffrage, on account of "nativity," and that this proposition was not agreed to, for the reason that Congress did not think it expedient to restrict the ancient powers of the States in these respects any further than appeared to be absolutely needful to secure to the whole people the great results of the overthrow of the rebellion.

The committee is therefore of opinion that there is nothing in the provisions of the constitution of Rhode Island referred to in conflict with the Constitution of the United States.

Whether these provisions are wise or right in themselves is a matter over which neither the committee nor Congress has any control. That subject belongs to the people of Rhode Island, who it must be presumed will correct any and all errors that may from time to time be found to exist in her internal affairs.

Mr. MERRIMON.—I think the Senator from Nevada will be unable to answer that position.

Mr. CARPENTER (Mr. INGALLS in the chair.)—Mr. President—

Mr. EDMUNDS.—Before the Senator from Wisconsin proceeds with his remarks, I should like to ask the chairman of the committee whether he means to include Indians and Canadians? The language is "every inhabitant of the United States."

Mr. SARGENT.—No, it is qualified further, as the Senator will see if the whole section is read.

Mr. EDMUNDS.—Not as to the first election.

[Pg 562]

Mr. SARGENT.—I think myself the section is very inartificially drawn.

Mr. EDMUNDS.—I do not know but that it is very artificially drawn, if it is intended to include the Indian and the Canadian.

Mr. SARGENT.—To answer the Senator from Vermont I ask that the final proviso of the section be read, which qualifies the part he referred to.

The CHIEF CLERK read as follows:

Provided, further, That the right of suffrage and of holding office shall be exercised only by citizens of the United States, and those who shall have declared on oath, before a competent

court of record, their intention to become such, and shall have taken an oath to support the Constitution and Government of the United States.

Mr. EDMUNDS.—That does not relate to the first election.

Mr. SARGENT.—That objection applies to the details of the bill; it does not apply to my amendment.

Mr. EDMUNDS.—That is true.

The PRESIDING OFFICER.—The Senator from Wisconsin is entitled to the floor.

Mr. CARPENTER.—Mr. President, as the yeas and nays have been ordered on this question and I shall vote for this amendment, without going into any argument of the general question, I desire to say one word as to the reason why I shall so vote.

I believe it is not one of woman's rights, but it is one of man's that the franchise should be extended to women. I believe there is no situation in which man can be placed where the aid of woman is not beneficial; that in all the relations of life, in all the occupations and all the duties of life it was the intention of God in creating the race that woman should be the helpmate of man, everywhere and in all circumstances and occupations. Look through your country, look in your railroad cars, look in your post-offices, look in your dry-goods stores, and there you see everything decent and orderly and quiet. Why? Because women go there. The only place in this country from which they are excluded by law is the voting place, and in many of our large cities those places are the most disgraceful that can be found under our institutions. Now, I believe if the elections were open to ladies as well as gentlemen, to women as well as men, there would be as much order, quiet, and decency at the voting places as there is in a railroad car, and for precisely the same reason. If our wives and mothers and daughters were going to these election places there would be order and decency there, or there would be a row once for all that would make them decent. I have more confidence in the influence of women at the elections in New York City to reform the condition of things that exists there and bring about decency and order at the elections and the prevention of violence and fraud, than I have in all the Army and Navy that the President can send there under the election bill which was put through here by my honorable friend from New York (Mr. Conkling).

Without enlarging on the subject, I shall vote for this amendment, not because this Territory is located, as some Senator has said, near Minnesota. I would vote for female suffrage in the District of Columbia to-morrow; I would vote for it in the State of Wisconsin; I would vote for it anywhere and everywhere if I had an opportunity to do so.

Mr. MORRILL, of Maine.—Mr. President, I shall vote against this amendment, and for the reason that I do not consider the right of suffrage a woman's right or a man's right. I do not understand it to be a natural right at all. It is a political right; and I do not understand, as applied to women, that it is a privilege at all. It is akin to a service; and it is a very rough service. It is in its nature akin to militia service. The man who exercises the ballot must be prepared to defend it with the bayonet; and therefore the propriety of its being confined in all ages to men. That it is not a natural right is apparent to anybody who reflects upon it; and it never was so considered in any country in the world.

[Pg 563]

We talk about it here now as a natural right, and my honorable friend who sits next me (Mr. Morton) has invoked the principles of the Declaration of Independence and said that it stands with those rights which are called inherent, such as life, liberty, and the pursuit of happiness. It is not so in any sense whatever, and never was so regarded. If it were, do you not perceive that it applies as well to infants as to adults? If it is natural to all citizens, then it applies, as I have said, to infants as well as to adults. I regard it as strictly a political right. It does not inhere in man naturally, or in woman; and I do not propose, myself, to impose it on women. It is a severe, rugged service, which in my judgment ought not to be imposed on women.

My honorable friend from Wisconsin says there is no position in life in which the society of woman would not be an improvement. How is it on the deck of a battle-ship? How is it in military affairs? Should she be placed in the militia to enforce the results of a ballot? Is there any one of us who believes that? Is there anybody here who would be glad to see a woman in the train-band, on the muster-field, at the cannon's mouth, or on the decks of your war-ships? That is what your argument means, if it means anything logically.

But sir, I am not going to argue the proposition at all. I am going to vote against it because the right of suffrage is that rugged and severe service which man has no right to devolve upon woman. It is enough to say that when the American women want the ballot, when they come to hanker for it, and fall in love with the exercise of the ballot at the polls, I am in favor of their voting, but not until then; and I am not in favor of that sentimental sort of stuff which is gotten up somewhere or other by portions of the people who would force it upon the American women as a general proposition. Whenever they come to desire it, whenever the American women come to ask it, and particularly when they come to demand it, or even to solicit it, there will be no question as to what the American Congress will do; but until that time comes I shall vote steadily against it.

Nobody will be surprised at these sentiments from me who has had occasion to know the sentiments that I have expressed on this same subject on former occasions. I will send to the desk and ask to have read a paragraph or two from a speech made by me some years ago on the subject of suffrage.

The CHIEF CLERK read as follows:

Universal suffrage is affirmed by its advocates as among the absolute or natural rights of man, in the sense of mankind, extending to females as well as males, and susceptible of no limitation unless as opposed to child or infant. It is supposed to originate in rights independent of citizenship; like the absolute rights of liberty, personal security, and possession of property, it is natural to man. It exists, of course, independent of sex or condition, manhood or womanhood. To admit it in the adult and deny it to the youth would be to abridge the right and ignore the principle. Now, sir, in practice its extension to women would contravene all our notions of the

[Pg 564]

family; "put asunder" husband and wife, and subvert the fundamental principles of family government, in which the husband is, by all usage and law, human and divine, the representative head. Besides, it ignores woman, womanhood, and all that is womanly; all those distinctions of sex whose objects are apparent in creation, essential in character, and vital to society, these all disappear in the manly and impressive demonstration of balloting at a popular election. Here maids, women, wives, men, and husbands promiscuously assemble to vindicate the rights of human nature.

Moreover, it associates the wife and mother with policies of State, with public affairs, with making, interpreting, and executing the laws, with police and war, and necessarily disseverates her from purely domestic affairs, peculiar care for and duties of the family; and, worst of all, assigns her duties revolting to her nature and constitution, and wholly incompatible with those which spring from womanhood.

Besides, the ballot is the inseparable concomitant of the bayonet. Those who practice the one must be prepared to exercise the other. To introduce woman at the polls is to enroll her in the militia; to transfer her from the class of non-combatants to the class of combatants.
—*Congressional Globe*, part 1, second session Thirty-ninth Congress, 1866-'67, page 40.

Mr. SARGENT.—I have no doubt of the consistency of my friend from Maine on this proposition and on every other. I have no doubt that the remarks which he made formerly on this subject he repeats to-day with the same idea of their entire correctness; but I differ with him upon both the propositions which he advances. He says that women do not desire the right of suffrage and there is no evidence before Congress that they do desire it. Why, sir, the tables of your committee-rooms have been loaded with petitions from every State in this Union on this subject, and they come forward day after day.

Mr. EDMUNDS.—And remonstrances also.

Mr. SARGENT.—Very few indeed.

Mr. STEWART.—I suggest to my friend from California if the only question is whether women desire the right of suffrage or not, that can only be determined by submitting it to them. When we wish to ascertain whether the male citizens of the country desire a proposition, we submit the question to them and let them vote upon it.

Mr. SARGENT.—That suggestion is very just. But the fact that there are remonstrances against the extension of the suffrage to women shows that there is agitation, and agitation shows interest in the matter. If this opinion were not in danger of prevailing, if it were not sweeping over the country, we would get no remonstrances; it would be looked upon as mere idle wind blowing nowhere and amounting to nothing. I say these petitions are coming here in every form. There are large and popular conventions, attended by ladies and attended by a great many men, making strong efforts to this end. There is as much agitation on this point as there was for the abolition of slavery before the war broke out.

Now I come to the other proposition of my friend from Maine. He says the ballot and the bayonet go together, and that he who handles the one must be prepared to handle the other. What do you do with men who are past the years of military service and exempted by your laws? Do you deprive them of the ballot? That of itself is a sufficient answer to that argument. They are not inseparable. Fortunately for our country the necessity for the use of the bayonet occurs very seldom; but when it does occur there are large classes of male voters who are not called to the field, but are exempted by the policy of our law. No one believes that if women had this privilege, or this immunity, or this right—whatever you may call it—put into their hands we would therefore require of them to do things that would degrade or unsex them, or that would be improper for them to perform. I believe that men would have the same respect for women with the ballot in their hands as without it.

[Pg 565]

It is not for the few women who remonstrate from luxurious parlors, sitting upon sofas, in the glare of the gaslight, changing and choosing their phrases, but for the great class of laboring women in the country that I appeal for this redress. I appeal for the women who have been struggling on in these Government offices, doing the same work that men do, aye, and in many cases doing it better, for about one-half of the pay. Do you suppose if they had ballots they would not make their voices heard here and get for the same work the same pay? Who ever knew a labor strike of women to succeed? When women in New York City and other places are bowed down to the earth by their labor—making shirts at a shilling a day—and they strike for more pay, for more bread, for an opportunity to live, who ever heard of one of their strikes succeeding? Men strike from their workshops and they succeed, and why? Because they have the ballot; because they have political force, because they have the power of citizenship behind them in its fullest sense. Give these poor struggling women the same chance and they can make their way to a fair remuneration of wages in the public offices, and they can make their way in the workshops, and these toiling mothers, widows, and sisters supporting orphan brothers and sisters will have some opportunity to vindicate their rights and to procure not merely political rights, but a chance to live, and a chance to avoid infamy.

Senators talk about this question as if the ballot was not demanded for women. Will you tell me why it was that the great party which controls both branches of Congress and holds the Executive, when it met in Philadelphia at that grand convention, put a plank in its platform stating that these demands for further rights should be respectfully considered? Do you think there was no agitation, no desire on the part of women for the ballot when that great convention could be moved to a declaration like this:

The Republican party is mindful of its obligations to the loyal women of America for their noble devotion to the cause of freedom. Their admission to higher fields of usefulness is viewed with satisfaction, and the honest demand of any class of citizens for additional rights shall be treated with respectful consideration.

Was that mere euphuism, mere phrasing? Did that mean nothing? Did it respond to no demand? Ay, sir, did it not only respond to a demand which was there pressed, but did it not imply a duty, a pledge which this party ought to redeem?

But the Senator from Maine, as well as the Senator from North Carolina, asserts that the XIV. Amendment of the Constitution has no relation whatever to political rights, that it relates to something with reference to social equality, something in the far distance, but does not touch this question at all. When I called the attention of the Senator from North Carolina to the XV. Amendment which says "the right of citizens to vote shall not be denied or abridged," assuming the right to exist, not saying that the right hereafter shall exist and shall not be abridged; but the right now existing by fair intendment shall not be abridged, he replied "that I deduced this right by an inference," and he thought a right of this kind ought not to stand on mere inference. His argument for the opposite construction, that the right to vote may be abridged for any other cause than those enumerated in the amendment, is drawn only by an inference from it. The affirmative language is that the right shall not be abridged for certain causes; and then by an inference the Senator says it may be abridged for others. In other words, his argument is that I am not at liberty to infer from the Constitution of the United States rights for women or rights for mankind. I shall not extend it by inference in favor of freedom, but any inference which will limit its operation, which will destroy or curtail its meaning, is legitimate.

[Pg 566]

Mr. MERRIMON: What clause of the Constitution does the Senator assert creates the right?

Mr. SARGENT: The first section of the XV. Amendment declares that the right of citizens of the United States to vote shall not be denied or abridged—speaking of it as an affirmative right; not speaking of it as here established but as a right which of course must have been established by the XIV. Amendment.

Now, sir, to show that I do not strain the interpretation of the Constitution, I desire to refer to some few authorities even under the old Constitution which go very far to answer the authority that the Senator cited. Bushrod Washington, a member of the United States Supreme Court, and well known as a jurist of high attainments and great powers of mind, in the case of *Corfield vs. Coryell* declared what I shall read, which is approvingly cited by Kent, the master writer upon American law, in the second volume of his Commentaries:

It was declared in *Corfield vs. Coryell* that the privileges and immunities conceded by the Constitution of the United States to citizens in the several States were to be confined to those which were in their nature fundamental, and belonged of right to the citizens of all free governments. Such are the rights of protection of life and liberty, and to acquire and enjoy property, and to pay no higher impositions than other citizens, and to pass through or reside in the State at pleasure, and to enjoy the elective franchise according to the regulations of the laws of the State.

Those, according to the decision in *Corfield vs. Coryell*, cited approvingly by Chancellor Kent, are the rights and immunities of citizens of the United States. Then comes in the XIV. Amendment to the Constitution of the United States, which declares that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States," and further, that "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

Now, sir, I quote from Bouvier's Law Dictionary, under the title "citizen." He gives what the word means, first in English law, and then he comes down to American law:

One who, under the Constitution and laws of the United States, has a right to vote for Representatives in Congress and other public officers, and who is qualified to fill offices in the gift of the people.

In the face of authorities like these, who shall deny that the right to vote is one of those privileges and immunities of citizenship, or that citizenship itself carries with it that highest right? Go into literature and you find the same definition; as, for instance, in the work which I hold in my hand entitled "Words and their Uses," by R. Grant White. He says:

[Pg 567]

A citizen is a person who has certain political rights, and the word is properly used only to imply or suggest the possession of these rights.

Is it a mere question of privilege or immunity? It is a right which exists and so it is considered in all the law; so it is treated in the well-considered decisions on the subject, and by the text writers.

By the pledge which was given by the dominant party of the country in their last National Convention, by the allegiance which Democrats themselves owe to the Constitution of the United States, by the higher benefit which will be conferred upon society, upon the women themselves who are struggling for a chance in life, and upon men themselves by the purification of society, I ask that this amendment be adopted.

Mr. BAYARD: I should like to ask the honorable Senator a question before he takes his seat. I understand that he denies the power of the Congress of the United States or of a State to exclude a female from voting, to make an exclusion based upon sex, because it would be an infringement of her rights as a citizen, under the meaning of that word in the Constitution, according to the construction given it by the courts. I should like to ask him whether he considers that an exclusion by reason of age is not just as arbitrary and unauthorized as the exclusion by reason of sex, and by what right can it be that a State or the United States shall arbitrarily fix a period in a person's life at which he shall attain his civil rights? In most of the States, and by the common law of England, the age of twenty-one years was fixed as what they term the majority, when a person becomes *sui juris*. Under the laws of the various States of this Union, following the laws of other civilized communities of older date, a period has been fixed in the life of man at which he attains his civil rights. Ordinarily it is at the age of twenty-one years; under the civil law it is twenty-five; it is so in France; it is so in Spain; it is so in the French and Spanish Colonies. Among the English-speaking people the age of

twenty-one years is the period fixed. If the rights which have been spoken of by the Senator from Indiana and the Senator from California are inalienable, natural rights, are part and parcel of those "privileges and immunities" referred to by the Constitution of the United States, how can it be that a law, a mere arbitrary enactment by a State or by Congress, shall exclude a man who is twenty years and six months old from exercising those inalienable rights, those privileges and immunities which six months after, by the mere difference of time, they permit him to enjoy? I have stated the question at length for the purpose of letting the Senator from California answer it more fully.

Mr. SARGENT: Mr. President, I do not think the Constitution prevents a regulation of the power to vote. The States unquestionably have a right to fix the time when voting shall take place, to fix the places where the voting shall be done, and they have the right to fix the age at which voting shall be exercised. But under the Constitution they have no power to prescribe a test which is not equally attainable by all persons. They have no right to say that only white men shall vote, for that would exclude black men. They have no right to say that only black men shall vote, for that would exclude white men. They have no right to say that only men shall vote, for that would exclude women. The Constitution says that all shall be put on an equality in this respect, that any test which may be required shall apply to all alike, men and women, black or white.

[Pg 568]

Mr. BAYARD: But the law does no such thing. There are classes, and a very large and great class in the State that the Senator represents, who can not become citizens of the United States and can not vote there.

Mr. SARGENT: Why not?

Mr. BAYARD: Because of their race; because they are Asiatics and not Africans.

Mr. SARGENT: The Constitution of the United States does not prevent it.

Mr. BAYARD: No; but the law of Congress prevents it. The Senator says these are all entitled under the law.

Mr. SARGENT: I will not detain the Senate now on the point referred to by the Senator. He has shifted his ground and I will not follow him. Whenever legislation comes up on that subject I will discuss it. They are not citizens of the United States. I am dealing now with citizens whose privileges and immunities as such no one has a right to abridge.

Mr. FERRY, of Michigan: It is not my intention to speak on the merits of this proposition; but inasmuch as the Senator from Maine (Mr. Morrill) has raised the question of consistency and appealed to his record, it reminds me of the fact that the question of woman suffrage appeared as early, I think, as 1858, before the Legislature of Michigan. I had the honor of holding a seat in the Senate of the State at that time, and the question was referred to the committee of which I was a member, and it fell to my lot to report upon it. If my recollection serves me rightly the resolution favoring the right of women to vote was lost by but a majority of three in the Michigan Senate.

Mr. EDMUNDS: Which way was the report?

Mr. FERRY, of Michigan: I am reminded by the Senator from Vermont that perhaps I have not intimated which side the report took. The report was in favor of woman suffrage, and it may be regarded as having contributed to so large a vote. To-day, sir, is the first time since that occasion that I have been officially called upon to record my judgment upon the same question. I have had no reason since that report was drawn to shake my belief that the right of suffrage will not be jeopardized or perverted if wielded by the hand of woman. Believing that now and desiring to act in accord with my action in 1858 in the Senate of my native State. I am glad of the opportunity to prove my consistency by voting for woman suffrage to-day.

Mr. ANTHONY: Mr. President, I am quite content that this experiment of female suffrage should be tried in this new Territory. I believe that female suffrage is coming with the other ameliorations and changes which have been tending for so many years in the same direction. I have not taken any part in the measures which have been agitated to hasten that event. I think it will come in its own good time; but I should do very great injustice to myself if I should allow it to be supposed that my opinion is based upon some of the arguments that have been made here. I do not believe that suffrage is a natural right. I believe it is a right that grows out of society, a political right, and that it is within the body-politic to decide upon its limits, its modifications, and its conditions. The only question in my mind is whether it is proper and expedient. I think that the XIV. Amendment has nothing whatever to do with it.

[Pg 569]

Mr. MORTON: Mr. President, the Senators from Rhode Island, Maine, and North Carolina have all said that the right to vote is not a natural right, but merely a political right. Is not that a distinction without a difference? If I have a natural right, I have a right to use the necessary and proper means to enforce that right; it is a part of it. To say that I have a natural right but have not the right to use the means for its protection is illogical; it makes nonsense of it. The natural and proper means to enforce any right are a part of it. The right of self-defense is one of the natural rights; everybody concedes it, and to take from me the natural and effective means of defending myself is to take from me the right itself. Government is the means of securing natural rights, and should depend upon the consent of the governed. Therefore the right to give or to withhold my consent is a part of the natural right. Let us come down to the substance and put away these shadowy distinctions. To say that I have the right of self-defense, but that I have no right to use the knife or any instrument necessary to protect my life against the assassin, is nonsense. So far as the right of government is concerned, the right to assent, to consent, or to dissent, the natural means under our system is the right to vote. You can not conceive any other. Therefore it is a part of the right and without it the other is worth nothing.

Mr. EDMUNDS: I wish to ask the Senator from Indiana whether persons under the age of twenty-one and eighteen years respectively have not all the natural rights that grown-up people have?

Mr. MORTON: I think I can answer that question very readily, if the Senator is through.

Mr. EDMUNDS: That is my only question at present.

Mr. MORTON: Every right must have some sort of regulation.

Mr. EDMUNDS: That does not answer the question.

Mr. MORTON: Wait until I get through. We have in our country, and I believe generally in Europe, certainly in England, agreed that twenty-one years is the age when men and women have come into the full possession of their understanding and are supposed to be so well informed that they can take upon themselves the government of their own fortunes and the control of their own property. The mere fact that this thing is to be regulated does not take away the right. The natural right to own and control property is regulated in that way. There must be some age fixed. We know the infant can not do it; we know the child ten years old has not the necessary knowledge of the world or strength of understanding; and we have agreed upon a certain age when men and women come to the possession of their understanding and are able to take care of their own rights, whatever they may be.

Mr. EDMUNDS: May I ask the Senator, after all, what his opinion is, whether a child of tender years, say ten years of age, has not every natural right that a man of seventy has?

Mr. MORTON: Certainly.

Mr. EDMUNDS: Morally, legally, and every other way?

[Pg 570]

Mr. MORTON: To my mind that furnishes no argument at all.

Mr. EDMUNDS: I am not arguing it.

Mr. MORTON: It is merely putting an extreme case to say that a woman twenty-five years of age shall not have the right to vote because if she votes the child in her arms has the right to vote. Is there any force in that?

Mr. EDMUNDS: I have not put any case at all. I am asking the Senator from Indiana, which he seems to be very unwilling to answer, whether a child of tender years has or has not, in his opinion, the same natural rights that a grown-up person has. That can be answered one way or the other without saying it is an argument.

Mr. MORTON: I suppose the child has the right, certainly the incipient right; but that amounts to nothing when you apply it to a child that has not the strength, the experience, the knowledge of the world, or the age to exercise it. The common sense of mankind in this and every other country fixes a certain age when men and women shall be regarded as mature and qualified to take care of themselves.

Mr. EDMUNDS: They do not fix the same age, let me suggest to the Senator.

Mr. MORTON: Now, Mr. President, unless we are prepared to deny the very fundamental doctrine upon which our Government is based, we must admit that women have the same rights that men have. The Senator from North Carolina will not deny that women have the same natural rights that men have. The Senator nods his assent. Then if that is so, they have the same natural right to use the means necessary to protect those rights that men have. That right, so far as men are concerned, is the ballot.

Mr. MERRIMON: Natural means.

Mr. MORTON: Whatever means are necessary and proper to the protection of a natural right are natural means.

Mr. BAYARD: Did the Senator from Indiana answer the Senator from Vermont in the affirmative or negative?

Mr. MORTON: I tried to answer him.

Mr. BAYARD: I merely ask the question. He says now very triumphantly to the Senator from North Carolina that the rights of men and women are the same, their natural rights are the same.

Mr. MORTON: Yes.

Mr. BAYARD: I ask are the rights of children different from those of men?

Mr. MORTON: I think not, but I do not think there is any force in that argument, as I said before. There is a certain common sense and a certain practical regulation of natural rights all the world over.

Mr. EDMUNDS: But is it the common sense of men alone, let me suggest to the Senator. The children may differ with us; they generally do on such questions.

Mr. MORTON: I will not spend any time on that argument.

Mr. EDMUNDS: I think that is wise.

Mr. MORTON: To say that the mature woman has not the right to vote because the child in her arms must have the same right, comes so near making nonsense of the whole business that I dismiss it, and come back to the other statement, that women having the same natural rights that men have, have the right to use the same means for their protection; and as the means under our form of government for the protection of the natural rights of men is the right to vote, women should have the same right and power accorded to them. The whole theory of natural rights is mere trash unless you shall give women the right and the power to protect them. The Declaration of Independence

[Pg 571]

says that governments are instituted for that purpose, and that they must depend upon the consent of the governed; and as the women are one-half of the governed, they have a right to give one-half of the consent.

The Senator from North Carolina says that the women of the country have consented to our form of government, because they have not dissented. They have no power to refuse their consent. They may remonstrate and scold about it, but that amounts to nothing; their consent one way or the other means nothing except so far as their influence may be concerned. There were four and a half million of slaves who did not remonstrate against their bondage. Why? They had no means of doing it, and if they had had it would not have amounted to anything. Would the Senator argue from that, that they had no natural rights, or that they were consenting to their bondage? When you take into consideration the fact that men have all "political power and all the other sources of influence and power over women," it is not very strange perhaps that a majority of them are not asking for the right of suffrage. Some women at least are asking for it; I know that very many women all over the country believe they have the right to vote and ought to vote who never go near a political meeting and never sign petitions or anything of that kind. I would be willing to-day to submit the question to the votes of the women of the United States whether they should have that privilege or not. But suppose that a majority do not want the ballot, how does that affect the rights of the minority who do want it? One woman can not consent for another.

I believe women will never have their rights in this country, will never enjoy the same means for taking care of themselves and making an honest living in the world, until they have the right to vote. As soon as they have that right you will find they will be placed upon an equality with men. The Senator from California refers to the fact, and it is a notorious fact, that in every State in this Union, women are paid only about one-half for the same quantity and the same kind of labor that men receive. Does any man say that there is any sense or any justice in that distinction? Will that ever be remedied until woman has the right to vote? It never will.

I believe, Mr. President, in every point of view the right of suffrage should be extended to woman. I maintain that it is a God-given right to take part in the administration of that government which controls their earthly destinies and interests. I believe it is for the interest of the men, for the interest of children, for the interest of our country, for the interest of the race.

Mr. EDMUNDS: I could name a dozen instances all of which show that in all the States of this Union, speaking as a general rule, as it is in Great Britain and in almost all other civilized countries, the law, instead of discriminating against womanhood, discriminates in its favor in every respect whatever except the political respect of voting. That is a fact that no man can truthfully deny who has studied the history of society or who knows anything about the history of legislation in civilized States. Therefore, it does not do to say that the right to vote, the privilege of voting, or the duty of voting—because I use those phrases as not having the peculiar meaning that the Senator from California imputes to them, is essential to the protection of the female sex as such, because, as I have said, the protection that the law gives them is now in all respects, where their rights or privileges come in collision with the rest of society, greater than is extended to men.

[Pg 572]

The Senator from Indiana insists—and he has a perfect right to do so, of course—that the right to vote is a natural right, and, therefore, if females are excluded from voting, as they are by the constitutions and laws of the various States, it is an infringement upon natural right, and that that infringement ought to be abolished. Of course, his conclusion is correct if his premises are true; but is the right to vote a natural right? Can the Senator refer me to the work of any writer upon natural or municipal law from the beginning of the world to the year 1860, which maintains, or asserts, or insinuates, or suggests that the right to vote in a political community is a natural right?

Mr. MORTON: I do not call to mind any author.

Mr. EDMUNDS: No; the Senator does not. With candor he says so, because the Senator, learned in history as he is, knows, as the rest of us know, that there is no such thing. He knows that in all the discussions and all the turmoils of society where the rights of men and women in political respects, the rights of society at large, have been discussed and turned over and over and all manner of experiments in government tried and suggested, it never has been suggested that the right to participate in the government of a political community is a natural right belonging to every human being.

Mr. MORTON: I ask the Senator, if there are natural rights, do not the natural and necessary means to protect those rights become a part of them? What is the right worth if that be denied?

Mr. EDMUNDS: I answer no, in the broad sense in which the Senator has put it. If he asks of me as to a state of nature, without being organized into any social or political community whatever, then I answer yes, and every man is what the civil writers called in old times a barbarian; and he is invested, upon his own judgment and in his own right, with the power of defending and affirming whatever natural rights he has against all comers, exactly as a nation stands in respect to another nation; no man has a right to impose upon him any restraint; no man has a right to demand from him any concession; he is absolutely independent; and when his rights or claims come in conflict with those of anybody else he "fights it out" or runs away. So far, there is natural right, no doubt, but I hope the Senator has not gone back quite so far from the present condition of the world as to wish to discuss questions of that kind. That is not what he means. What he means by natural rights no doubt is what organized communities recognize as things of natural right, and those are things which are inherent in the person but are regulated and limited and restrained according to the rights and necessities of all the other persons in the community. In an organized society the right of self-defense is not a natural right in the broad sense, so that under all circumstances A B or C D has a right to defend himself against all aggression. An officer may come to arrest me on a warrant issued by a court irregularly. I have not the right to slay the officer because he takes me on the warrant. My place to resist is not by my natural force, not by raising a mob, but by going to the court that issued the warrant and showing that it had been issued contrary to law. And yet on the Senator's notion every time a man is brought under the law, if he does not agree with the law, his business is to fight. The community can not get along in that way. There is no such right as that in

[Pg 573]

society.

Mr. STEWART: I ask the Senator what right, whether it be a natural right or an acquired right, has one man to govern another, or has society to govern the individual?

Mr. EDMUNDS: What right?

Mr. STEWART: Is it a natural or acquired right?

Mr. EDMUNDS: No man has a natural right to govern another, or an acquired right, or a political right, or a civil right that I know of, unless he is appointed the guardian of somebody. Of course, of that the Senator has not any experience; certainly not on the side of being a ward.

Mr. STEWART: Then what right has society, the body of men, to govern an individual? Is it a natural right or an acquired right?

Mr. EDMUNDS: Suppose I should answer the Senator and say I do not know?

Mr. STEWART: What right have they to take from him his freedom in his savage state to do as he pleases? And if they have a right to take it from him, what right have they to say he shall not participate with them equally in the regulations that shall be made for his government? If they have a right to govern him, he has a right, whether it be natural or not, to have a voice in it, if the principle of equality and fair play is one of the fundamental principles that should govern mankind.

Mr. EDMUNDS: I see the Senator's point. The substance of it is, if I correctly understand him, that if society has a right to govern him, he has a right to govern society, and that makes equality; and if the majority has a right to control him, he has a right to control the majority, and there is equality! Very well. I leave the Senator, with his point, to enjoy it.

Now, let us return to the subject. It is perfectly plain that the right to vote is one which society, as it is organized, is to determine by its fundamental laws. Society does determine, in the State of Vermont, if you please, that voting must only be exercised by males above the age of twenty-one years, those who are not in the penitentiary, those who are not in the lunatic asylums, those who are not idiots, and so on. The laws of Indiana may provide the same thing, or may declare that the age shall be twenty, or may declare as the Roman law used to do, that it shall be twenty-five, and so on; or it may declare as the Constitution of the United States does as to the age of Senators and as to the age of the President of the United States. On the argument of Senators in favor of this amendment to this bill, there would exist no right whatever in constituted society to make any limitation upon the free exercise of political rights to vote and hold office in respect to age. Why say a man can not be a member of the Senate until he is thirty years of age? Who can say he is not just as good at twenty-nine?

The Senator from Indiana says that common sense teaches that we must put some limitation on this. So it does; and common sense has taught that it is left to each political community to determine what are the qualifications and limitations upon the privilege of exercising political rights; and it has always been so, and it always will be so, because when the Senator proposes to say that the other sex may vote—which I admit he has a perfect right to say, and society may so say—he does not undertake to say that ladies of seventeen, instead of eighteen, shall vote, because they come of age in my State at eighteen, and do in many of the States—the Senator does not propose to say that all ladies of seventeen shall vote; and yet it is impossible to say that there is any distinction in respect to intelligence as a matter of right, any philosophical distinction between one year and another. True, as the Senator says, you may run it down so far that at last you have reached a condition of infancy, and there everybody says the child is not wise enough to vote, is not wise enough to do anything without having guardianship and tutelage. But if you put it upon the ground of natural right, the child has just as good a right to say to you that he shall be the judge of it, as you have to say to him that you must be; and this shows that the notion of any natural right of anybody of any age to participate in the government of society is an absolute absurdity. It is one of those figments of the imagination that have crawled into some people's brains within a very few years, and will go out again as other delusions do.

Then when you come to the XIV. Amendment it is equally obvious that that has nothing to do with the subject. If anybody had thought it related to suffrage when the XV. Amendment was passed, nobody would have voted for it, because on that theory the right to vote did exist in all colored persons, females as well as males; and yet nobody of any party or any creed pretended at that time when we proposed the XV. Amendment that we had guaranteed the right to vote by the XIV. Nobody suspected it; nobody suggested it; and nobody believed in it, and very few people do now, for the simple reason that the XIV. Amendment was directed, as everybody knows, by its language, by its history, by its relation to other laws, to what are called civil rights; but I am not going to define what they are, because to do so takes time. So, Mr. President, the XV. Amendment was passed in order to secure a right to vote without regard to race, color, or previous condition of servitude.

Then you come to the real question which is involved here; and that is the propriety of providing that females, twenty-one years of age, not idiots, not lunatics, not in the penitentiary—standing upon the same limitations that men do in these respects—are to vote. That presents a fair question, one that we have a perfect right to pass upon; and I have only said what I have in order to show that we had not better run crazy over the idea that we were dealing with natural and inalienable rights, and that we were violating human rights if we happened to say no, or that we were vindicating human rights in the sense now spoken of if we should say yes. We are merely considering a question of political expediency, as confessedly we have the power in governing the Territories to let anybody vote we choose. We can put the whole concern in Pembina, if we think it wise, into the hands of the madmen up there, and I do not know but that they are in the majority, for I certainly know nothing about it.... If no other Senator wishes to make any remarks, I move to lay the bill upon the table.

Mr. SARGENT: I ask for the yeas and nays on that motion.

Mr. HAGER: I hope the Senator from Vermont will withdraw his motion. I desire to make a few

remarks.

The PRESIDING OFFICER (Mr. Clayton in the chair). The motion is not debatable.

Mr. HAGER: I ask the Senator to withdraw the motion for a few minutes.

Mr. EDMUNDS: If the Senator will renew it when he finishes his remarks, I will do so.

Mr. HAGER: Very well.

Mr. EDMUNDS: I withdraw the motion.

Mr. HAGER: Mr. President, it seems to me strange that a question of so much importance as that raised by this amendment appears to be, from the positions taken by Senators on the floor, should be presented upon this bill, which, if amended as proposed, will not confer the right of suffrage upon females throughout the country; and for us to undertake to legislate upon this question in regard to a distant Territory where perhaps there are few or no women, unless they be of the Indian race, is to me a very astonishing thing.... If suffrage should be extended to females let it come up as a distinct, independent proposition by itself, and then every Senator can take his position in regard to a question which affects the whole country, and not a distant Territory merely. That is the way, in my opinion, to get at it.... Inasmuch as in the wisdom of the Government and people of the United States the right to the elective franchise has been conferred upon the black race in this country, I see no reason on the ground of qualification why it should not be conferred upon females.... But I am unwilling to legislate by piecemeal in this manner. If there is any good in it; if, as the Senator from Indiana says, as a matter of right women should be entitled to the franchise, that right should be co-extensive with the whole country, and not be limited to the little Territory of Pembina, which is not yet organized.

Mr. EDMUNDS.—I renew the motion to lay the bill on the table.

Mr. SARGENT.—On that motion I ask for the yeas and nays. The yeas and nays were ordered.

Mr. RAMSEY.—I should like to appeal to the Senator from Vermont to withdraw the motion for five minutes.

Mr. STEWART.—We will not lay it on the table.

Mr. RAMSEY.—Very well; let the vote be taken. The question being taken by yeas and nays, resulted—yeas, 24; nays, 24; as follows:

YEAS—Messrs. Bayard, Buckingham, Conkling, Conover, Cooper, Davis, Edmunds, Frelinghuysen, Hager, Hamilton of Maryland, Howe, Ingalls, Johnston, Jones, McCreery, Merrimon, Morrill of Maine, Norwood, Ransom, Scott, Sherman, Wadleigh, Washburn, and Wright—24.

NAYS—Messrs. Bogy, Boreman, Boutwell, Carpenter, Chandler, Clayton, Ferry of Michigan, Flanagan, Gilbert, Harvey, Hitchcock, Logan, Mitchell, Morton, Patterson, Pratt, Ramsey, Sargent, Spencer, Sprague, Stewart, Tipton, West, and Windom—24.

ABSENT—Messrs. Alcorn, Allison, Anthony, Brownlow, Cameron, Cragin, Dennis, Dorsey, Fenton, Ferry of Connecticut, Goldthwaite, Gordon, Hamilton of Texas, Hamlin, Kelly, Lewis, Morrill of Vermont, Oglesby, Pease, Robertson, Saulsbury, Schurz, Stevenson, Stockton, and Thurman—25.

So the motion was not agreed to.

The PRESIDING OFFICER (Mr. CLAYTON in the chair.)—The question is on the amendment of the Senator from California [Mr. SARGENT], upon which the yeas and nays have been ordered.

[Pg 576]

Mr. BAYARD.—Mr. President, it would seem scarcely credible that in the Senate of the United States an abrupt and sudden change in so fundamental a relation as that borne by the two sexes to our system of Government should be proposed as an "experiment," and that it should be gravely recommended that a newly organized Territory under act of Congress should be set aside for this "experiment," which is in direct, grossly irreverent disregard of all that we have known as a rule, our great fundamental rule, in organizing a government of laws, whether colonial, State, or Federal, in this country.

I frankly say, Mr. President, that which strikes me most forcibly is the gross irreverence of this proposition, its utter disregard of that Divine will by which man and woman were created different, physically, intellectually, and morally, and in defiance of which we are now to have this poor, weak, futile attempt of man to set up his schemes of amelioration in defiance of every tradition, of every revelation, of all human experience, enlightened as it has been by Divine permission. It seems to me that to introduce so grave a subject as this, to spring it here upon the Senate without notice in the shape of an amendment to a pending measure, to propose thus to experiment with the great laws that lie at the very foundation of human society, and to do it for the most part in the trivial tone which we have witnessed during this debate, is not only mortifying, but it renders one almost hopeless of the permanence of our Government if this is to be the example set by one of the Houses of Congress, that which claims to be more sedate and deliberate, if it proposes in this light and perfunctory way to deal with questions of this grave nature and import. Sir, there is no time at present for that preparation which such a subject demands at the hands of any sensible man, mindful of his responsibilities, who seeks to deal with it.

This is an attempt to disregard laws promulgated by the Almighty Himself. It is irreverent legislation in the simplest and strongest sense of the word. Nay, sir, not only so, but it is a step in defiance of the laws of revealed religion as given to men. If there be one institution which it seems to me has affected the character of this country, which has affected the whole character of modern civilization, the results of which we can but imperfectly trace and but partly recognize, it is the

effect of the institution of Christian marriage, the mysterious tie uniting the one man and the one woman until they shall become one and not two persons. It is an institution which is mysterious, which is beyond the reach and the understanding of man, but he certainly can best exhibit his sense of duty and proper obligation when he reverently shall submit to and recognize its wisdom. All such laws as proposed by this amendment are stumbling-blocks, and are meant to be stumbling-blocks in the way of that perfect union of the sexes which was intended by the law of Christian marriage.

Suffrage is a political franchise; it is not a right; because the word "right" is used in reference to voting in the XIV. Amendment to the Constitution, that does not make it a right. It is in the very nature of government a political privilege confided, according to the exigency, the expediency, by the wisdom of those who control the government, to a certain class. If this right to vote be what the Senator from Indiana declares it to be, a natural and inalienable right, then you have no more right to deny it to a person who is under the age of twenty-one than you have to deny it to a person who is over the age of twenty-one years. Sir, the difference is radical. Voting is no right; it is a privilege granted, a franchise which is granted to certain classes, more or less extended according to the supposed expediency which shall control the minds of those who frame the constitution of government for a people. There is no wrong done, so far as the abnegation of a right is involved, by denying this to certain classes of a community, whether on account of age or sex or any other supposed causes of disqualification. In this country the whole foundation of our institutions has been that the male sex when arrived at years of supposed discretion alone should take part in the political control of the country.

[Pg 577]

It is not necessary for me to speak now of other influences than those that come from politics; it is not necessary for me to dwell upon the actual and potential influences that control the fate of men and of nations. We all know they are not those most apparent. We all know it is the passions, the affections, the sympathies, and desires of the human heart and human ambition that control the vote, and not the vote that controls them. And now you propose to try an "experiment" upon a community composed of your own fellow-citizens, which is in defiance of all human experience, all suggestions of philosophy, of your own laws, and of every lesson you should have drawn from every civilized nation that has preceded you.

Under the operation of this Amendment, what will become of the family hearthstone around which cluster the very best influences of human education? You will have a family with two heads—a "house divided against itself." You will no longer have that healthful and necessary subordination of wife to husband, and that unity of relationship which is required by a true and a real Christian marriage. You will have substituted a system of contention and difference warring against the laws of nature herself, and attempting by these new fangled, petty, puny, and most contemptible contrivances, organized in defiance of the best lessons of human experience, to confuse, impede, and disarrange the palpable will of the Creator of the world. I can see in this proposition for female suffrage the end of all that home life and education which are the best nursery for a nation's virtue. I can see in all these attempts to invade the relations between man and wife, to establish differences, to declare those to be two whom God hath declared to be one, elements of chaotic disorder, elements of destruction to all those things which are, after all, our best reliance for a good and a pure and an honest government.

As I said, Mr. President, I rose simply to express my astonishment that a measure of this kind could have received the assent which it apparently has received from the Senate of the United States in the vote just recorded. The subject is too broad, it is too deep, it is too serious to attempt to discuss it unprepared and within the time which is allotted to me. I sincerely hope that if this subject is to be acted upon, it will be after long, serious, severe, close consideration. Let all sides of the subject be viewed in all its vastness and far-reaching consequences. Let Senators consider the results, and let at least their aims in this matter be something higher than mere political and partisan considerations, which I fear have animated much of the discussion to which we have listened. Mr. President, I trust sincerely that the vote just taken, indicating the refusal of the Senate to lay this bill upon the table, may not indicate the will of the Senate in respect of this Amendment. We have no right to subject this or any other portion of our fellow-citizens to so sad, so untoward, so unhappy an experiment as is here proposed. I have sat in this Chamber, and seen laws leveled with the most serious and cruel penalties against a class of people practicing polygamy in our Territories. What will this law do? Will it not in fact sever those relations to which I have referred as being essential for the virtue and safety of a State? What is your State unless it is founded upon virtuous and happy homes? And where can there be a virtuous and happy home unless a Christian marriage shall have consecrated it?

[Pg 578]

No, Mr. President, I trust that this Amendment will not be adopted, that we shall not trifle in this way with the happiness of a large portion of our fellow-citizens, that we shall not set what I must consider this indecorous example of government; and I trust that the vote of the Senate most emphatically will stop here, and I trust stop permanently even the suggestion of granting the political franchise of voting to the women of America. They do not need it, sir. I can not, of course, speak for all, but I know that I can speak the sentiment of many when I say that to them the proposition is abhorrent to take them from the retirement where their sway is so admitted, so beneficent, so elevating, and to throw them into another sphere for which they are totally unfitted and where all that at present adorns and protects them must be taken away by the rough and vulgar contact with those struggles which men are much better fitted to meet. No, sir; the relations of the sexes as they exist to-day under the laws of this country have produced happy and stable government, or at least are not responsible for the evil features which we witness. The best protection for the women of America is in the respect and the love which the men of America bear to them. Every man conversant with the practical affairs of life knows that the fact, that the mere fact that it is a woman who seeks her rights in a court of justice alone gives her an advantage over her contestant which few men are able to resist, I would put it to any who has practiced law in the courts of this country; let him stand before a jury composed only of men, let the case be tried only by men; let all the witnesses be men; and the plaintiff or the defendant be a woman, and if you choose to add to that, even more unprotected than women generally are, a widow or an orphan, and does not every one recognize the difficulty, not to find protection for her rights, but the difficulty to induce the men who compose the juries of America to hold the balance of justice steadily enough to

insure that the rights of others are not invaded by the force of sympathy for her sex? These are common every-day illustrations. They could be multiplied *ad infinitum*.

Mr. President, there never was a greater mistake, there never was a falser fact stated than that the women of America need any protection further than the love borne to them by their fellow-countrymen. Every right, every privilege, many that men do not attempt, many that men can not hope for, are theirs most freely. Do not imperil the advantages which they have, do not attempt in this hasty, ill-considered, shallow way to interfere with the relations which are founded upon the laws of nature herself. Depend upon it, Mr. President, man's wisdom is best shown by humble attention, by humble obedience to the great laws of nature; and those discoveries which have led men to their chiefest enjoyment and greatest advantages have been from the great minds of those who did lay their ears near the heart of nature, listened to its beatings, and did not attempt to correct God's handiwork by their own futile attempts at improvement.

[Pg 579]

Mr. STEWART.—Mr. President, I listened to the speech of the Senator from Delaware with great attention; I appreciate his feelings on the subject; and it has occasioned me to have some reflection upon this subject during the time he was speaking. I want to call the attention of the Senator from Delaware and of the Senate and of the country to a few facts in regard to this matter of woman's rights, and to see whether it has not been well to change some of the ancient order of things. There was a time among our Anglo-Saxon fathers when it was seriously discussed in the law-books what size the whip should be with which a husband could properly chastise his wife. If it was no larger than the thumb, I believe no action would lie. Those were the good old times, and those times you can see illustrated to-day all over the world where savages—

Mr. SARGENT.—That was when we were near to nature.

Mr. STEWART.—Yes; that was when man held sway, and when God's law of man's supremacy was omnipotent! Then harmony was preserved. If you will go out into my State and see the Indian women carrying the loads on their backs and the men riding on horses, and the women doing the work, you will see the harmony of the supremacy of man! Now, I undertake to say that there is no surer criterion of the civilization of any nation than the position which woman occupies; and the less dependent she is, the more she has to do with the management of society, the more she is regarded as an individual, the higher that society stands; but where she depends exclusively on man and man's justice, there you have absolute barbarism. Do you think that women have been less loyal to their husbands, do you think that virtue has been less protected in this country since the rights of women were vindicated by the law, since they were entitled to hold property? Have they not been as good wives as they were formerly? Has society been injured thereby? Show me the nation that elevates its women and acknowledges their rights and protects them by the law and severs them in point of protection from the caprice or the sympathy of men—show me that nation, and that nation shall be first. It is one of the evidences of the advance of civilization in America that woman does occupy the position she does here; and it is idle to say that society will be destroyed by recognizing her as having rights to protect.

It is very well for women who chance to have kind husbands and luxurious homes, under the flattery of their husbands, to sneer at their less fortunate sisters who are debarred every right. It is very well for those who have luxury and power and wealth to trample upon the unfortunate that cry for bread and for help. It is very easy to philosophize about laws and say that women are not fit for this place and not fit for that; that it is indelicate, and all that kind of thing, to allow her to earn an honest living or to have a place in a Department where she can do work; it is very well for us to say, "Here, we will give her only half pay for the same labor;" but they who serve and they who suffer feel it differently. How is the voice of women on this subject to be heard? Shall it be heard from that class only who are satisfied with their protection, or shall the voice of the weak and the starving be heard? There is no way for it to be heard. We see it daily. You talk about degradation. One of the great sources of the degradation of this country, one of the great sources of the breaking up of families and destroying society is your low grogeries and your gambling-houses and your places of resort for bad men, that are tolerated in spite of your laws and will be so long as men only vote. The women suffer by these things; and that consideration alone has often made me hesitate upon this question. I do believe that if the good women of America could speak to-day they would reform many evils that we wink at or allow to exist because we want the votes of the parties who are committing these sins against society. I say let the women have a voice; and when it is said that this is ill-considered, that this is not the proper time, and that this is too serious a business to be considered by the Senate of the United States on this bill, I tell you society is marching on to it, and as I remarked before, it will not be ten years before there will be no voice in this Senate against female suffrage. It is necessary for women, if they are to be protected in society and not to be the prey of man, that they shall have the ballot to protect themselves. It is the only thing in a free government that can protect any one; and whether it is a natural right or an artificial right it is nonsense to discuss. It is a necessary right; it is necessary to freedom; it is necessary to equal rights; it is necessary to protection; it is necessary for every class to have the ballot if we are to have a square deal.

[Pg 580]

Mr. BOREMAN.—I had not intended to utter a word. I supposed the bill would pass upon the report which was made by the committee. I am inclined now to think that if it had not been for the unfortunate, if I may say so, amendment offered by my friend from California [Mr. Sargent] it would have passed long since. But this question of woman suffrage is one upon which all our friends probably do not desire to vote either one way or the other, and it is a very convenient way to get rid of voting on the question directly to lay this bill on the table. Fortunately that question has been settled for the present, and I am glad the Senate has seen fit not to lay the bill on the table.

Mr. EDMUNDS.—The Senator speaks about people not wishing to vote on the amendment directly; and as I made the motion to lay on the table I assume that he refers to me. I beg to disabuse his mind on that subject, inasmuch as I am opposed to the amendment and am perfectly free to vote against it, and in doing so I suppose I represent, according to the latest advices I have, a very large majority of the people of Vermont.

Mr. BOREMAN.—I agree with the Senator from Vermont on the subject of woman suffrage myself.

Mr. EDMUNDS.—Then I hope the Senator will not suggest that I am trying to dodge the question by moving to lay the bill on the table.

Mr. BOREMAN.—Not at all. I did not allude to the Senator who made the motion; and the remark I made was more intended to be playful than serious. I simply thought that probably the bill had enough friends to pass it if that subject was not mooted. I may be mistaken. However, I shall be glad to have a vote on the bill either with or without woman suffrage incorporated in it. I shall vote against incorporating it, but if it is put there I shall nevertheless be gratified to have the bill passed. I feel no interest in it except as representing what I believe to be the interests and wishes of those to be affected by it. I think the circumstances are such as to justify Congress in organizing the Territory, else as representing the committee I should not have reported the bill. That is all I desire to say.

The PRESIDING OFFICER (Mr. Anthony in the chair).—The question is on the amendment of the Senator from California [Mr. Sargent], upon which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. JOHNSON (when his name was called).—On this question I am paired with the Senator from Alabama [Mr. Spencer]. If he were here he would vote "yea" and I should vote "nay."

Mr. BOGY (after having first voted in the negative).—I rise to withdraw my vote. At the time I voted I forgot that I was paired with the Senator from Arkansas [Mr. Dorsey]. I should have voted "nay" and he would have voted "yea."

The PRESIDING OFFICER.—The vote will be withdrawn if there be no objection.

Mr. MORRILL, of Maine (after having first voted in the negative).—It occurs to me that I am paired with the Senator from Illinois (Mr. Oglesby). If he were here he would vote "yea" and I should vote "nay." I ask leave to withdraw my vote.

The PRESIDING OFFICER.—Leave will be granted if there is no objection.

The roll-call having been concluded, the result was announced—yeas 19, nays 27; as follows:

YEAS—Messrs. Anthony, Carpenter, Chandler, Conover, Ferry of Michigan, Flanagan, Gilbert, Harvey, Mitchell, Morton, Patterson, Pratt, Sargent, Sprague, Stewart, Tipton, Washburn, West, and Windom—19.

NAYS—Messrs. Allison, Bayard, Boreman, Boutwell, Buckingham, Clayton, Conkling, Cooper, Davis, Edmunds, Frelinghuysen, Hager, Hamilton of Maryland, Hitchcock, Jones, Kelly, McCreery, Merrimon, Morrill of Vermont, Norwood, Ramsey, Ransom, Saulsbury, Scott, Sherman, Wadleigh, and Wright—27.

ABSENT—MESSRS. Alcorn, Bogy, Brownlow, Cameron, Cragin, Dennis, Dorsey, Fenton, Ferry of Connecticut, Goldthwaite, Gordon, Hamilton of Texas, Hamlin, Howe, Ingalls, Johnson, Lewis, Logan, Morrill of Maine, Oglesby, Pease, Robertson, Schurz, Spencer, Stevenson, Stockton, and Thurman—27.

So the amendment was rejected.

The PRESIDING OFFICER.—The question now is on ordering the bill to be engrossed for a third reading.

Mr. MORTON called for the yeas and nays; and they were ordered.

Mr. EDMUNDS.—I ask the chairman of the committee if the clause still stands in the bill which authorizes all the male inhabitants of that Territory to vote at the first election?

Mr. BOREMAN.—I think the Senator is mistaken about that.

[Pg 582]

Mr. EDMUNDS.—I am not asking whether I am mistaken or not; I am asking if the clause remains as it stood reported by the committee?

Mr. BOREMAN.—Yes, sir.

Mr. EDMUNDS.—That is enough for me.

Mr. RAMSEY.—There is nothing new in that.

The question being taken by yeas and nays, resulted—yeas 19, nays 29; as follows:

YEAS—Messrs. Bogy, Boreman, Chandler, Clayton, Ferry of Michigan, Flanagan, Harvey, Hitchcock, Jones, Kelly, Logan, Mitchell, Patterson, Pratt, Ramsey, Sherman, Tipton, Wadleigh, and Windom—19.

NAYS—Messrs. Anthony, Bayard, Boutwell, Buckingham, Carpenter, Conkling, Conover, Davis, Edmunds, Frelinghuysen, Gilbert, Hager, Hamilton of Maryland, Ingalls, Johnson, McCreery, Merrimon, Morrill of Maine, Morrill of Vermont, Norwood, Ransom, Sargent, Saulsbury, Scott, Sprague, Stewart, Washburn, West, and Wright—29.

ABSENT—MESSRS. Alcorn, Allison, Brownlow, Cameron, Cooper, Cragin, Dennis, Dorsey, Fenton, Ferry of Connecticut, Goldthwaite, Gordon, Hamilton of Texas, Hamlin, Howe, Lewis, Morton, Oglesby, Pease, Robertson, Schurz, Spencer, Stevenson, Stockton, and Thurman—25.

So the bill was rejected.

Though the measure was lost, and the women sad under repeated disappointments, yet the progress was noted with gratitude. In 1866 only nine Senators voted in favor of woman's

enfranchisement after a three days' discussion of the measure. In 1874, after eight years of education, nineteen voted aye to the proposition.

The seventh Washington Convention was held January 14th and 15th, 1875, in Lincoln Hall as usual. Mrs. Stanton opened the proceedings by stating that owing to the death of the President of the association, Martha C. Wright, the duties of presiding officer devolved upon her. After paying a well-merited tribute to her noble coadjutor, she said that many of their noblest friends had passed away. Among them Dr. Harriot K. Hunt, Hon. Gerrit Smith, and Rev. Beriah Green.

This meeting comes at a most auspicious moment, when the entire Nation is wide awake to the rights of self-government now being trampled on in Louisiana. At such a crisis it would seem that liberty-loving statesmen might easily be converted to the idea of universal suffrage. On every principle that they now demand self-government for the people of Louisiana, they should extend the right of suffrage to the women of that State now in so unsettled a condition. The annual report and resolutions were discussed and speeches made by Miss Anthony and Mrs. Blake during the morning session. Letters were read from Robert Dale Owen, of Philadelphia, Rev. O. B. Frothingham, of New York, Paulina Wright Davis, of Providence, Dr. J. C. Jackson, of Dansville, N. Y., and Abby Smith, of Glastonbury, Conn. Miss Couzins' speech in the evening on the "Social Trinity" was a touching appeal for woman's moral, spiritual, and æsthetic influence on humanity at large. Miss Carrie Burnham made an interesting argument showing that the disabilities of women might be directly traced to papal decrees; to the canon rather than the civil law. Miss Lillie Devereux Blake made a strong appeal on the duty of enfranchising the women of the Nation before celebrating the coming Centennial. She thought it would be an act of justice that would glorify that day as it could be done in no other manner. Belva A. Lockwood, Marilla M. Ricker, Catharine Stebbins, Lavinia Dundore, and Dr. Clemence Lozier, all took part in the discussion of the resolutions.

[Pg 583]

3. *Resolved*, That as the duties of citizens are the outgrowth of their rights, a class denied the common rights of citizenship should be exempt from all duties to the State. Hence the Misses Smith, of Glastonbury, Conn., and Abby Kelly Foster, of Worcester, Mass., who refused to pay taxes because not allowed to vote, suffered gross injustice and oppression at the hands of State officials, who seized and sold their property for taxes.

4. *Resolved*, That to deny the right of suffrage to the women of the Nation, is a dangerous innovation on the rights of man, since the assumed power to deny the right to one class, is the implied power to deny it to all others; acting on this principle, New Hampshire abridges the rights of her citizens by forbidding Catholics to hold office; and Rhode Island abridges the rights of her citizens by forbidding foreigners to vote, except on a property qualification.

5. *Resolved*, That our thanks are due to the Hon. A. A. Sargent and the other eighteen Senators who voted for woman suffrage on the Pembina Bill, and to the 40,000 brave men who went to the polls and voted for woman suffrage in Michigan.

6. *Resolved*, That in the death of Martha C. Wright, the President of our National Association, Dr. Harriot K. Hunt, the first woman in the country who entered the medical profession, the Rev. Beriah Green, and the Hon. Gerrit Smith, steadfast advocates of woman suffrage, we have in the last year been called to mourn the loss of four most efficient and self-sacrificing friends of our movement—women and men alike true to the great principles of republican government.

WHEREAS, It is now proposed to celebrate our coming centennial birthday as a free Government, inviting the monarchies of the Old World to join in the festivities, while the women of the country have no share in its blessings; therefore,

Resolved, That the National Woman Suffrage Association will hold a convention in Philadelphia on July 4, 1876, to protest against such injustice unless Congress shall in the meantime secure to woman the rights, privileges, and immunities of American citizens.

Resolved, That we cordially invite all women in the Old World and the New, to co-operate with us in promoting the objects of the convention in 1876. As the enfranchisement of woman would be the most fitting way of celebrating this great event in our nation's history, women suffragists throughout the country should now make an united effort with Congress and all State Legislatures to act on this question, that when the old liberty bell rings in the dawn of the new century, we may all be free and equal citizens of a true republic.

[Pg 584]

MISS ANTHONY said that man neither supports woman nor protects her. The census reports show that two million women are entirely independent of men in regard to employments. Thousands of women do work outside the home from necessity. A million women are engaged in domestic service providing for their own necessities, and a million more are supporting their families and drunken husbands.

Letters were read from Dr. Mary Thomas, President of the Indiana Association, and from Clara Barton, then traveling in Italy, deploring the subject condition of women in foreign lands. The day after the Convention the ladies received their friends in the spacious parlors at Willard's Hotel. Congressmen, lawyers, clergymen, and many bright girls from the departments were among the guests. Nothing indicates the progress of a reform more readily than the cordial social recognition of its leaders. While pausing now and then to note the adverse winds we are compelled to encounter in the jealousies, discords, and divisions of friends, and in the ridicule and misrepresentation of enemies, a broader vision shows us that the great tidal waves of thought are all flowing in one direction.

May 11, 1875, the twenty-seventh anniversary of the suffrage movement was held in the new

Masonic Temple, Twenty-third street, New York. This magnificent Hall for the first time echoed to the demands of woman for an equal share in the great interests of the world.

The convention was opened with prayer by the Rev. Olympia Brown, who referred most impressively to the coming Centennial, expressing the hope that the Fourth of July, 1876, might indeed be a day of jubilee, in which liberty and justice would be secured to the whole people. The resolutions^[161] were discussed with great spirit by the various speakers.^[162] An interesting letter was read from Isabella Beecher Hooker, giving some of her experiences and observations in France.

[Pg 585]

The Hall was crowded in the evening to listen to Mr. Frothingham. His address was an able exposition of the injustice of the heavy taxes laid on women. He read several extracts from the reports of William I. Bowditch, of Boston, in regard to the large number of women in Massachusetts holding property, and in closing, depicted with great feeling the constant sacrifices women were compelled to endure because they had no representation in the Government. After a song by the Hutchinsons, the large audience slowly dispersed.

At a business meeting next day the officers^[163] for the year were chosen, and arrangements made to canvass Iowa if, as was proposed, an amendment to the Constitution extending the right of suffrage to the women of that State, should be submitted to the people.

All thoughts were now turned to the Centennial year, as to what new forms of agitation could be suggested; what onward steps of progress accomplished, for after the untiring labors of thirty years, the leaders in this movement naturally felt that the great event of the century could not pass without bringing some new liberty to woman.

FOOTNOTES:

^[151]2. *Resolved*, That the present attempts in our courts, by a false construction of the National Constitution, to exalt all men as sovereigns, and degrade all women as slaves, is to establish the most odious form of aristocracy known in the civilized world—that of sex.

3. *Resolved*, That women are "persons" and "citizens," possessed of all the legal qualifications of voters in the several States—age, property, and education—and by the XIV. Amendment of the National Constitution have been secured the right of suffrage.

4.: *Resolved*, That it is the duty of Congress, by appropriate legislation, to protect women in their exercise of this right.

5. *Resolved*, That women are citizens, first of the United States, and second of the States and Territories wherein they reside; hence we claim National protection of our inalienable rights, against all State authority.

6. *Resolved*, That States may regulate all local questions of property, taxation, etc., but the inalienable personal rights of citizenship must be declared by the Constitution, interpreted by the Supreme Court, protected by Congress, and enforced by the arm of the Executive.

7. *Resolved*, That the criminal prosecution of Susan B. Anthony by the United States, for the alleged crime of exercising the citizen's right of suffrage, is an act of arbitrary authority, unconstitutional, and a blow at the liberties of every citizen of this nation.

Business Committee:—Matilda Joslyn Gage, New York; Belva A. Lockwood, District of Columbia; Lillie Devereux Blake, New York; Mrs. Mary Henderson, Missouri; Mrs. Lavinia Dundore, Maryland; Edward M. Davis, Pennsylvania; Mrs. Mary A. Dobyns, Kentucky; Mrs. Anna C. Savery, Iowa; Miss Phebe Couzins, St. Louis; Mrs. Jane Graham Jones, Illinois; Mrs. Helen M. Barnard, District of Columbia; Rev. Olympia Brown, Connecticut; Robert Purvis, District of Columbia.

Finance Committee:—Mrs. Ellen C. Sargent, Belva A. Lockwood; Edward M. Davis, Ruth Carr Dennison, Helen M. Barnard.

Committee on Resolution:—Elizabeth Cady Stanton, Belva A. Lockwood, Lillie Devereux Blake, Matilda Joslyn Gage.

^[152]WOMAN SUFFRAGE ANNIVERSARY.—NATIONAL WOMAN SUFFRAGE ASSOCIATION.—The Twenty-fifth Woman Suffrage Anniversary will be held in Apollo Hall, New York, Tuesday, May 6, 1873. Lucretia Mott and Elizabeth Cady Stanton, who called the first Woman's Rights convention at Seneca Falls, 1848, will be present to give their reminiscences. That Convention was scarcely mentioned by the local press; now, over the whole world, equality for woman is demanded. In the United States, woman suffrage is the chief political question of the hour. Great Britain is deeply agitated upon the same topic; Germany has a princess at the head of its National Woman's Rights organization. Portugal, Spain, and Russia have been roused. In Rome an immense meeting, composed of the representatives of Italian democracy, was recently called in the old Coliseum; one of its resolutions demanded a reform in the laws relating to woman and a re-establishment of her natural rights. Turkey, France, England, Switzerland, Italy, sustain papers devoted to woman's enfranchisement. A Grand International Woman's Rights Congress is to be held in Paris in September of this year, to which the whole world is invited to send delegates, and this Congress is to be under the management of the most renowned liberals of Europe. Come up, then, friends, and celebrate the Silver Wedding of the Woman Suffrage movement. Let our Twenty-fifth Anniversary be one of power; our

reform is everywhere advancing, let us redouble our energies and our courage.

MATILDA JOSLYN GAGE, *CH'N EX. COM.* SUSAN B. ANTHONY, *PRES.*

[153]Mrs. Elizabeth Avery Meriwether, Tennessee; Isabella Beecher Hooker, Connecticut; Francis Miller, Washington, D. C.; Sarah R. L. Williams, Toledo, Ohio; Mrs. C. M. Palmer, California; Carrie S. Burnham, Pennsylvania; Ellen C. Sargent, Washington; Le Grand Marvin, Buffalo, N. Y.; Carl Doerflinger, Wisconsin; Emily Pitts Stevens, editor of the *Pioneer*, San Francisco, Cal.; A. Jane Duniway, editor of the *New Northwest*, Portland, Oregon.

[154]WHEREAS, This being the twenty-fifth anniversary of the first combined effort of women for the recognition of their civil and political rights; and,

WHEREAS, The demands first publicly promulgated in an obscure village in the State of New York have now spread over the world; therefore,

Resolved, That while we congratulate women on the progress of this reform during a quarter of a century, we urge them not to grow discouraged or faint-hearted when obstacles arise in their attack upon hoary wrongs. We remind them that the race is not to the swift, nor the battle to the strong, and that the nearer we come to victory the stronger will be the effort against us. But our cause is one of eternal justice, and must ultimately prevail.

Resolved, That Lucretia Mott and Elizabeth Cady Stanton will evermore be held in grateful remembrance as the pioneers in this grandest reform of the age; that as the wrongs they attacked were broader and deeper than any other, so as time passes they will be revered as foremost among the benefactors of the race, and that we also hold sacred the memory of their co-laborers in the Convention of 1848.

WHEREAS, The underlying principle of our Government is equality of political rights, therefore,

Resolved, That in the prosecution and trial of Susan B. Anthony, a citizen of the United State, for having cast a ballot at the last election, the Government of the United States declares it is a crime to vote, thus attempting to undermine the very foundation of the Republic.

Resolved, That as in this trial Susan B. Anthony represents one-half of the people, the whole power of the United States is arrayed against the women of the nation—against law-abiding, tax-paying women citizens.

Resolved, That the trial of Susan B. Anthony, though ostensibly involving the political status of woman alone, in reality questions the right of every man to share in the Government; that it is not Susan B. Anthony, or the women of the Republic who alone are on trial to-day, but it is the Government of the United States, and that as the decision is rendered for or against the political rights of citizenship, so will the men of America find themselves free or enslaved.

Resolved, That the decisions of the courts in the case of Mrs. Bradwell, of Illinois, Mrs. Spencer and Mrs. Webster, of Washington; Mrs. Minor, of St. Louis; Miss Burnham, of Philadelphia, and others, are warnings to the people that their liberties are in danger.

Resolved, That it is because women are not voters, and, therefore, have no recognized political power, that the members of the Forty-second Congress, while raising their own salaries from \$5,000 to \$7,500, dared to reject an amendment to the same bill, which proposed to raise the salaries of the women employes of the Government from \$900 to \$1,200.

Resolved, That in the coming Centennial of our nation's birth it is mockery to ask woman to lend a helping hand without some pledge to right her wrongs; what cause has she for rejoicing unless the century shall round out with her enfranchisement, and the old liberty bell ring in equality for all.

Resolved, That the report of the Judiciary Committee of the Assembly of the State of New York in regard to a property suffrage qualification for women, is one of the signs of awakened thought toward our reform.

Resolved, That the rapid advance of Woman's Rights in foreign countries is a subject of gratulation, and as a matter of special cheer we call particular attention to the grand international Woman's Rights Congress, under the control of the liberals of Europe, to be held in Paris during the present year.

WHEREAS, The National Woman Suffrage Association has been requested to send delegates to the International Woman's Rights Congress to be held in Paris in October next; therefore,

Resolved, That this Association empower Ernestine L. Rose, Paulina Wright Davis, Mathilde F. Wendt, Jane Graham Jones, and Elizabeth Phelps Pearsall, to represent our woman suffrage movement in that congress.

[155]Mrs. Nettie C. Tabor, Cal.; Frances Ellen Burr, Hartford, Conn.; Mrs. Elizabeth B. Phelps, N. Y.; Mrs. E. Langdon, N. Y.; Jane B. Archibald, D. C.; Miss Jennie V. Jewell, D. C.; Mrs. Adeliah Gardiner, Baltimore; Kate C. Harris, Baltimore; Miss Laura Ewing, Baltimore; Phoebe W. Couzins; Edward M. Davis, Philadelphia; Matilda Joslyn Gage, Fayetteville, N. Y.; Lillie Devereux Blake, New York City; Ruth C. Dennison, D. C.; Sara

Andrews Spencer, D. C.; Dr. Clemence S. Lozier, New York City; Belva A. Lockwood, Virginia L. Vaughn, James K. Wilcox, and the Hutchinson Family.

[156] Letters were received from Paulina Wright Davis, Providence, R. I.; Virginia L. Minor, St. Louis, Mo.; Hon. E. G. Lapham, Canandaigua, N. Y.; Vice-Pres. Henry Wilson, Natick, Mass.; John Van Vhoris, Rochester, N. Y.; Dr. James C. Jackson, Dansville, N. Y.; Hon. Henry R. Selden, Rochester, N. Y.; Hon. John A. Kasson, Iowa; Thomas Wentworth Higginson, Newport, R. I.; Ernestine L. Rose, London, England; Dr. Laura Ross Wolcott, Milwaukee, Wisconsin; Carrie S. Burnham, Philadelphia, Pa.; Lewia C. Smith, Rochester, N. Y.; Asenath Coolidge, Watertown, N. Y.; Priscilla Holmes Drake, Alabama; Laura De Force Gordon, California; George F. Downing, Washington, D. C.; The Free Thinkers Club of Milwaukee; The Radical Democracy of Wisconsin.

[157] *Resolved*, That this convention, representing as it does all portions of our country, cordially sympathizes with the proposed efforts of the women of the District of Columbia to secure the practical enjoyment of their constitutional right to vote, as declared by the Supreme Court of said District, by the passage of an act of Congress amending the organic law of the District by striking out the word "male" from the seventh section of said act; and we earnestly request our senators and representatives to support a bill providing for such an amendment by speech and vote.

Resolved, That a committee of seven be appointed by the president of this convention to co-operate with the committee heretofore appointed by the women of the District of Columbia in their application to Congress for the passage of an act amendatory of the organic act of said District, as above indicated.

Resolved, That among the important events in our struggle for the equal rights of woman we place the trial of Miss Susan B. Anthony before Hon. Ward Hunt, a judge of the Supreme Court of the United States, at Canandaigua, New York, in June last, on an indictment for voting as a citizen at the general election in November, 1872; that the grossly partial course of Judge Hunt on that occasion, his seeming unacquaintance with the plainest rules of law, and his eagerness for the conviction of Miss Anthony, stand in marked contrast with the calm demeanor and clear apprehension of the facts and principles at issue which she exhibited on the trial, and their conduct respectively in this memorable contest affords proof that, though it may be possible that all women have not a constitutional right to be voters, it is very certain that some men are not fit to be judges.

Resolved, That waiving for the present moment the question whether or not Judge Hunt was correct in his decision concerning the constitutional right of women to vote for Federal officers, nevertheless, in the opinion of all sound lawyers and intelligent men, he committed a great outrage against Miss Anthony by assuming, without proof, that she voted for a candidate for Congress, and by arbitrarily refusing to allow the jury to pass upon the question of her innocence, and by peremptorily commanding them to render a verdict of guilty. That so plain is this to the minds of those who possess any clear knowledge of general principles of law, and of the ordinary duties of a criminal court, that Judge Hunt has shown by his conduct on that trial that he is too ignorant to fill his high position, or too arbitrary to be entrusted with its grave responsibilities; and, therefore, in either case, he ought to be impeached and removed from the bench.

Resolved, That by the death of John Stuart Mill, woman has lost a wise, brave friend. His great work for the enfranchisement of woman, and for the elevation of all mankind deserves the public thanks of this convention.

Resolved, That in Hon. John C. Underwood, lately removed from the bench by death, the women of his district have lost that rarest of public servants, a judge to whom the disfranchised could confidently look for justice.

Resolved, That by the death of John M. Morris, late editor of the *Washington Chronicle*, the cause of woman's freedom lost a tried and valued friend, whose faithfulness and judgment entitled him to the gratitude of the women of this Nation.

Miss Anthony submitted the following:

Resolved, That the thanks of the friends of woman suffrage are due to the Misses Smith, of Glastonbury, Connecticut, for their patriotic resistance to the tyranny of taxation without representation, and that all women tax payers through the country should follow their example.

Resolved, That the best means of agitating at the present hour is for all women to insist on their right of representation by actually presenting their votes at every election, and for all property-holding women to refuse to pay another dollar of tax until their right of representation is recognized.

PETERBORO, January 5, 1874

SUSAN B. ANTHONY—MY DEAR FRIEND: AS I am suffering from an attack of vertigo, I answer your letter by the hand of my wife. Enclosed is my contribution toward defraying the expenses of your convention. Strong as is the Constitutional argument for woman suffrage, I nevertheless hope that your convention will not tolerate the idea of measuring the rights of woman by a man-made constitution. Have you heard of a State in which women and women only bear rule, and the constitution of which was made by women only? Perhaps there is such a flagrantly unjust state, either on this or some other planet. If so, deep is the injury done to its men. But deeper the insult added to this injury if, when the men complain of being excluded from the government, the women apply to the measurement of man's rights the yardstick of a woman-made constitution. Constitutions

are useful in settling ten thousand subordinate questions. But the great questions of primary and inherent human rights are to be submitted to no lower decisions than those of God's immutable and everlasting justice.

With high regard, your friend,

GERRIT SMITH.

GEN. BUTLER'S LETTER.

WASHINGTON, December 1.

MY DEAR MADAM: As a rule I have refused to take part in any convention in the District of Columbia about any matter which might come before Congress. I do not think it proper. I went far out of my way in this regard, having given evidence that I am most strongly committed to the legality, propriety and justice of giving the ballot to woman. I do not see how I can add anything to it by appearing on the platform in advocacy of any measure that may come before me as a Member of Congress, and I do not think my sense of propriety would over-balance such considerations. Hoping that your cause may succeed, I have the honor to be, very truly yours,

BEN. F. BUTLER.

[158]ANNUAL CONVENTION OF THE NATIONAL WOMAN SUFFRAGE ASSOCIATION.—For more than a quarter of a century the representative women of this nation have held annual meetings, demanding the recognition of their rights as citizens of the United States. In halls of legislation and courts of justice, as well as in Conventions, woman's equality with man in all civil and political rights, privileges and immunities, has been debated and variously decided by popular opinion, statute law and judicial decree, without arriving at any permanent settlement of the question. And until the world learns that there should be but one code of laws and morals for man and woman, this question never can be settled. But the discussion has roused woman herself to new thought and action, and kindled in her an enthusiasm that the best interests of the nation demand should be wisely directed and controlled.

The fact that women are already voting, holding office and resisting taxation, that thousands are enrolling in the Grange movement and Temperance Crusade, that Woman Suffrage is to be voted upon in Michigan at the next election, should warn the Government that the hour for its action has come. It must now determine whether woman's transition from slavery to freedom shall be through reformation or revolution, whether she shall be permitted to express her interest in national questions through law by the direct power of the ballot, or outside of law by indirect and irresponsible power; and thus, by a blind enthusiasm, plunge the nation into anarchy.

For an earnest discussion of the duty of the hour, we invite all persons interested in woman's enfranchisement to meet in Irving Hall, New York, on the 14th and 15th of May.

SUSAN B. ANTHONY, *PRESIDENT*.

ELIZABETH CADY STANTON, *CHAIRMAN EX. COM.*

[159]The speakers at this Convention were Ernestine L. Rose, Martha C. Wright, O. B. Frothingham, Rev. Olympia Brown, Rev. Antoinette Brown Blackwell, Elizabeth B. Phelps, Carrie S. Burnham, Sarah Andrews Spencer, Frances V. Hallock, Amanda Deyo, Dr. J. Mix, Mrs. Helen M. Slocum, Dr. Clemence S. Lozier, Lillie Devereux Blake, Susan B. Anthony.

[160]Letters were received at this May Anniversary (1874) from Lucinda B. Chandler, Vineland, New Jersey; Mrs. C. C. Hussey, Report of New Jersey; Mary F. Davis, New Jersey; Catherine F. Stebbins, Michigan; Mary J. Channing, Paulina Wright Davis, Rhode Island; Alfred H. Love, Edward M. Davis, Sarah Pugh, Philadelphia; Lorenza Haynes, Theological School, St. Lawrence University, Canton, N. Y.; Sarah R. L. Williams, Toledo, Ohio; Harriet S. Brooks, Report for Illinois; Catharine V. Waite, Illinois; Lizzie Boynton Harbert, Iowa; Virginia L. Minor, Missouri; Annie L. Quinby, Kentucky; Sarah Burger Stearns, Duluth, Minnesota; Hon. Benj. F. Butler, Massachusetts; Mrs. C. H. Baker, Mrs. H. K. Clapp, Nevada; Sarah J. Wallis, California; Mrs. C. I. H. Nichols, Pomo, California; Mariana Thompson Folsom, Foxboro, Mass.; Emily P. Collins, La.; Mary K. Spalding, Atlanta, Ga.; Mrs. Matilda Joslyn Gage, New York; Mary L. Booth, *Harper's Bazar*, New York; Ann T. Greeley, Ellsworth, Me.; Mary Olney Brown, Olympia, Washington Territory.

[161]*Resolved*, That as complete individual development depends on the harmonious exercise of our three-fold nature, and undue power given to either deranges and undermines the whole being, so in the nation, a complete experiment of self-government can be made only by the equal recognition of the rights of all citizens, and in their homogeneous education into the laws of national life.

Resolved, That the decision of Chief Justice Waite, in the case of Virginia L. Minor of Missouri, that according to the Federal Constitution woman is a citizen, but not entitled to the right of suffrage, is more infamous and retrogressive in principle at this hour, than was Chief-Justice Tancy's decision in the Dred Scott case, that a black man was not a United States citizen, and therefore not entitled to the rights of a citizen of every State.

Whereas, By the recent decisions of the Supreme Court in the case of Myra Bradwell of Illinois, and of Virginia L. Minor of Missouri, the Federal Constitution is declared powerless to protect the civil and political rights of woman.

Resolved, That it is the duty of Congress to take the necessary steps to secure an amendment to the Constitution that shall prohibit the several States from disfranchising citizens of the United States on account of sex.

Whereas, One of the strongest evidences of the degradation of disfranchised classes is

the denial of their right to testify against their rulers in courts of justice (slaves could not testify against their masters; Chinamen in California to-day can not testify against white men, nor wives in cases of crim. con. against their husbands); therefore

Resolved, That the denial of Elizabeth R. Tilton's right to testify in the pending Brooklyn trial, is but proof of woman's need of the ballot in her own right for self-defence and self-protection.

Resolved, That as the proposition for woman's enfranchisement is to be submitted in Iowa, in 1876, the National Woman Suffrage Association will hold there 100 county conventions, and by lectures and the circulation of tracts, help the women of Iowa to make a thorough canvass of the State.

Resolved, That we congratulate the women of England for the large vote secured on the Woman's Disabilities Bill in the House of Commons. With a Queen on her throne, 400,000 women already voting, and her Premier in favor of the measure, England bids fair to take the lead in the complete enfranchisement of women.

[162]Rev. O. B. Frothingham, Matilda Joslyn Gage, Rev. Olympia Brown, Lillie Devereux Blake, Carrie S. Burnham, Mrs. Stanton, and Miss Anthony.

[163]Matilda Joslyn Gage, President; Lucretia Mott and Elizabeth Cady Stanton, Vice-Presidents; Henrietta P. Westbrook, Recording Secretary; Isabella Beecher Hooker, Corresponding Secretary; Ellen Clark Sargent, Treasurer; Susan B. Anthony and fifteen others, Executive Committee.

CHAPTER XXV.

[Pg 586]

TRIALS AND DECISIONS.

Women voting under the XIV. Amendment—Appeals to the Courts—Marilla M. Ricker, of New Hampshire, 1870—Nannette B. Gardner, Michigan—Sarah Andrews Spencer, District of Columbia—Ellen Rand Van Valkenburgh, California—Catharine V. Waite, Illinois—Carrie S. Burnham, Pennsylvania—Sarah M. T. Huntingdon, Connecticut—Susan B. Anthony, New York—Virginia L. Minor, Missouri—Judges McKee, Jameson, Sharswood, Cartter—Associate Justice Hunt—Chief Justice Waite—Myra Bradwell—Hon. Matt. H. Carpenter—Supreme Court Decisions—Mrs. Gage's Review.

WE have already shown in previous chapters that by a fair interpretation of the XIV. Amendment women were logically secured in their right to vote. Encouraged by the opinions of able lawyers and judges, they promptly made a practical test of this question by registering and voting during the State and Presidential elections of 1871 and '72. This transferred the discussion, for a time, from the platform and halls of legislation to the courts for final adjudication.

The first woman to offer her vote was Marilla M. Ricker, of Dover, New Hampshire, a young widow of large property. In March,^[164] 1870, the day previous to the election, she made application to the selectmen for registry. No objection being made, and one of the Board, promising to put her name on the check-list, she departed, leaving with them several copies of a speech she had prepared in case of a refusal. On election day she appeared at the polls and offered a straight Republican ticket. It was received by the moderator and her name called, but on examination of the list it was found that the selectman had been false to his promise, and her vote was refused. Extended comments were made by the press of the State, Democrats generally sustaining her, while Republicans were bitter in opposition. Mrs. Ricker in the meantime prepared to sue the selectmen, but being strongly opposed by her republican friends, she silently submitted to the injustice, and thus lost the opportunity of being the first woman to prosecute the authorities for refusing the vote of a citizen on the ground of sex. However, she still enjoys the distinction of being the first woman to cast a vote under the XIV. Amendment, as the following spring she saw that her name was on the registry list, and her vote was received without opposition.

[Pg 587]

The next case was that of Nannette B. Gardner, in Detroit, Michigan. She registered her name in that city March 25, 1871, and voted,^[165] unquestioned, April 3d. April 20th, of the same year, Sara Andrews Spencer and Sarah E. Webster, with seventy other women of the District of Columbia, marched in a body to the polls, but their votes were refused at the election as they had been previously refused registration. They immediately took steps to prosecute the Board of Inspectors, and suit was brought in the Supreme Court of the District at the general term, October, 1871. Albert G. Riddle and Francis Miller, able lawyers of the District, and well known advocates of woman suffrage, were retained by the plaintiffs, and in their defense made the following arguments:

Mr. RIDDLE said: May it please the Court; ... These plaintiffs, describing themselves as women, claim to be citizens of the United States and of this District, with the right of the elective franchise, which they attempted to exercise at the election of April 20th last past, and were prevented. They say that as registration was a prerequisite of the right to vote, they tendered themselves in due form, and demanded it, under the second section of the Act of May 31, 1870 (16th U.S. Stats., 140). That is the "Act to enforce the right of citizens of the United States to vote," etc., and authorizes a suit for

refusing registration. They say, that being refused registration, they tendered their votes to the proper inspectors of said election, with proof of their attempt to register, citizenship, etc., as authorized by the third section of said Act, and their votes were refused; and, thereupon, Spencer brings her suit under said second section, against the registering officers, and Webster hers under the third section, which authorizes it, for rejecting her vote. The questions in both cases are identical and presented together.

To the declarations the defendants demur, and thereby raise the only questions we desire to have adjudicated. The defendants, by their demurrer, admit all the allegations of the plaintiffs, severally, but say, that as they are women, they are not entitled to vote in the District of Columbia. That the seventh section of the organic Act, the Constitution of the District, provides, "That all male citizens," etc., "shall be entitled to vote," etc., and that this word male excludes women, of course.

To this the plaintiffs reply that the language of the statute does exclude women, but they say that in the presence of the first section of the XIV. Amendment, which confers the elective franchise upon "all persons," this word "male" is as if unwritten, and that the statute, constitutionally, reads, "That all citizens shall be entitled to vote." For we contend, your honors, that although the Congress "has exclusive legislation in all cases over this District," it can legislate only, as could the States, from which it was taken. It must legislate in accordance with American ideas, and can exercise no power not granted by the Constitution; and that instrument certainly confers no power to limit the right of suffrage. And so we are at issue....

[Pg 588]

As the FIRST proposition of my brief, I contend, *that under our system the right to vote is a natural right.*

Obviously, government is of right or it is an usurpation. If of right, it sprang from some right older than itself; and this older right must have existed in persons (people), in each and all alike, male and female. And having this right, they used it to form for themselves a government. Of course, this supposes that all joined in and consented to the government having the power to dissent; for, to just the extent that a government got itself agoing without the free consent of its people, it is without right. The right of self-government, and from that springs our right to govern others, is a natural right. This is the primary idea of American politics, and the foundation of our Government. This was formulated in the second clause of our great Declaration, and no man has dared to deny it....

It follows, then, if the right of government is a natural right, and to be exercised alone by the ballot, that the right to vote is a natural right. This never has been and never can be successfully controverted....

I will read from the highest American authority upon our politico-constitutional questions, partly in support of my proposition that the right to vote is a natural right, and also to show that the assumed claim of one part of the people to exclude another from all share in the Government has the most doubtful and shadowy foundation in right, and to an American it needs no evidence to show that a portion of the people thus excluded are in a state of vassalage. I read from Story on the Constitution, volume 1st, commencing at

Sec. 578. The most strenuous advocate for universal suffrage has never yet contended that the right should be absolutely universal. No one has ever been sufficiently visionary to hold that all persons of every age, degree, and character, should be entitled to vote in all elections of all public officers. Idiots, infants, minors, and persons insane or utterly imbecile, have been, without scruple, denied the right as not having the sound judgment and discretion fit for its exercise. In many countries, persons guilty of crimes have also been denied the right as a personal punishment, or as a security to society. In most countries, females, whether married or single, have been purposely excluded from voting, as interfering with sound policy and the harmony of social life ... And yet it would be extremely difficult, upon any mere theoretical reasoning, to establish any satisfactory principle upon which the one-half of every society has thus been systematically excluded by the other half from all right of participating in government, which would not at the same time apply to and justify many other exclusions. If it be said that all men have a natural, equal, and inalienable right to vote, because they are all born free and equal; that they all have common rights and interests entitled to protection; and, therefore, have an equal right to decide, either personally or by their chosen representatives, upon the laws and regulations which shall control, measure, and sustain those rights and interests; that they can not be compelled to surrender, except by their free consent, what by the bounty and order of Providence belongs to them in common with all their race. What is there in these considerations which is not equally applicable to females as free, intelligent, moral, responsible beings, entitled to equal rights and interests and protection, and having a vital stake in all the regulations and laws of society? And, if an exception, from the nature of the case, could be felt in regard to persons who are idiots, infants, and insane, how can this apply to persons who are of more mature growth, and are yet deemed minors by the municipal law?

[Pg 589]

SEC. 580. If, then, every well-organized society has the right to consult for the common good of the whole; and if, upon the principle of natural law, this right is conceded by the very union of society, it seems difficult to assign any limit to this right which is compatible with the due attainment of the end proposed. If, therefore, any society shall deem the common good and interests of the whole society best promoted under the particular circumstances in which it is placed by a restriction of the right of suffrage, it is not easy to state any solid ground of objection to its exercise of such an authority. At least, if any society has a clear right to deprive females, constituting one-half of the whole population, of the right of suffrage (which, with scarcely an exception, has been uniformly maintained), it will require some astuteness to find upon what ground this exclusion can be vindicated, which does justify, or at least excuse, many other exclusions.

Sec. 581. Without laying any stress upon this theoretical reasoning which is brought before the reader, not so much because it solves all doubts and objections, as because it presents a view of the serious difficulties attendant upon the assumption of an original and inalienable right of suffrage, as originating in natural law, and independent of civil law, it may be proper to state

that every civilized society has uniformly fixed, modified, and regulated the right of suffrage for itself according to its own free will and pleasure. Every constitution of government in these United States has assumed, as a fundamental principle, the right of the people of the State to alter, abolish, and modify the form of its own government according to the sovereign pleasure of the people. In fact, the people of each State have gone much further, and settled a far more critical question, by deciding who shall be the voters entitled to approve and reject the constitution framed by a delegated body under their direction. In the adoption of no State constitution has the assent been asked of any but the qualified voters; and women, and minors, and other persons not recognized as voters by existing laws, have been studiously excluded. And yet the constitution has been deemed entirely obligatory upon them as well as upon the minority, who voted against it. From this it will be seen how little, even in the most free of republican governments, any abstract right of suffrage, or any original and indefeasible privilege, has been recognized in practice.

This, remember, was written thirty years ago. Where would Story be now, if living? I beg also to read a single paragraph from the "Spirit of Laws," London edition, vol. I., p. 220:

"All the inhabitants of the several districts ought to have the right to vote at the election of the representatives," etc.

All of the inhabitants, says Montesquieu, ought to have the right to vote. Under such a rule I suppose my learned opponent would contend that a woman could not be an inhabitant, of course. I feel that I ought to apologize for presenting this point to this extent; it is so obvious, and rests on such broad and ample ground, that argument for it is without excuse, and I rest it here. So that if you consider this XIV. Amendment as a grant from the sovereign, then, like all such grants, you must take it most strongly against the grantor, and most favorable to the subject. And if, as I have shown, it is in favor of natural right, then must you construe it most strongly to extend that right. No court needs authority for these propositions.

The SECOND proposition of my brief is, *that by the old common law of our English ancestors, the old storehouse of our rights and liberties, as well as the arsenal where we find weapons for their defense, woman always possessed this right of suffrage.*

I will show by several English cases, by long usage, and general understanding, by principle and precedent, that the English woman both voted and held office; and I will show that not a single case, that not a single resolution of the House of Commons exists to the contrary; and that in all the now innumerable tomes of the common law, of judicial decision, commentary, or essay, but a single dictum exists to the contrary. And if I thus establish that the construction of the XIV. Amendment, for which I this day contend, is in favor of a common law right, is in accordance with its scope and spirit, every lawyer understands by how much I strengthen my position. And for the satisfaction of the court I am glad to state that this part of my argument will consist entirely of extracts from recent English text-writers, and a reference to two or three old cases. I read first from Mr. Anstey's Notes upon the Reform Act of Great Britain of 1867. The writer in his comment upon the words of the act, "every man of full age," etc., commences by showing that the term man in the act, as in Magna Charta and other statutes, is epicene—means both men and women. And he then goes on to show that to construe this phrase, "every man," to include every woman also, is in strict accordance with the common law from old times to the present. I read from p. 87:

[Pg 590]

That the rights in question (the right of suffrage) are not incompatible with the legal status of the woman, the following authorities seem to show. On the other hand, there can not be adduced any one authority against the position that the franchise of the shire and the borough were enjoyed by the female "resiants" equally with those of the male sex in times when "resiants," as such, and not as "tenants," had the franchise. The statutes by which the parliamentary franchise in counties was taken away from the "resiants" and vested in the "tenants," and at length restricted to those of freehold tenure (8 Hen., 6, c. 7; 18 Geo., 2, c. 18; 31 Geo., 2 c. 14), did not in any manner create or recognize any such distinction as that of the male and the female freeholders. Those acts had relation to tenure, not to sex. For the same reason, in all those boroughs where the "common right" prevailed, the suffrage would naturally be exercisable by the female no less than by the male "inhabitants" or "residents." It is believed that in not one of the boroughs where the suffrage was said to be regulated by "charter," or by "custom," or by "prescription" or even where it was regulated by a local act of Parliament, there can be found one instance of any provision or usage whatsoever whereby any voter was excluded from the enjoyment of the suffrage by reason of sex. That a woman may be a householder, or freeholder, or burgage tenant, parishioner, is plain enough. That she may answer the description of "a person paying scot and lot" within the "city of London," has been solemnly decided by the Court of King's Bench (*Olive vs. Ingram*, 7 Mod. 264, 267, 270, 271.) and that determination was expressly grounded by their Lordships "singly upon the foot of the common law, without regard to the usages of the parishes in London," which usage, nevertheless, had been also shown to be in favor of the same construction. In all cases, whether of statutory, of customary, or of common law qualification for the suffrage, the general rule is that which was laid down by the Court of King's Bench with respect to the choice of parochial officers under the first "Act for the Relief of the Poor," which directed them to be made from among the "substantial householders" of the place. The court held (*Rex. vs. Stubbs*, 2 T. R., 395)—overruling a dictum in Viner's Abridgment to the contrary—that a woman, being a "substantial householder," was properly chosen under that act to the office of overseer of the poor, notwithstanding the objections raised at the bar that it was a burthensome office and one of which, being once appointed to it, she would be called upon to perform duties some of which were above the bodily and mental powers, and others were inconsistent with the morality, or, at least, the decency of that sex.—(Id. 400.)

And so again on pages 90 and 91:

That there are some offices as to which it is the practice, by the "custom of England," to exclude them, is undoubtedly the fact. But it has been well said, as to these, that "there is a difference between being exempted and being incapacitated," and that "an excuse from acting, etc., is

different from an incapacity of doing so. For it must not be forgotten, that it is upon the footing, not of disability, but of exemption, that those exclusions are vested, by the authorities which declare them." Thus, Whitelocke: "By the custom of England, women are not returned of juries, nor put into offices or commissions, nor eligible to serve in Parliament, or admitted to be members of the House of Peers; but, by reason of their sex, they are exempted from such employment. The omission of the electoral franchise from that enumeration [of exemption] is remarkable. If women were, at that time, considered to be excluded by any "custom of England" from the Parliamentary franchise, as well as from Parliament, it is scarcely conceivable that Whitelocke would have omitted to mention so important a fact. Singular to say, there is no trace of any such custom or usage in the reports or amongst the records, not even, so far as the author's researches have been successful, in the Journals of the House of Commons itself; and yet the right of the returning officer to reject the vote of a female elector when tendered at the polling-booth is always assumed to be an adjudged point. Mr. Oldfield appears to have been under the impression that the resolution of the House of Commons upon the occasion of the Westminster election, asserting the incapacity of an alien to vote in elections of members to serve in Parliament, extended to "women" also. If it were so, the incident would have no weight, for the enactment, which, according to a second resolution of the same date, was to be prepared for carrying into effect that intention, never received the sanction even of that House. But, in truth, no mention of "women" appears in either resolution. Nor was there, in that year, or at any other period, any resolution or determination of the House, so far as the author's information goes, directly impeaching the capacity of any female, in respect of her sex, to vote at an election to Parliament. He is aware that the House of Commons did, upon one remarkable occasion, deny the capacity of a female to be heard even as a witness at their bar; and that this extraordinary vote was obtained through the influence of Sir Edward Coke, the only text-writer who can be vouched for the position, that a woman's vote ought not to be received at a parliamentary election.

Further on, pages 94 and 95;

On the other hand, there are extant many parliamentary returns for counties and boroughs from the earliest times, which were made by female electors, and yet were received. Some of them are enumerated in Prynne's Collections of Parliamentary Writs. Some of later dates are mentioned in the Commons' Journals themselves. Others are to be found in the repositories of the learned or the curious.

Three of the returns in question which related to one and the same borough, were, at a period long subsequent, produced before a "Committee of Privilege and Election," presided over by the great parliamentary lawyer, Mr. Hakewell, as evidence for and against the respective parties in an election trial then pending. The question was whether the borough was close or open; that is to say, whether amongst the former returns so produced, those by "Mrs. Copley, as sole inhabitant," showed the suffrage to be limited to the Lord or Lady of Gatton for the time being, or whether those by "Mrs. Copley, *et omnes inhabitantes*," showed the suffrage to be of a more popular character. No question of sex was raised on either side, and neither the report of the committee which found for the popular right, nor the resolution of the house for giving effect thereto, and for taking the Lord of the Manor's return off the file, contain any allusion to the question of sex.

At that time the House of Commons was not prepared to enter into conflict with the courts of law, and "privilege" had not attained to the height which, amid the excitement of the era of 1688, it was doomed to reach. It was impossible for the Committee of Privileges, in the Gatton case, to deny the female suffrage without coming into collision with the law, which had been declared but a few years previously by the judges. (*Holt vs. Lyle and Coates vs. Lyle*, 14 Jac., 1 and *Catherine vs. Surrey*, (Hakewell MSS.) Append., 7 Mod., 264-5.) "The opinion of the judges," it was said by Sir William Lee, a chief justice of the King's Bench in 1739, "was that a *feme-sole*, if she has a freehold," in a county (as it seems) "may vote for members of Parliament," and that women when sole had a power to vote.... In *Lady Packington's* case (she returns to Parliament; that the sheriff made a precept to her, as lady of the manor, to return two members to Parliament.... In the case of *Holt vs. Lyle* it is determined that a *feme-sole* freeholder, in counties, may claim a vote for Parliament men, but, if married, her husband must vote for her.... I only mention what I found in a manuscript by the famous Hakewell.

CHIEF-JUSTICE—Coverture then incapacitated a woman from voting?

Mr. RIDDLE.—No, your honor; the right to vote attached to the freehold, and by the old law that by marriage vested in the husband.

In the case of *Olive vs. Ingram*, 7th Mod. Reps., already recited by the author, it was urged that the right of woman suffrage was lost by *non-user*, which is thus disposed of. I quote from page 97:

The same can not be said of the learned Solicitor General's objection of *non-user*. "As their claim," he argued, "is at common law, and usage is the only evidence of right at common law, they ought to show it, or else *non-user* shall be evidence of a waiver of the right, if they ever had any." The reply was conclusive enough. "There was a difference between being exempted and being incapacitated." But there was another and a not less conclusive reply. The franchise was a public, not a private right—*omnis libertas regia est, et ad coronam pertinet*—[every liberty is royal and pertinent to the crown]—and of such there can be no waiver, for the right implies a duty, and the duty is co-equal and co-extensive with the right.

I now ask your attention to the case of *Jane Allen*, which came before Mr. Anstey in the Revising Court, a tribunal created by the parliamentary elector's trial bill of 1868, and which sits to revise the registration of voters, under the Act of 1867, and from whom appeals lie to the Court of Common Pleas. The case came up in 1868, and was fully and ably argued, and the Revising Barrister went luminously over the whole ground in an exhaustive opinion when he rendered judgment. I find the case in the *Eng. Law Mag. and Law Rev.* for 1868, at p. 121:

This was a claim to be entered on the St. Giles' list of occupiers for the borough, under the "Representation of the People Act, 1867," s. 3; the claimant's name, in common with those of all female occupiers, having been omitted by the overseers.

.

The Revising Barrister said, p. 132: In the meantime, and dealing with the case according to my own opinion of what the law is, I hold, in the first place, that this incapacity of mere sex, as it is called, did not exist at common law in any constituency; and (on the authority of the cases cited already of *Catherine vs. Surrey*, *Holt vs. Lyle*, and *Coates vs. Lyle*, which show that there is in counties no such incapacity even as to the freehold franchise, even under the acts passed before 1832, greatly narrowing the basis of that suffrage there), that, *à fortiori*, there was no such incapacity in boroughs of the common right at least, and also of many, perhaps all, of those by custom also, as appears by the valuable records preserved from the time of the Conquest down to our own time, including the Domesday and the Doom Books of the various boroughs. For I find that (although in some boroughs, a later charter or special act of Parliament was to the contrary), where the common right obtained, the woman burgess took her place, and her name was inscribed on the burgess roll with the male burgesses, enjoying the same rights and liable to the same heavy duties—such as watch and ward, scot and lot, and the like, as the burgesses of the male sex. Curiously enough, I see that it has been objected to the right of female suffrage within the last few days, that there is this analogy between the right of franchise and the liability to watch and ward. It is because that analogy exists, that I think that the claim of franchise must surely prevail, it being clear that, under the common law, a woman was liable to the former burthen, as she is still liable to serve as a constable, as an overseer of the poor, and the like offices, and, therefore, was rightfully put upon the burgess roll, and voted in the borough court equally with the male burgess.

But the matter does not rest there. The Rolls of Parliament, which end with the reign of Queen Mary, certainly contain no notice of the right of women to vote at common law, because they contain no entries relating to the right of suffrage at all, and I, therefore, pass them by. But I make this observation upon them, that they do contain not unfrequent notices of the presence of women in Parliament itself. But the returns to the parliamentary writs of the period are more to the purpose. Take, for instance, those relating to the county of York, collected by Prynne for quite another purpose than the present. He had to show that the lords and esquires of that great county, and not the freeholders at large, had for the long period of time which began with the reign of Henry IV. and ended with that of Edward IV., alone returned the knights of that shire to Parliament, and among those lords and esquires not a few clearly appear to have been of the female sex. But now I pass to the period of the journal.

[Pg 593]

It was said by Mr. Bennett [who argued against woman suffrage], that if a single instance could be shown in which a woman had voted, and not simply claimed the right to vote, then *cadit questio*. But two such cases, Lady Packington's case and Mrs. Copley's case, were admitted by Mr. Bennett himself. I do not think that he explained away the effect of that admission. It was certainly not as a mere returning officer that either of those ladies signed and returned the indenture. It was as a person having or claiming to have, the sole property in the soil of the whole of the populous borough of Aylesbury, that Lady Packington made her return; and during two or three generations the Packington family had, or had claimed to have, precisely that right.

.

It is thus made broad and clear that the right of woman to the elective franchise was one of the best acknowledged and clearest of common law rights; and that in the whole circle of English authority the ghost of a dictum can alone be raised to question it. So that if the force of its language compels you to construe the XIV. Amendment as authorizing woman to vote, you will have the satisfaction of knowing that it but restores her to her old common law right in the persons of her American daughters.

THIRD. I am now to deal directly with the Amendments. The first clause of Section 1 of the XIV Amendment I now read:

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

Until this was promulgated there was no absolute standard or rule of citizenship in the United States. Each State made a rule for itself, and its rule was not always clearly expressed, as you will see by these constitutions. Some of them say that the male citizens of the State, being inhabitants, etc., shall vote, yet do not declare in what citizenship shall consist. Others, that citizens of the United States, etc., shall vote, while no person was a citizen of the United States except as he had become a citizen of a State. Many States permitted aliens, on a short residence, to vote, without naturalization, and they, in that indirect way, became citizens of such State, and hence of the United States. This Amendment puts an end to doubt and cavil, and broadly declares that all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside, etc....

By an unwritten article of the American Constitution—for whoever looks to the written text will not find the whole of the Constitution—persons, no matter where born, or however unnatural they may be, are permitted to become domiciled, gain settlements, hold lands, bring suits, and acquire and enjoy every possible right, privilege, and immunity of native born persons. Nor has Congress, nor has any State ever attempted, by law or ordinance, to discriminate against them, nor will either ever dare to do so, nor could or would such a law be enforced. The unwritten Constitution, by the name of public policy, or without any name, would prevent it. The only possible things which a resident

[Pg 594]

alien may not do, are, he can not vote or hold office. There need be no mistake about this, and it can be reduced to an absolute certainty. What, pray, does the resident alien acquire by the transmuting process of naturalization? What is the sum total of his citizenship? He acquires the right of suffrage, and the right to hold office, and no other thing under the heavens and the Star-Spangled Banner. Does he acquire these rights by virtue of any word or special provision of our naturalization laws, which annexes suffrage to naturalization as its special perquisite? Not a word of it. Nor is there a word in any act of Congress or law of a State that confers suffrage upon the naturalized American as a thing incident to or consequent upon his act of naturalization. He thereby becomes a citizen, and takes up and enjoys its peculiar and distinguishing right. He gets naturalized for that and for no other purpose. Naturalization confers suffrage, then, because suffrage is a property of citizenship.

.

Colored male citizens now vote constitutionally and rightfully, although the word "white" stands as before in most of the State constitutions; and yet they vote in spite of it. Some potent alembic has destroyed the force of this word, although the text remains as of old. We are at once referred to the XV. Amendment for a solution. That has conferred the power of voting upon them, and it is superior to the State constitutions and statutes, and executes itself, as is claimed. I concede, your honors, that if the XV. Amendment does confer suffrage, or remove the exclusion so that colored citizens can vote; if they have derived the franchise from that, then the argument is against me. But, if it does confer it, then judgment must go for me. Let us read it:

ARTICLE XV., Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation. (15 Stat., p. 316.)

You see in a moment this does not confer anything. It uses no words of grant or grace, apt or otherwise, nor does it profess to. It expressly recognizes, as an already existing fact, that the citizens of the United States have the right to vote. The right which shall thus be respected is a right peculiar to the citizen—it is not a personal right, but a political right; and a right to vote, the same one mentioned in the second section of the XIV. Amendment—a right not created or conferred by the XV. Amendment. It could not be, for it existed, and, as I have just said, was spoken of in the XIV. Amendment; so that it must be as old as that at the least. This amendment is a solemn mandate to all concerned not to deny this right, because it existed, and because it was of the highest value.

Justice WYLIE: It is not to be denied for either of the three reasons mentioned.

Mr. RIDDLE: Yes, your honor, I have not reached that; I am now only showing that it is a right—a citizen right—and older than the XV. Amendment; but, if your honor intends to infer that, because the right can not be denied in any one of those cases, that, therefore, it may be in all others, then you have another instance of a constitutional right to deny a constitutional right; and, without vanity, I have already pulverized that assumption. It is thus absolutely certain that colored male citizens do not claim their admitted right to vote from this XV. Amendment. They had it before, and this came in to protect and secure them in its enjoyment. Whence did they derive it? From the XIV. Amendment? If so, then did women acquire it by the same amendment? Was it an inherent right in them as a part of "the people?" So women are a much larger and more important part of "the people."

[Pg 595]

The right to vote shall not be denied on account of race, color, or previous condition of servitude, was not used to make the right sacred in male negroes alone, while the rights of all others were left to political caprice, or to be controlled hereafter by these same colored males mayhap; but this amendment was aimed fully at the mischief of the second section of the XIV. Amendment, and there its force is expended. It fossilizes the second section of that amendment. While the broad language of its first section secures, beyond the abridging hand of the States, the great rights it secures—rights which Congress can not abridge on any pretext, for it can exercise no power not granted, and the Constitution confers on it no power to abridge the "privileges or immunities of the citizen" in any instance.

And here I rest this solemn argument. I have brought this cause of woman, and of man as well—of the race—into the presence of the court, surrounded by the severe atmosphere of the law, beyond the reach of chronic ribaldry, and into the region of argument, where it must be estimated by its legal merits. I have applied to it the rules of law. I have pushed away the dead exfoliations that cumber the path; and have gone to the foundations, to the ever fresh and preserving spirit of the rules of the common law, and have sought to apply them with candor....

FRANCIS MILLER following Mr. Riddle, said: May it please the Court; ... Clearly the XV. Amendment does not confer any right of suffrage. Clearly, prior to the XIV. Amendment, colored men had no right to vote. The XIII. Amendment, which emancipated them, did not give them the right of suffrage, because the States had the constitutional power to say they should not vote. But between the XIII. and XV. Amendments, in some way or other, the colored man came into possession of this right of suffrage; and the question is, where did he get it? If he did not get it under the XIV. Amendment, by what possible authority are they voting by hundreds of thousands throughout this country? The legislative and constitutional provisions that prohibit their voting still remain unrepealed upon the statute books of many of the States, but yet they do vote. There is no possible, no conceivable, means by which they legally can vote, except by the operation of the XIV. Amendment. It may be said that if that is the case the XV. Amendment was not necessary. Well, admit it was not. It was very well said by Justice Swayne, in the case of the United States vs. Rhodes, in answer to the argument that if the XIII. Amendment conferred certain rights upon the colored man it was unnecessary to pass the Civil Rights Bill; "that it was not necessary, but it was well to do it to prevent doubts and differences of opinion." It is not well to leave any man's rights and liberties subject even to a doubt, and the Congress of the United States had better adopt amendment after amendment than to allow the slightest cloud to rest upon the tenure of the rights

[Pg 596]

of the American citizen....

The Constitution has formulated into law the Declaration of Independence. We were one hundred years coming to it; but we have reached it at last—certainly by recognizing the political rights of the black man—and, as I believe, those of woman; and that is all this Court is called upon here to declare, to wit: that the Declaration of Independence has been enacted into law, and that you will see that that law is enforced.

.

If I have established, as I believe I have, that under the first section of the XIV. Amendment women have the right to vote, and there is any particular limitation in the second section that contradicts it, that part of the amendment falls void and useless, so far as its effect upon woman is concerned. There is the declaration of the general principles expressly stated; and, if there is anything contradictory, "the particular and inferior can not defeat the general and superior." (Lieber's Hermeneutics, p. 120.) The great object of that XIV. Amendment, so far as it can be deduced from the words in which it is expressed, is this: that the rights of the citizens of the United States shall not be abridged. If there is anything contradictory of that in the subsequent sections, those sections must fall. But if the second section affects this argument at all, it is because it seems, by implication, to admit that the rights of certain male citizens of the United States can be denied. That is the whole force and effect of it—I mean so far as this argument is concerned. All that can be claimed for it is, that by implication, perhaps, it would permit that to be done. The XV. Amendment comes in and says, in express terms, that that which the second section by implication permits, shall not be done; and by this declaration it strikes out that section, and it is no more in the Constitution now than is that clause of the second section of the first article of the Constitution which permitted States to deny suffrage to any of their citizens—black or white. That section is gone. It is no more a part of the Constitution, because it has been absolutely repealed by the adoption of the XIV. Amendment. Just so this second section of the XIV. Amendment disappeared by the operation of the XV. Amendment.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation. (15 Stat., p. 345.)

The CHIEF JUSTICE.—There is a very strong implication, is there not, in that Amendment, that you may deny the right of suffrage for other causes.

Mr. MILLER.—I do not think there can be any implication by which a citizen may be robbed of a fundamental right. It must be something expressed. I do not believe in any power of taking away the rights of citizens by construction. No human being can be robbed of his God-given rights by implication. You can not take away his property by implication. You can not take away his liberty. I think it is equally true that you can not take away his right of self-government by implication.

Finally, in regard to the construction of this XIV. Amendment, it must be observed that it is remedial in its character, and it must be "construed liberally to carry out the beneficent principles it was intended to embody," (Dwarris on Statutory Law, p. 632,) and that "its construction must be extended to other cases within the reason and rule of it." (Lord Mansfield in *Atcheson vs. Everett*, Cowper, 382, 391.) Lieber's fourteenth rule of construction is:

[Pg 597]

Let the weak have the benefit of a doubt without defeating the general object of a law. Let mercy prevail, if there be real doubt. (Lieber's Hermeneutics, p. 144.)

Now, if mercy must prevail when there is real doubt, still more should justice prevail if there is any doubt. If your honors have any doubt in regard to this decision, I call upon you, not in the name of mercy, but in the name of justice, to give us the benefit of that doubt, and to recognize the right of all human beings to govern themselves.

.

Chief Justice Cartter then delivered the opinion of the court, sustaining the demurrer, which is as follows:

These cases, involving the same questions, are presented together. As shown by the plaintiffs' brief, the plaintiffs claim the elective franchise under the first section of the XIV. Amendment of the Constitution. The fourth paragraph of the regulations of the Governor and Judges of the District, made registration a condition precedent to the right of voting at the election of April 20th, 1871. The plaintiffs, being otherwise qualified, offered to register, and were refused. They then tendered their ballots at the polls, with evidence of qualification and offer to register, etc., when their ballots were rejected under the seventh section of the act providing a government for the District of Columbia. Mrs. Spencer brings her suit for this refusal of registration, and Mrs. Webster for the rejection of her vote, under the second and third sections of the act of May 31, 1870. The seventh section of the organic act above referred to, limits the right to vote to "all male citizens," but it is contended that in the presence of the XIV. Amendment, the word male is without effect, and the act authorizes "all citizens" to exercise the elective franchise. The question involved in the two actions which have been argued, and which, for the purposes of judgment, may be regarded as one, is, whether the plaintiffs have a right to exercise within this jurisdiction, the elective franchise. The letter of the law controlling the subject is to be found in the seventh section of the act of February 21, 1871, entitled, "An Act to provide a government for the District of Columbia," as follows:

And be it further enacted, That all male citizens of the United States, above the age of twenty-one years, who shall have been actual residents of said District for three months prior to the passage of this act, except such as are *non compos mentis*, and persons convicted of infamous crimes, shall be entitled to vote at said election, in the election district or precinct in which he

shall then reside, and shall have so resided for thirty days immediately preceding said election, and shall be eligible to any office within the said district, and for all subsequent elections, twelve months prior residence shall be required to constitute a voter; but the Legislative Assembly shall have no right to abridge or limit the right of suffrage.

It will be seen by the terms of this act that females are not included within its privileges. On the contrary, by implication, they are excluded. We do not understand that it is even insisted in argument that authority for the exercise of the franchise is to be derived from law. The position taken is, that the plaintiffs have a right to vote, independent of the law; even in defiance of the terms of the law. The claim, as we understand it, is, that they have an inherent right, resting in nature, and guaranteed by the Constitution in such wise that it may not be defeated by legislation. In virtue of this natural and constitutional right, the plaintiffs ask the court to overrule the law, and give effect to rights lying behind it, and rising superior to its authority.

[Pg 598]

The Court has listened patiently and with interest to ingenious argument in support of the claim, but have failed to be convinced of the correctness of the position, whether on authority or in reason. In all periods, and in all countries, it may be safely assumed that no privilege has been held to be more exclusively within the control of conventional power than the privilege of voting, each State in turn regulating the subject by the sovereign political will. The nearest approach to the natural right to vote, or govern—two words in this connection signifying the same thing—is to be found in those countries and governments that assert the hereditary right to rule. The assumption of Divine right would be a full vindication of the natural right contended for here, provided it did not involve the hereditary obligation to obey.

Again, in other States, embracing the Republics, and especially our own, including the States which make up the United States, this right has been made to rest upon the authority of political power, defining who may be an elector, and what shall constitute his qualification; most States in the past period declaring property as the familiar basis of a right to vote; others, intelligence; others, more numerous, extending the right to all male persons who have attained the age of majority. While the conditions of the right have varied in several States, and from time to time been modified in the same State, the right has uniformly rested upon the express authority of the political power, and been made to revolve within the limitations of express law.

Passing from this brief allusion to the political history of the question to the consideration of its inherent merits, we do not hesitate to believe that the legal vindication of the natural right of all citizens to vote would, at this stage of popular intelligence, involve the destruction of civil government. There is nothing in the history of the past that teaches us otherwise. There is little in current history that promises a better result. The right of all men to vote is as fully recognized in the population of our large centres and cities as can well be done, short of an absolute declaration that all men shall vote, irrespective of qualifications. The result in these centres is political profligacy and violence verging upon anarchy. The influences working out this result are apparent in the utter neglect of all agencies to conserve the virtue, integrity and wisdom of government, and the appropriation of all agencies calculated to demoralize and debase the integrity of the elector. Institutions of learning, calculated to bring men up to their highest state of political citizenship, and indispensable to the qualifications of the mind and morals of the responsible voter, are postponed to the agency of the dram-shop and gambling hell; and men of conscience and capacity are discarded, to the promotion of vagabonds to power.

[Pg 599]

This condition demonstrates that the right to vote ought not to be, and is not, an absolute right. The fact that the practical working of the assumed right would be destructive of civilization is decisive that the right does not exist.... It will be seen by the first clause of the XIV. Amendment, that the plaintiffs, in common with all other persons born in the United States, are citizens thereof, and, if to make them citizens is to make them voters, the plaintiffs may, of right, vote. It will be inferred from what has already been said, that to make a person a citizen is not to make him or her a voter. All that has been accomplished by this Amendment to the Constitution, or by its previous provisions, is to distinguish them from aliens, and make them capable of becoming voters.

In giving expression to my own judgment, this clause does advance them to full citizenship, and clothes them with the capacity to become voters. The provision ends with the declaration of their citizenship. It is a constitutional provision that does not execute itself. It is the creation of a constitutional condition that requires the supervision of legislative power in the exercise of legislative discretion to give it effect. The constitutional capability of becoming a voter created by this Amendment lies dormant, as in the case of an infant, until made effective by legislative action. Congress, the legislative power of this jurisdiction, as yet, has not seen fit to carry the inchoate right into effect, as is apparent in the law regulating the franchise of this District. When that shall have been done, it will be the pleasure of this court to administer the law as they find it. Until this shall be done, the consideration of fitness and unfitness, merit and demerit, are considerations for the law-making power. The demurrer in these cases is sustained.

After the reading of the opinion of the Court by Chief Justice Cartter, Mr. Riddle, counsel for the plaintiffs, in open court, prayed an appeal to the Supreme Court of the United States. And that highest tribunal affirmed the decision of Judge Cartter.

This contradictory decision of Judge Cartter averring that the XIV. Amendment clothed women with the capacity to become voters, but did not create them voters, afforded opportunity for criticism and ridicule. The Washington *Sunday Morning Herald* wittily reported^[166] this trial in the Supreme Court of the District of Columbia.

[Pg 600]

On July 21st, 1871, Ellen Rand Van Valkenburg, of Santa Cruz, California, having applied for registration and been refused, brought suit against Albert Brown, of Brown County, who acted as Register upon this occasion. Although later suits exceeded this in interest it was notable for being the first decision under the new amendments.^[167]

September 16, 1871, suit was brought by Carrie S. Burnham, an unmarried woman, residing in Philadelphia. She was duly assessed by the canvassers of the Fourteenth Ward of that city as a resident of the Eleventh Election District of that ward. Two days afterwards she paid her tax, and her name was registered on the canvassers' printed list of legal voters in that division. Having complied with all the laws regulating suffrage in Pennsylvania, she presented her ballot in legal form at the proper time and place at the general election, but her vote was refused. Her argument in the Court of Common Pleas and the opinion of the judge, will be given in the Pennsylvania chapter.

Mrs. Catharine V. Waite, of Illinois, also instituted suit for the refusal of her vote proffered in the fall of 1871, and received an adverse decision, a report of which will be found in the Illinois chapter.

Two years previous to these suits for the recognition of the political rights of women a contest of a different character was commenced in Illinois. Mrs. Myra Bradwell, editor of the *Chicago Legal News*, in September, 1869, having passed the examination, and received the required certificate of qualification, applied for admission to the bar of that State, which was refused by its Supreme court, on the ground that she was a woman. She made this denial of her civil rights a test case by bringing a writ of error against the State of Illinois in the Supreme Court of the United States. We copy from the *Legal News* of February 5, 1870:

A WOMAN CAN NOT PRACTICE LAW OR HOLD ANY OFFICE IN ILLINOIS.

Full Report of the Proceedings in the Supreme Court upon the Application of Myra Bradwell to be admitted to the Bar.

LICENSING ATTORNEYS.—The following extract from rule 76 shows what is required by the Supreme Court of applicants for admission to the bar:

Ordered, That rules 69 and 70 be rescinded, and applicants for license to practice law in the courts of this State, on presenting to any member of this court a certificate of qualification, signed by the Circuit Judge and State's Attorney of the circuit in which the applicant may reside, setting forth that the applicant has been examined and found qualified, will be a sufficient voucher on which to grant a license.

CERTIFICATE OF ADMISSION.—The undersigned have examined Mrs. Myra Bradwell as to her qualifications to enter upon the practice of the law, and finding her qualified therefor, recommended that a license should be issued to her.

E. S. WILLIAMS, *Judge Seventh Judicial Circuit.*
CHARLES H. REED, *State's Attorney.*

Chicago, Illinois, August 2, 1869.

MOTION TO BE ADMITTED.—Robert Hervey, Esq., of the Chicago Bar, at the September term, kindly, at the request of the applicant, filed her certificate of examination and of character from Judge Jameson of the Superior Court of Chicago; also the following written application prepared by her, and moved the court that she be admitted:

Supreme Court of Illinois—Third Grand Division—September Term. 1869—(In the matter of the Application of Myra Bradwell for license to practice law.)

To the Honorable the Judges of the Supreme Court of Illinois: Now comes your petitioner, Myra Bradwell, a resident of Chicago, Ill., over twenty-one years of age, and presents to your honors, under rule 76 of this honorable court, the certificate of the Hon. E. S. Williams, Judge of the Circuit Court for the Seventh District, and the Hon. Charles H. Reed, State's Attorney for the said circuit, stating that they have examined your petitioner and found her qualified to practice law, and recommend that a license issue to her for that purpose, and also a certificate as to character from the Superior Court of Chicago, as required by the statute and the rule aforesaid, and moves your honors that an order of this honorable court may be entered directing a license to be given to your petitioner. Your petitioner suggests that the only question involved in her case is—Does being a woman disqualify her under the laws of Illinois from receiving a license to practice law?—and claims that the Legislature has answered this question in the negative. The first section of chapter eleven of the Revised Statutes, in regard to the admission of attorneys, is as follows:

No person shall be permitted to practice as an attorney or counselor-at-law, or to commence, conduct, or defend any action, suit, or plaint, in which he is not a party concerned, in any court of record within this State, either by using or subscribing his own name or the name of any other person without having previously obtained a license for that purpose from some two of the Justices of the Supreme Court, which license shall constitute the person receiving the same an attorney and counselor-at-law, and shall authorize him to appear in all the courts of record within this State, and there to practice as an attorney and counselor-at-law, according to the laws and customs thereof, for and during his good behavior in said practice, and to demand and receive all such fees as are or hereafter may be established for any services which he shall or may render as an attorney or counselor-at-law in this State.

Your petitioner claims that the pronoun he, not only in this section, but the whole chapter, is used indefinitely for any person, and may refer to either a man or woman.

The Legislature devoted the whole of chapter 90 to construing various expressions and words used in the Revised Statutes, and in section 28 said:

When any party or person is described or referred to by words importing the masculine gender, females as well as males shall be deemed to be included.

It is declared by Act No. 29, appendix to the Revised Statutes, that the several chapters composing the Revised Statutes shall be deemed and taken as one act.

It is evident that if a woman should practice law without a license, recover for her services, and be sued for three times the amount, that under Sec. 11 of Chap. 11 for practicing law without a license, it would be no defense for her to say that the masculine pronoun was used in this section.

Section 3 of our Declaration of Rights, says "that all men have a natural and indefeasible right to worship Almighty God," etc. It will not be contended that women are not included within this provision.

[Pg 603]

The 8th section declares "that no freeman shall be imprisoned or disseized of his freehold," etc., but by the judgment of his peers or the law of the land. Will woman be deprived of the guarantees in this section and the right of trial by jury because the masculine pronoun is used? Under the 11th section no man's property can be taken or applied to public use without the consent, etc. Is not the property of a woman as secure under this provision as that of a man? In the chapter upon forcible entry and detainer, the masculine pronoun is used throughout, but no court would hesitate for a moment in holding a woman to be within its provisions if she should wrongfully hold possession of premises.

In the whole Chancery Code of this State, consisting of 53 sections, the word woman, female, she, her, herself, or any other feminine pronouns are not to be found, while in the 5th, 8th, 15th, 18th, 19th, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 36th, 37th, and 46th, and some others, the masculine pronouns frequently occur. The same construction that would exclude a woman from the provisions of the statute in regard to the admission of attorneys, would place her without the Chancery Code. Yet no respectable attorney would claim because defendants in chancery are represented in the law by masculine pronouns, that a woman could not be made a defendant in chancery.

All of which is respectfully submitted.

MYRA BRADWELL.

COMMUNICATION FROM THE COURT.

No order having been entered or opinion filed in this case, on the seventh of October the applicant received from the court, through Hon. Norman L. Freeman, Supreme Court Reporter, the following communication:

STATE OF ILLINOIS, SUPREME COURT, THIRD GRAND }
DIVISION, CLERK'S OFFICE, Ottawa, Oct. 6, 1869. }

MRS. MYRA BRADWELL—*Madam*: The court instruct me to inform you that they are compelled to deny your application for a license to practice as an attorney-at-law in the courts of this State, upon the ground that you would not be bound by the obligations necessary to be assumed where the relation of attorney and client shall exist, by reason of the disability imposed by your married condition—it being assumed that you are a married woman.

Applications of the same character have occasionally been made by persons under twenty-one years of age, and have always been denied upon the same ground that they are not bound by their contracts, being under a legal disability in that regard.

Until such disability shall be removed by legislation, the court regards itself powerless to grant your application.

Very respectfully, your obedient servant,

N. L. FREEMAN.

The applicant, satisfied that under the common law, as modified by our statutes, she could not properly be denied a license to practice law solely upon the ground of her married condition, on the 18th of November filed the following printed argument:

ADDITIONAL BRIEF.

In the Supreme Court of Illinois—Third Grand Division—September Term, 1869. [In the matter of the application of Myra Bradwell to obtain a license to practice as an Attorney-at-law.] And now again comes the said Myra Bradwell, it having been suggested to her that the court had assumed that she is a married woman, and therefore queried whether this would not prevent her from receiving a license, and files this her additional brief.

[Pg 604]

Your petitioner admits to your honors that she is a married woman (although she believes that fact does not appear in the record), but insists most firmly that under the laws of Illinois it is neither a crime nor a disqualification to be a married woman.

I propose to state very briefly,

1. What is an attorney?
2. Who may act as attorneys?
3. The rights and powers of married women in relation to their business and property under the common law.
4. Their rights and powers as to transacting business under the recent statutes of our State, with reference to their transacting business in their own names and acting as attorneys.
5. The avenues of trade and the professions opened to women by the liberal enactments of the law-makers, and the construction of the courts.

6. How the Legislature has regarded petitioner with reference to her rights to carry on business in her own name and act for herself.

I. WHAT IS AN ATTORNEY?—An attorney is "one who takes the turn or place of another."—*Webster*. "An attorney at-law," says Bouvier, "is an officer in a court of justice who is employed by a party in a cause to manage the same for him." All attorneys are agents. They transact business, and appear for, and in the place of their clients who have not the requisite learning, time, or desire to appear in suits for themselves.

Mr. Story, in his work upon "Agency," and Mr. Bouvier, in his "Institutes," in treating of the different kinds of agents, both speak first of attorneys-at-law. All the elementary writers upon law tell us that attorneys are agents. Without reference to our recent statutes modifying the common law, we will open the books and see who may be attorneys or agents.

II. WHO MAY BE ATTORNEYS OR AGENTS.—Mr. Story, in his work on Agency, says, sec. 7:

Secondly, who are capable of becoming agents? And here it may be stated that there are few persons who are excluded from acting as agents, or from exercising an authority delegated to them by others. Therefore, it is by no means necessary for a person to be *sui juris* or capable of acting in his or her own right, in order to qualify himself or herself to act for others. Thus, for example, monks, infants, *femes covert*, persons attainted, outlawed, or excommunicated villains, and aliens, may be agents for others.... A *feme covert* may be an attorney of another, to make livery to her husband upon a feoffment; and a husband may take such livery to his wife, although they are generally deemed but one person in law. She may also act as agent or otherwise of her own husband, and as such, with his consent, bind him by her contract, or other act; or she may act as the agent of another, in a contract, with her own husband.

III. UNDER THE COMMON LAW.—In *Cox vs. Kitchin*, 1 Bos. & Pul., 438, where a *feme covert* represented herself falsely to the tradesman to be a *feme sole*, and obtained goods on credit, it was held that she rendered herself personally responsible.

In *Derry vs. Mazarine*, 1 Ld. Raymond, 147, it was held that the wife of an alien, who was doing business in her own name, in England, was liable as a *feme sole*. In *Hauptman vs. Catlin*, 20 N. Y., 248, the Court of Appeals says:

[Pg 605]

Even before the late statute respecting married women, they were regarded as *femes sole* in respect to their separate property, and were as to such property liable on their contracts respecting the same, to the same extent and as though they were not under the disability of coverture. It was held by Lord Mansfield and his associates, in *Corbett vs. Poelnitz*, 1 T. R., 5, that if a husband and wife choose to separate, and the husband allows the wife a separate maintenance, she may contract and be sued as though she were unmarried, and may be held to bail and imprisoned on a *ca. sa.* without her husband. The court made this innovation on the ground that "the times alter new customs, and new manners arise, which require new exceptions, and a different application of the general rule.

IV. UNDER THE RECENT STATUTES.—In *Conway vs. Smith and Wife*, 13 Wis., 125, the court held that "the statute gives to married women, as necessarily incidental to the power of holding property to their own use, the power of making all contracts necessary or convenient to its beneficial enjoyment, and such contracts are to be regarded as valid in law, and may be enforced by legal remedies." Cole, J., dissenting.

In *Barton vs. Beer*, 35 Barbour, 81, the court, in treating of the liability of a married woman, says:

If she acts as a *feme sole*, she ought, in justice to the public, to be subjected to all the duties and liabilities of a *feme sole*.

In *Emerson vs. Clayton*, 32 Ill., 493, this honorable court held, that a married woman might bring replevin in her own name, for her separate property, against a third party, or even against her own husband, and that the act designed to make and did make a radical and thorough change in the condition of a *feme covert*; that she is to be regarded as unmarried, so far as her separate property is concerned.

In *Pomeroy vs. Manhattan Life Insurance Co.*, 40 Ill., 398, Walker, C. J., in delivering the opinion of the court, says:

Under the statute she is entitled to the benefits it confers, and must be held liable for her acts performed in pursuance of the authority it confers. If it gives the rights of a sole ownership, it must impose the liabilities incident to such an act.

In *Brownell vs. Dixon*, 39 Ill., 207, this court not only held, under the act of 1861, that a married woman possessed of separate property might employ "an agent to transact her business", but that she might employ her own husband as such agent.

Relying upon the doctrine laid down in this case, we insist that the power "to employ an agent" carries with it the liability to pay such an agent a reasonable compensation for his services; and that if a married woman employs a man to work on her farm for one day, and agrees to give him two dollars therefor, and fails so to do, that a fair construction of the act of 1861 would allow him to sue her before a justice of the peace, and not drive him to the expense of filing a bill in chancery that would amount to more than a denial of justice.

Now, if under the Act of 1861 she can employ an agent to transact her business, we insist under the Act of 1869, giving the wife her own earnings, and the rights to sue for the same in her own name, free from her husband, that she has the right to be employed as an agent, or attorney, or physician, if she is capable, and to agree to do the duties of her profession. It would almost seem that this question is answered by the following extract from the opinion of this honorable court, as delivered by Mr. Justice Lawrence, in *Carpenter vs. Mitchell*, 2 *Legal News*, 44:

[Pg 606]

It may be said that a married woman can not adequately enjoy her separate property unless she can make contracts in regard to it. This is true, and hence her power to make contracts, so far as may be necessary for the use and enjoyment of her property, must be regarded as resulting by implication from the statute. If she owns houses she must be permitted to contract for their repair or rental. If she owns a farm she must be permitted to bargain for its cultivation, and to dispose of its products. We give these as illustrations of the power of contracting which is fairly implied in the law.

It is true, in this opinion the learned Judge confines his remarks strictly to the contracts of the wife made in relation to her separate property, and not in relation to general trade. This case arose before the passage of the Act of 1869. The right of a married woman to bring a suit in her own name is a necessary incident to the law. (*Cole vs. Van Riper*, 1 *Legal News*, 41.)

V. THE TRADES AND PROFESSIONS OPEN TO WOMEN.—The doors of many of our universities and law schools are now open to women upon an equality with men. The Government of the United States has employed women in many of its departments, and appointed many, both single and married, to office. Almost every large city in the Union has its regularly-admitted female physicians. The law schools of the nation have now many women in regular attendance, fitting themselves to perform the duties of the profession. The bar itself is not without its women lawyers, both single and married.

Mrs. Arabella A. Mansfield, wife of Prof. J. M. Mansfield, of Mount Pleasant, Iowa, was admitted to the bar of Iowa, upon the unanimous petition of the attorneys of that place, after a very careful examination, not only of the applicant, but of the statutes regulating the admission of attorneys.

The statute of Iowa provides that "any white male person, twenty-one years of age, who is an inhabitant of this State," and who satisfies the court, "that he possesses the requisite learning, and that he is of good moral character, may, by such court, be licensed to practice in all the courts of the State, upon taking the usual oath of office."

The clause construing statutes is as follows:

Words importing the singular number only, may be extended to several persons or things; and words importing the plural number only may be applied to one person, or thing; and words importing the masculine gender only may be extended to females.

In Mrs. Mansfield's case, the court not only held that she could be admitted, notwithstanding the fact that she was a married woman, under the clause of the statute giving a construction to the masculine noun "male," and pronoun "he"; but that the affirmative declaration, that male persons may be admitted, is not an implied denial of the right to females. We know of no instance in the United States, where a woman, whether married or single, who has complied with the statutes of the State in which she lived and applied for admission, that the proper court has refused to grant her license.

VI. HOW THE LEGISLATURE HAVE REGARDED YOUR PETITIONER.—It has been held, in England, that a wife who does business in her own name, with either the express or implied consent of her husband, should be treated as a *feme sole*, and be sued as such; and, with such consent, could be an administrator, executor, or guardian, in England or America.

[Pg 607]

The Legislature has, in repeated instances, acknowledged the capability and capacity of your petitioner to transact business, by providing that the *Chicago Legal News*, edited by her, and containing the decisions rendered by your honors, should be received in evidence in all the courts of this State, and in the following extract from the charter of the Chicago Legal News Company:

And all the real and personal estate of said Myra Bradwell shall be liable for the debts of said company, contracted while she is a stockholder therein, and all stock of said company owned by her, and the earnings thereof, shall be her sole and separate property, the same as if she were an unmarried woman; and she shall have the same right to hold any office or offices in said company, or transact any of its business that a *feme sole* would have.—*Legal News*, Edition Laws of 1869, p. 93. Sec. 4, p. 93.

Your petitioner claims that a married woman is not to be classed with an infant since the passage of the Act of 1869. A married woman may sue in her own name for her earnings, an infant can not. A married woman, if an attorney, could be committed for contempt of court the same as any other attorney. If she should collect money and refuse to pay it over, she could be sued for it the same as if she were single. A married woman is liable at law for all torts committed by her, unless done under the real or implied coercion of her husband. Having received a license to practice law as an attorney, and having acted as such, she would be estopped from saying she was not liable as an attorney upon any contract made by her in that capacity.

The fees that a married woman receives for her services as an attorney are just as much her earnings as the dollar that a sewing-woman receives for her day's work, and are just as much protected by the Act of 1869. Is it for the court to say, in advance, that it will not admit a married woman? Should she be admitted, and fail to perform her duty, or to comply with all her contracts as an attorney, could not the court, upon application, strike her name from the roll, or inflict more summary punishment?

Your petitioner has complied with all the provisions of the statutes of the State regulating the admission of attorneys, and asks, as a matter of right and justice, standing as she does upon the law of the land, that she be admitted.

Not a line of written law, or a single decision in our State, can be found disqualifying a married woman from acting as an attorney. This honorable court can send me from its bar, and prevent me from practicing as an attorney, and it is of small consequence; but if, in so doing, your honors say to me: "You can not receive a license to practice as an attorney-at-law in the courts of this State upon the ground that you would not be bound by the obligations necessary to be assumed, where the

relation of attorney and client shall exist, by reason of the disability imposed by your married condition"; you, in my judgment, in striking me down, strike a blow at the rights of every married woman in the great State of Illinois who is dependent on her labor for support, and say to her, you can not enter into the smallest contract in relation to your earnings or separate property, that can be enforced against you in a court of law.

[Pg 608]

This result can, in my opinion, only be reached by disregarding the liberal statutes of our State, passed for the sole purpose of extending the rights of married women, and forever removing from our law, relating to their power to contract in regard to their earnings and property, the fossil foot-prints of the feudal system, and following the strictest rules of the common law.

Lord Mansfield, notwithstanding the fact that slaves had been held, bought and sold for years in the streets of London, declared that the moment a slave touched British soil his shackles fell. The same noble lord held that a married woman might under certain circumstances, contract, and sue, and be sued at law, as a single woman, upon the ground that, the reason of the law ceasing, the law itself must cease; and that, as the usages of society alter, the law must adapt itself to the various situations of mankind. Mr. Justice Buller, in speaking of this decision years afterward, declared that "the points there decided were founded in good sense, and adapted to the transactions, the understanding, and the welfare of mankind."

Apply this reasoning in our State, now that the Legislature has removed every claim that the husband had, under the common law, upon the property of the wife, except his life estate in her hands, which only commences with her death, and all difficulty is removed, and the case is clear.

MYRA BRADWELL.

Applicant, with a view of placing herself in a position to obtain the benefit of the provisions of the Constitution of the United States, and the Civil Rights Bill, applicable to her case, on the second day of January, 1870, filed the following affidavit and points:

In the Supreme Court of Illinois, Third Grand Division—September Term, 1869. [In the matter of the application of Myra Bradwell to obtain a license to practice as an Attorney-at-law]—State of Illinois, County of Cook, ss.: Myra Bradwell, being duly sworn, doth depose and say that she was born in Manchester, in the State of Vermont, and that she was a citizen of said State last named, that she is now a citizen of the United States; that she is and has been for many years last past a resident of Chicago, in said State of Illinois, and further deponent says not.

MYRA BRADWELL.

Subscribed and sworn to before me this 31st day of December, A.D. 1869.

E. B. PAYNE, NOTARY PUBLIC. [SEAL.]

And now again comes the said Myra Bradwell, and files the following additional points:

VII. Your petitioner claims under the XIV. Amendment to the Constitution of the United States, and the act commonly known as the "Civil Rights Bill," the "full and equal benefit of all laws and proceedings for the security of person and property," and the right to exercise and follow the profession of an attorney-at-law upon the same terms, conditions, and restrictions as are applied to and imposed upon every other citizen of the State of Illinois, and none other.

And that having complied with all the laws of the State, and the rules and regulations of this honorable court, for the admission of attorneys, it is contrary to the true intent and meaning of said Amendment and said "Civil Rights Bill," for your petitioner to be refused a license to practice law, upon the sole ground of her "married condition."

[Pg 609]

VIII. And your petitioner further claims, that having been born in the State of Vermont, and having been a citizen of the State last named, and of the United States, and having removed to the State of Illinois, where she has resided for many years, that under the second section of the IV. Article of the Constitution of the United States, which is in these words, "The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States," she has guaranteed to her the privileges and immunities which every other citizen of the State of Illinois has, among which may be named the protection of the Government, the right to the enjoyment of life and liberty, to acquire and possess property, to reside in the State, to carry on trade, and the right to follow any professional pursuit under the laws of the State, which must work equally upon all the citizens of the State, and that under this section of the Constitution she has a right to receive a license to practice law upon the same terms and conditions as the most favored citizen of the State of Illinois.

(People vs. Washington, 36 California R., 662. Corfield vs. Coryell, 4 Washington C. R., 381.)

MYRA BRADWELL.

On last week the court filed an opinion denying the application, for a very carefully prepared copy of which we are indebted to Mr. Freeman:

OPINION OF THE COURT DENYING THE APPLICATION.

[*In the matter of the application of Mrs. Myra Bradwell for a license to practice as an Attorney-at-Law.*] OPINION OF THE COURT DELIVERED BY MR. JUSTICE LAWRENCE.—At the last term of the court Mrs. Myra Bradwell applied for a license as an attorney-at-law, presenting the ordinary certificates of character and qualifications. The license was refused, and it was stated as a sufficient reason, that under the decisions of this court the applicant, as a married woman, would be bound neither by her express contracts, nor by those implied contracts which it is the policy of the law to create between attorney and client. Since the announcement of our decision, the applicant has filed a printed argument in which her right to a license is earnestly and ably maintained. Of the ample qualifications of the applicant we have no doubt, and we put our decision in writing in order that

she or other persons interested may bring the question before the next Legislature.

The applicant, in her printed argument, combats the decision of the court in the case of *Carpenter vs. Mitchell*, June term, 1869, in which we held a married woman was not bound by contracts having no relation to her own property. We are not inclined to go over again the grounds of that decision. It was the result of a good deal of deliberation and discussion in our council chamber, and the confidence of the present members of this court in its correctness can not easily be shaken. We are in accord with all the courts in this country which have had occasion to pass upon a similar question, the Supreme Court of Wisconsin in *Conway vs. Smith*, 13 Wis., 125, differing from us only on the minor point as to whether, in regard to contracts concerning the separate property of married women, the law side of the court would take jurisdiction.

[Pg 610]

As to the main question, the right of married women to make contracts not affecting their separate property, the position of those who assert such right is, that because the Legislature has expressly removed the common law disabilities of married women in regard to holding property not derived from their husbands, it has therefore, by necessary implication, also removed all their common law disabilities in regard to making contracts, and invited them to enter, equally with men, upon those fields of trade and speculation by which property is acquired through the agency of contracts.

The hiatus between the premise and the conclusion is too wide for us to bridge. It may be desirable that the Legislature should relieve married women from all their common law disabilities. But to say that it has done so in the Act of 1861, the language of which is carefully guarded, and which makes no allusion to contracts, and does not use that or any equivalent term, would be simple misinterpretation. It would be going as far beyond the meaning of that act as that act goes beyond the common law in changing the legal status of women. The act itself is wise and just, and therefore entitled to a liberal interpretation.

This we have endeavored to give it in the cases that have come before us, but we do not intend to decide that the Legislature has gone to a length in its measure of reform for which the language it has carefully used furnishes no warrant.

It is urged, however, that the law of the last session of the Legislature, which gives to married women the separate control of their earnings, must be construed as giving to them the right to contract in regard to their personal services. This act had no application to the case of *Carpenter vs. Mitchell*, having been passed after that suit was commenced, and we were unmindful of it when considering this application at the last term. Neither do we now propose to consider how far it extends the power of a married woman to contract, since, after further consultation in regard to this application, we find ourselves constrained to hold that the sex of the applicant, independently of coverture; is, as our law now stands, a sufficient reason for not granting this license.

Although an attorney-at-law is an agent, as claimed by the applicant's argument, when he has been retained to act for another, yet he is also much more than an agent. He is an officer of the court, holding his commission in this State, from two of the members of this court, and subject to be disbarred by this court for what our statute calls "mal-conduct in his office." He is appointed to assist in the administration of justice, is required to take an oath of office, and is privileged from arrest while attending courts.

Our statute provides that no person shall be permitted to practice as an attorney or counselor-at-law, without having previously obtained a license for that purpose from two of the justices of the Supreme Court. By the second section of the act, it is provided that no person shall be entitled to receive a license until he shall have obtained a certificate, from the court of some county, of his good moral character, and this is the only express limitation upon the exercise of the power thus intrusted to this court. In all other respects it is left to our discretion to establish the rules by which admission to this office shall be determined. But this discretion is not an arbitrary one, and must be held subject to at least two limitations. One is, that the court should establish such terms of admission as will promote the proper administration of justice; the second, that it should not admit any persons or class of persons who are not intended by the Legislature to be admitted, even though their exclusion is not expressly required by the statute.

[Pg 611]

The substance of the last limitation is simply that this important trust reposed in us should be exercised in conformity with the designs of the power creating it.

Whether, in the existing social relations between men and women, it would promote the proper administration of justice, and the general well-being of society, to permit women to engage in the trial of cases at the bar, is a question opening a wide field of discussion upon which it is not necessary for us to enter. It is sufficient to say that, in our opinion, the other implied limitation upon our power, to which we have above referred, must operate to prevent our admitting women to the office of attorney-at-law. If we were to admit them, we should be exercising the authority conferred upon us in a manner which, we are fully satisfied, was never contemplated by the Legislature.

Upon this question it seems to us neither this applicant herself, nor any unprejudiced and intelligent person, can entertain the slightest doubt. It is to be remembered that at the time this statute was enacted we had, by express provision, adopted the common law of England; and, with three exceptions, the statutes of that country passed prior to the fourth year of James the First, so far as they were applicable to our condition.

It is to be also remembered that female attorneys-at-law were unknown in England, and a proposition that a woman should enter the courts of Westminster Hall in that capacity, or as a barrister, would have created hardly less astonishment than one that she should ascend the bench of Bishops, or be elected to a seat in the House of Commons. It is to be further remembered, that when our act was passed, that school of reform which claims for women participation in the making and administering of the laws had not then arisen, or, if here and there a writer had advanced such theories, they were regarded rather as abstract speculations than as an actual basis for action.

That God designed the sexes to occupy different spheres of action, and that it belonged to men to

make, apply, and execute the laws, was regarded as an almost axiomatic truth. It may have been a radical error, and we are by no means certain it was not, but that this was the universal belief certainly admits of no denial. A direct participation in the affairs of government, in even the most elementary form, namely, the right of suffrage, was not then claimed, and has not yet been conceded, unless recently in one of the newly-settled Territories of the West.

In view of these facts, we are certainly warranted in saying, that when the Legislature gave to this court the power of granting licenses to practice law, it was with not the slightest expectation that this privilege would be extended equally to men and women.

Neither has there been any legislation since that period which would justify us in presuming a change in the legislative intent. Our laws to-day in regard to women, are substantially what they have always been, except in the change wrought by the acts of 1861 and 1869, giving to married women the right to control their own property and earnings.

[Pg 612]

Whatever, then, may be our individual opinions as to the admission of women to the bar, we do not deem ourselves at liberty to exercise our power in a mode never contemplated by the Legislature, and inconsistent with the usages of courts of the common law from the origin of the system to the present day.

But it is not merely an immense innovation in our own usages as a court that we are asked to make. This step, if taken by us, would mean that in the opinion of this tribunal, every civil office in this State may be filled by women—that it is in harmony with the spirit of our Constitution and laws that women should be made governors, judges, and sheriffs. This we are not yet prepared to hold.

In our opinion, it is not the province of a court to attempt, by giving a new interpretation to an ancient statute, to introduce so important a change in the legal position of one-half the people. Courts of justice were not intended to be made the instruments of pushing forward measures of popular reform. If it be desirable that those offices which we have borrowed from the English law, and which from their origin some centuries ago down to the present time, have been filled exclusively by men, should also be made accessible to women, then let the change be made, but let it be made by that department of the Government to whom the Constitution has intrusted the power of changing the laws. The great body of our law rests merely upon ancient usage. The right of a husband in this State to the personal property of his wife, before the act of 1861, rested simply upon such usage, yet who could have justified this court if, prior to the passage of that act, it had solemnly decided that it was unreasonable that the property of the wife should vest in the husband, and this usage should no longer be recognized? Yet was it not as unreasonable that a woman by marriage should lose the title of her personal property, as it is that she should not receive from us a license to practice law? The rule in both cases, until the law of 1861, rested upon the same common law usage and could have pleaded the same antiquity. In the one case it was never pretended that this court could properly overturn the rule, and we do not see how we could be justified should we disregard it in the other. The principle can not be too strictly and conscientiously observed, that each of the three departments of the Government should avoid encroachment upon the other, and that it does not belong to the judiciary to attempt to inaugurate great social or political reforms. The mere fact that women have never been licensed as attorneys-at-law is, in a tribunal where immemorial usage is as much respected as it is and ought to be in courts of justice, a sufficient reason for declining to exercise our discretion in their favor, until the propriety of their participating in the offices of State and the administration of public affairs shall have been recognized by the law-making department of the Government—that department to which the initiative in great measures of reform properly belongs. For us to attempt, in a matter of this importance, to inaugurate a practice at variance with all the precedents of the law we are sworn to administer, would be an act of judicial usurpation deserving of the gravest censure. If we could disregard, in this matter, the authority of those unwritten usages which make the great body of our law, we might do so in any other, and the dearest rights of person and property would become a matter of mere judicial discretion.

[Pg 613]

But it is said the 28th section of chapter 90 of the Revised Statutes of 1845 provides that, whenever any person is referred to in the statute by words importing the masculine gender, females as well as males shall be deemed to be included. But the 36th section of the same chapter provides that this rule of construction shall not apply where there is anything in the subject or context repugnant to such construction. That is the case in the present instance.

In the view we have taken of this question the argument drawn by the applicant from the Constitution of the United States has no pertinency.

In conclusion we would add that, while we are constrained to refuse this application, we respect the motive which prompts it, and we entertain a profound sympathy with those efforts which are being so widely made to reasonably enlarge the field for the exercise of woman's industry and talent. While those theories which are popularly known as "woman's rights" can not be expected to meet with a very cordial acceptance among the members of a profession which, more than any other, inclines its followers, if not to stand immovable upon the ancient ways, at least to make no hot haste in measures of reform, still all right-minded men must gladly see new spheres of action opened to woman, and greater inducements offered her to seek the highest and widest culture. There are some departments of the legal profession in which she can appropriately labor.

Whether, on the other hand, to engage in the hot strifes of the Bar, in the presence of the public, and with momentous verdicts the prizes of the struggle would not tend to destroy the deference and delicacy with which it is the pride of our ruder sex to treat her, is a matter certainly worthy of her consideration. But the important question is, what effect the presence of women as barristers in our courts would have upon the administration of justice, and the question can be satisfactorily answered only in the light of experience.

If the Legislature shall choose to remove the existing barriers and authorize us to issue licenses equally to men and women, we shall cheerfully obey, trusting to the good sense and sound judgment of women themselves to seek those departments of the practice in which they can labor without

reasonable objection.

Application denied.

The opinion will be best understood by reading our arguments first, and knowing all the points made before the court. We have not the space to review the opinion in this issue, but shall do so at some future day, and will simply say now, that what the decision of the Supreme Court of the United States in the Dred Scott case was to the rights of negroes as citizens of the United States, this decision is to the political rights of women in Illinois—annihilation.

[Pg 614]

CAN A WOMAN PRACTICE LAW OR HOLD ANY OFFICE IN ILLINOIS?

Full Report of the Proceedings in the Supreme Court of Illinois and the Supreme Court of the United States, upon the application of Myra Bradwell to be admitted to the Bar.

On pp. 145, 146, and 147 of this volume, we gave the proceedings in full in the Supreme Court of this State upon our application to be admitted to practice law, including the opinion of Judge Lawrence, the present learned Chief-Justice of that tribunal, denying the application on the sole ground that a woman could not be admitted to the bar or hold any office in Illinois. As soon after this opinion was announced as we could obtain a certified copy of the record, we placed it in the hands of the Hon. Matt. H. Carpenter, one of the ablest constitutional lawyers in the nation, with a view of obtaining a writ of error from the Supreme Court of the United States. Mr. Carpenter prepared and presented our petition for a writ of error, together with the record. The following is the indorsement upon the record, allowing the writ of error from the Supreme Court of the United States:

I allow a writ of error from the Supreme Court of the United States to the Supreme Court of Illinois, in the suit and judgment of which the foregoing record is a transcript.

August 16, 1870.

SAM. F. MILLER, *Asso. Jus. Sup. Court U. S.*

CITATION TO THE STATE OF ILLINOIS TO APPEAR AT WASHINGTON.

The United States of America to the State of Illinois:—The State of Illinois is hereby cited and admonished to appear and be at the Supreme Court of the United States to be holden at Washington City in the District of Columbia, on the first Monday of December next, pursuant to a writ of error filed in the clerk's office of the Supreme Court of the State of Illinois, wherein Myra Bradwell is plaintiff in error, and the State of Illinois is defendant in error, to show cause, if any there be, why the judgment in the said writ of error mentioned should not be corrected, and speedy justice should not be done to the parties in that behalf.

Witness the Honorable Salmon P. Chase, Chief-Justice of the Supreme Court of the United States this 16th day of August, A.D. 1870.

SAM. F. MILLER, *Asso. Jus. Sup. Court U. S.*

WRIT OF ERROR.

United States of America, ss.:

[SEAL.] The President of the United States, To the Honorable the Judges of the Supreme Court of the State of Illinois—Greeting:

Because, in the record and proceedings, as also in the rendition of the judgment of a plea which is in the said Supreme Court of the State of Illinois, before you, or some of you, being the highest court of law or equity of the said State in which a decision could be had in the said suit in the matter of the application of Myra Bradwell, of Cook County, Illinois for a license to practice law in the courts of said State, wherein was drawn in question the validity of a treaty or statute of, or an authority exercised under, the United States, and the decision was against their validity; or wherein was drawn in question the validity of a statute of, or an authority exercised under, said State, on the ground of their being repugnant to the Constitution, treaties, or laws of the United States, and the decision was in favor of such their validity; or wherein was drawn in question the construction of a clause of the Constitution, or of a treaty, or statute of, or commission held under, the United States, and the decision was against the title, right, privilege, or exemption, specially set up or claimed under such clause of the said Constitution, treaty, statute, or commission, a manifest error hath happened, to the great damage of the said Myra Bradwell, as by her complaint appears. We being willing that error, if any hath been, should be duly corrected, and full and speedy justice done to the parties aforesaid in this behalf, do command you, if judgment be therein given, that then under your seal, distinctly and openly, you send the record and proceedings aforesaid, with all things concerning the same, to the Supreme Court of the United States, together with this writ, so that you have the same at Washington on the first Monday of December next, in the said Supreme Court, to be then and there held, that the record and proceedings aforesaid being inspected, the said Supreme Court may cause further to be done therein to correct that error what of right, and according to the laws and custom of the United States, should be done.

[Pg 615]

Witness the Honorable Salmon P. Chase, Chief-Justice of the said Supreme Court, the first Monday of December, in the year of our Lord one thousand eight hundred and sixty-nine.

D. W. MIDDLETON, *Clerk of the Supreme Court of the U. S.*

Issued 23d August, 1870.

Allowed by me,

SAM. F. MILLER, *Asso. Jus. Sup. Court, U. S.*

While these suits for the recognition of the political rights of women were pending, a contest of a

different character took place in Illinois. Mrs. Myra Bradwell, editor of the *Chicago Legal News*, applied for admission to the bar of that State, and was refused. She made this denial of her civil rights a test case by bringing suit against the State of Illinois in the Supreme Court of the United States. The case was argued for the plaintiff in the December term, 1871, by the Hon. Matt. H. Carpenter, of Wisconsin, an eminent republican United States Senator. In addressing the Court Mr. Carpenter said:

This is a writ of error to the Supreme Court of the State of Illinois, to review the proceedings of that court, denying the petition of the plaintiff in error to be admitted to practice as an attorney and counselor of that court, which right was claimed by the plaintiff in error in that court under the XIV. Amendment of the Constitution of the United States. The plaintiff in error is a married woman, of full age, a citizen of the United States and of the State of Illinois; was ascertained and certified to be duly qualified in respect of character and attainments, but was denied admission to the bar for the sole reason that she was a married woman. This is the error relied upon to reverse the proceedings below.

By the rules of this court no person can be admitted to practice at the bar without service for a fixed term in the highest court of the State in which such person resides. Consequently a denial of admission in the highest court of the State is an insurmountable obstacle to admission to the bar of this court. This record, therefore, presents the broad question, whether a married woman, being a citizen of the United States and of a State, and possessing the necessary qualifications, is entitled by the Constitution of the United States to be admitted to practice as an attorney and counselor-at-law in the courts of the State in which she resides. This is a question not of taste, propriety, or politeness, but of civil right. Before proceeding to discuss this question, it may be well to distinguish it from the question of the right of female citizens to participate in the exercise of the elective franchise.

[Pg 616]

The great problem of female suffrage, the solution of which lies in our immediate future, naturally enough, from its transcendent importance, draws to itself, in prejudiced minds, every question relating to the civil rights of women; and it seems to be feared that doing justice to woman's rights in any particular would probably be followed by the establishment of the right of female suffrage, which, it is assumed, would overthrow Christianity, defeat the ends of modern civilization, and overturn the world.

While I do not believe that female suffrage has been secured by the existing amendments to the Constitution of the United States, neither do I look upon that result as at all to be dreaded. It is not, in my opinion, a question of woman's rights merely, but, in a far greater degree, a question of man's rights. When God created man, he announced the law of his being, that it was not well for him to be alone, and so He created woman to be his helpmate and companion. Commencing with the barbarism of the East, and journeying through the nations toward the bright light of civilization in the West, it will everywhere be found that, just in proportion to the equality of women with men in the enjoyment of social and civil rights and privileges, both sexes are proportionately advanced in refinement and all that ennoble human nature. In our own country, where women are received on an equality with men, we find good order and good manners prevailing. Because women frequent railroad cars and steamboats, markets, shops, and post-offices, those places must be, and are, conducted with order and decency. The only great resorts from which woman is excluded by law are the election places; and the violence, rowdyism, profanity, and obscenity of the gathering there in our largest cities are sufficient to drive decent men, even, away from the polls. If our wives, sisters, and daughters were going to the polls, we should go with them, and good order would be observed, or a row would follow, which would secure order in the future. I have more faith in female suffrage, to reform the abuses of our election system in the large cities, than I have in the penal election laws to be enforced by soldiers and marines. Who believes that, if ladies were admitted to seats in Congress, or upon the bench, or were participating in discussions at the bar, such proceedings would thereby be rendered less refined, or that less regard would be paid to the rights of all?

But whether women should be admitted to the right of suffrage, is one thing; whether this end has already been accomplished, is quite another. The XIV. Amendment forbids the States to make or enforce any law which shall abridge "the privileges or immunities" of a citizen. But whether the right to vote is covered by the phrase "privileges and immunities," was much discussed under the provisions of the old Constitution; and at least one of the earliest decisions drew a distinction between "privileges and immunities" and political rights. On the other hand, Mr. Justice Washington, in a celebrated case, expressed the opinion, that the right to vote and hold office was included in this phrase. But in neither of the cases was this point directly involved, and both opinions are *obiter dicta* in relation to it.

But the XIV. and XV. Amendments seem to settle this question against the right of female suffrage. These amendments seem to recognize the distinction at first pointed out between "privileges and immunities," and the right to vote. The XIV. Amendment declares,

[Pg 617]



Susan B. Anthony

All persons born and naturalized in the United States, etc., are citizens of the United States, and of the State wherein they reside.

Of course, women, as well as men, are included in this provision, and recognized as citizens. This Amendment further declares:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

If the privileges and immunities of a citizen can not be abridged, then, of course, the privileges and immunities of all citizens must be the same. The second section of this Amendment provides that

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians, not taxed. But when the right to vote at any election, etc., is denied to any of the male inhabitants, being twenty-one years of age, etc., the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

It can not be denied, that the right or power of a State to exclude a portion of its male citizens from the right to vote, is recognized by this second section; from which it follows, that the right to vote is not one of the "privileges or immunities" which the first section declares shall not be abridged by any State. The right of female suffrage is also inferentially denied by that provision of the second section, above quoted, which provides that when a State shall deny the right to vote to any male citizen,

The basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens in such State.

In the first place, it is to be observed that the basis of representation in a State, which is the whole number of persons—male and female, adults and infants—is only to be reduced when the State shall exclude a portion "of the male inhabitants of such State." The exclusion of female inhabitants, and infants under the age of twenty-one years, does not effect a reduction of the basis of representation in such State. And, again, when a State does exclude a portion of its male inhabitants, etc., the basis of representation in such State is not reduced in the proportion which the number of such excluded males bears to the number of persons—male and female—in such State; but only

In the proportion which the number of such (excluded) male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

This provision assumes that females are no part of the voting population of a State. The XV. Amendment is equally decisive. It recognizes the right—that is, power—of any State to exclude a portion of its citizens from the right to vote, and only narrows this right in favor of a particular class. Its language is:

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

This amendment was wholly unnecessary upon the theory that the XIV. Amendment had established or recognized the right of every citizen to vote. It recognizes the right of a State to exclude a portion of its citizens, and only restrains that power so far as to provide that citizens shall not be excluded on account of race, color, or previous condition of servitude. In every other case, the power of exclusion recognized by the XIV. Amendment is untouched by the XV. It is also worthy of notice that, throughout the XIV. and XV. Amendments, voting is not treated as, or denominated a privilege,

and evidently was not intended to be, nor regarded as included in the "privileges or immunities" of a citizen, which no State can abridge for any cause whatever. I have taken this pains to distinguish between the "privileges and immunities" of a citizen, and the "right" of a citizen to vote, not because I feared that this court would deny one, even if the other would follow, but to quiet the fears of the timid and conservative.

I come now to the narrower and precise question before the court: Can a female citizen, duly qualified in respect of age, character, and learning, claim, under the XIV. Amendment, the privilege of earning a livelihood by practicing at the bar of a judicial court? It was provided by the original Constitution:

The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

Under this provision each State could determine for itself what the privileges and immunities of its citizens should be. A citizen emigrating from one State to another carried with him, not the privileges and immunities he enjoyed in his native State, but was entitled, in the State of his adoption, to such privileges and immunities as were enjoyed by the class of citizens to which he belonged by the laws of such adopted State. A white citizen of one State, where no property qualification for voting was required, emigrating to a State which required such qualification, must conform to it before he could claim the right to vote. A colored citizen, authorized to hold property in Massachusetts, emigrating to South Carolina, where all colored persons were excluded from such right, derived no aid, in this respect, from the Constitution of the United States, but was compelled to submit to all the incapacities laid by the laws of that State upon free persons of color born and residing therein. A married woman, a citizen of the State of Wisconsin, where by law she was capable of holding separate estate, and making contracts concerning the same, emigrating to a State where the common law in this regard prevailed, could not buy and sell property in her own name, or contract in reference thereto.

But the XIV. Amendment executes itself in every State of the Union. Whatever are the privileges and immunities of a citizen in the State of New York, such citizen, emigrating, carries them with him into any other State of the Union. It utters the will of the United States in every State, and silences every State constitution, usage, or law which conflicts with it. If to be admitted to the bar, on attaining the age and learning required by law, be one of the privileges of a white citizen in the State of New York, it is equally the privilege of a colored citizen in that State; and if in that State, then in any State. If no State may "make or enforce any law" to abridge the privileges of a citizen, it must follow that the privileges of all citizens are the same. We have already seen that the right to vote is not one of those privileges which are declared to be common to all citizens, and which no State may abridge; but that it is a political right, which any State may deny to a citizen, except on account of race, color, or previous condition of servitude. It therefore only remains to determine whether admission to the bar belongs to that class of privileges which a State may not abridge, or that class of political rights as to which a State may discriminate between its citizens.

[Pg 619]

In discussing this subject, we are compelled to use the words "privileges and immunities" and the word "rights" in the precise sense in which they are employed in the Constitution. In popular language, and even in the general treatises of law writers, the words "rights" and "privileges" are used synonymously. Those privileges which are secured to a man by the law are his rights; and the great charter of England declares that the ancient privileges enjoyed by Englishmen, are the undoubted rights of Englishmen. But, as we have seen, the XIV. and XV. Amendments distinguish between privileges and rights; and it must be confessed that it is paradoxical to say, as the XIV. Amendment clearly does, that the "privileges" of a citizen shall not be abridged, while his "right" to vote may be. But a judicial construction of the Constitution is wholly different from a mere exercise in philology. The question is not whether certain words were aptly employed—but the context must be searched to ascertain the sense in which such words were used.

It is evident that there are certain "privileges and immunities" which belong to a citizen of the United States as such; otherwise it would be nonsense for the XIV. Amendment to prohibit a State from abridging them; and it is equally evident from the XIV. Amendment that the right to vote is not one of those privileges. And the question recurs whether admission to the bar, the proper qualification being possessed, is one of the privileges which a State may not deny. In *Cummings vs. Missouri*, 4 Wall., 321, this court say:

In France, deprivation or suspension of civil rights, or some of them—and among these of the right of voting, of eligibility to office, of taking part in family councils, of being guardian or trustee, of bearing arms, and of teaching or being employed in a school or seminary of learning—are punishments prescribed by her code. The theory upon which our political institutions rest is, that all men have certain inalienable rights—that among these are life, liberty, and the pursuit of happiness; and that in the pursuit of happiness all avocations, all honors, all positions, are alike open to every one, and that in the protection of these rights all are equal before the law. Any deprivation or extension of any of these rights for past conduct is punishment, and can be in no otherwise defined.

No broader or better enumeration of the privileges which pertain to American citizenship could be given. "Life, liberty, and the pursuit of happiness; and, in the pursuit of happiness, all avocations, all honors, all positions, are alike open to every one; and in the protection of these rights all are equal before the law." In *ex parte Garland* (4 Wall., 378) this court say:

The profession of an attorney and counselor is not like an office created by an act of Congress, which depends for its continuance, its powers, and its emoluments upon the will of its creator, and the possession of which may be burdened with any conditions not prohibited by the Constitution. Attorneys and counselors are not officers of the United States; they are not elected or appointed in the manner prescribed by the Constitution for the election and appointment of such officers. They are officers of the court, admitted as such by its order, upon evidence of their possessing sufficient legal learning and fair private character.... The order of admission is the judgment of the court, that the parties possess the requisite qualifications as

attorneys and counselors, and are entitled to appear as such and conduct causes therein. From its entry the parties become officers of the court, and are responsible to it for professional misconduct. They hold their office during good behavior, and can only be deprived of it for misconduct, ascertained and declared by the judgment of the court, after opportunity to be heard has been offered. (*Ex parte Heyfron*, 7 How., Miss., 127; *Fletcher vs. Daingerfield*, 20 Cal., 430.) Their admission or their exclusion is not the exercise of a mere ministerial power. It is the exercise of judicial power, and has been so held in numerous cases.... The attorney and counselor being, by the solemn judicial act of the court, clothed with his office, does not hold it as a matter of grace and favor. The right which it confers upon him to appear for suitors, and to argue causes, is something more than a mere indulgence, revocable at the pleasure of the court, or at the command of the Legislature. It is a right of which he can only be deprived by the judgment of the court, for moral or professional delinquency. The Legislature may undoubtedly prescribe qualifications for the office, to which he must conform, as it may, where it has exclusive jurisdiction, prescribe qualifications for the pursuit of the ordinary avocations of life.

It is now well settled that the courts, in admitting attorneys to, and in expelling them from, the bar, act judicially, and that such proceedings are subject to review on writ of error or appeal, as the case may be. (*Ex parte Cooper*, 22 N. Y., 67. *Strother vs. Missouri*, 1 Mo., 605. *Ex parte Secomb*, 19 How., 9. *Ex parte Garland*, 4 Wall., 378.)

From these cases the conclusion is irresistible, that the profession of the law, like the clerical profession and that of medicine, is an avocation open to every citizen of the United States. And while the Legislature may prescribe qualifications for entering upon this pursuit, they can not, under the guise of fixing qualifications, exclude a class of citizens from admission to the bar. The Legislature may say at what age candidates shall be admitted; may elevate or depress the standard of learning required. But a qualification, to which a whole class of citizens never can attain, is not a regulation of admission to the bar, but is, as to such citizens, a prohibition. For instance, a State Legislature could not, in enumerating the qualifications, require the candidate to be a white citizen. This would be the exclusion of all colored citizens, without regard to age, character, or learning. Such an act would abridge the rights of all colored citizens, by denying them admission into one of the avocations which this court has declared is alike open to every one. I presume it will be admitted that such an act would be void. I am certain this court would declare it void. And I challenge the most astute mind to draw any distinction between such an act and a custom, usage, or law of a State, which denies this privilege to all female citizens without regard to age, character, or learning. If the Legislature may, under pretense of fixing qualifications, declare that no female citizen shall be permitted to practice law, they may as well declare that no colored citizen shall practice law. It should be borne in mind that the only provision in the Constitution of the United States which secures to colored male citizens the privilege of admission to the bar, or the pursuit of the other ordinary avocations of life, is that provision that

No State shall make or enforce any law which shall abridge the privileges or immunities of a citizen.

If this provision does not open all the professions, all the avocations, all the methods by which a man may pursue happiness, to the colored as well as the white man, then the Legislatures of the States may exclude colored men from all the honorable pursuits of life, and compel them to support their existence in a condition of servitude. And if this provision does protect the colored citizen, then it protects every citizen, black or white, male or female. Why may a colored citizen buy, hold, and sell land in any State of the Union? Because he is a citizen of the United States, and that is one of the privileges of a citizen. Why may a colored citizen be admitted to the bar? Because he is a citizen, and that is one of the avocations open to every citizen; and no State can abridge his right to pursue it. Certainly no other reason can be given.

Now, let us come to the case of Myra Bradwell. She is a citizen of the United States, and of the State of Illinois, residing therein; she has been judicially ascertained to be of full age, and to possess the requisite character and learning. Indeed, the court below, in their opinion, found in the record, page 9, say: "Of the ample qualifications of the applicant we have no doubt." Still, admission to the bar was denied the petitioner, not upon the ground that she was not a citizen; not for want of age or qualifications; not because the profession of the law is not one of those avocations which are open to every American citizen as matter of right, upon complying with the reasonable regulations prescribed by the Legislature: but upon the sole ground that inconvenience would result from permitting her to enjoy her legal rights in this, to wit, that her clients might have difficulty in enforcing the contracts they might make with her, as their attorney, because of her being a married woman.

Now, with entire respect to that court, it is submitted that this argument *ab inconvenienti*, which might have been urged with whatever force belongs to it, against adopting the XIV. Amendment in the full scope of its language, is utterly futile to resist its full and proper operation, now that it has been adopted. Concede, for argument, that the XIV. Amendment ought to have read thus:

No State shall make or enforce any law which shall abridge the privileges or immunities of any citizens except married women;

yet that exception is not found in the sweeping provision of this amendment. It is provided that citizens may be disfranchised for treason; but it is nowhere provided that a citizen shall be disfranchised for being a married woman. The opinion of the court below puts a limitation upon this unlimited constitutional provision. If this court shall approve this exception, in the very teeth of the unambiguous language of the Constitution, where may we expect judicial legislation to stop? Can this court say that married women have no rights that are to be respected? Can this court say that, when the XIV. Amendment speaks of all persons, etc., and declares them to be citizens, it means all male persons and unmarried females? Or can this court say that, when the XIV. Amendment declares "the privileges of no citizen shall be abridged," it means that the privileges of no male citizen or unmarried female citizen shall be abridged? This would be bold dealing with the constitutional provision. It would be excluding a large proportion of the citizens of the United States

from privileges which the Constitution declares shall be the inheritance of every citizen alike.

But it is respectfully submitted that the court below erred in holding that a married woman, admitted to the bar under the XIV. Amendment, would not be liable on contracts, express or implied, between her and her clients. In Wisconsin, when the Legislature passed the act protecting married women in the enjoyment of their separate estate, our court, upon reasoning that can not be gainsaid, held that the Legislature must have intended all the natural and logical results of the act in question; and, therefore, that the contracts of a married woman, relating to her separate estate, were as binding as if made by a *feme sole*. It is submitted that, for still stronger reasons, the great innovation of the XIV. Amendment should be carried to its logical conclusion, and that it sweeps away the principles of the common law, as it does the express provisions of State constitutions and statutes.

[Pg 622]

But again: Mrs. Bradwell, admitted to the bar, becomes an officer of the court, subject to its summary jurisdiction. Any malpractice or unprofessional conduct towards her client would be punishable by fine, imprisonment, or expulsion from the bar, or by all three. Her clients would, therefore, not be compelled to resort to actions at law against her. But if the courts of Illinois should refuse to exercise this summary jurisdiction, and should hold that actions at law could not be maintained on contracts between her and her clients, it might result that she would not be as generally employed as she otherwise would be. But that is no reason why she should be prohibited from appearing and trying causes for clients who are willing to rely upon her integrity and honor.

But let it not be supposed that, in trying to answer as to the inconveniences imagined by the court below, I am at all departing from the broad ground of constitutional right upon which I rest this cause. I maintain that the XIV. Amendment opens to every citizen of the United States, male or female, black or white, married or single, the honorable professions as well as the servile employments of life; and that no citizen can be excluded from any one of them. Intelligence, integrity, and honor are the only qualifications that can be prescribed as conditions precedent to an entry upon any honorable pursuit or profitable avocation, and all the privileges and immunities which I vindicate to a colored citizen, I vindicate to our mothers, our sisters, and our daughters. The inequalities of sex will undoubtedly have their influence, and be considered by every client desiring to employ counsel.

There may be cases in which a client's rights can only be rescued by an exercise of the rough qualities possessed by men. There are many cases in which the telling sympathy and the silver voice of woman would accomplish more than the severity and sternness of man could achieve. Of a bar composed of men and women of equal integrity and learning, women might be more or less frequently retained, as the taste or judgment of clients might dictate. But the broad shield of the Constitution is over them all, and protects each in that measure of success which his or her individual merits may secure.

SUPREME COURT OF THE UNITED STATES. *December Term, 1872.* Myra Bradwell, Plaintiff in Error, vs. the State of Illinois. In error to the Supreme Court of the State of Illinois.

1. The Supreme Court of Illinois having refused to grant to plaintiff a license to practice law in the courts of that State, on the ground that females are not eligible under the laws of that State, such a decision violates no provision of the Federal Constitution.
2. The second section of the fourth article is inapplicable, because plaintiff is a citizen of the State of whose action she complains, and that section only guarantees privileges and immunities to citizens of other States, in that State.
3. Nor is the right to practice law in the State courts a privilege or immunity of a citizen of the United States, within the meaning of the first section of the XIV. Article of Amendment of the Constitution of the United States.
4. The power of a State to prescribe the qualifications for admission to the bar of its own courts is unaffected by the XIV. Amendment, and this court can not inquire into the reasonableness or propriety of the rules it may prescribe.

[Pg 623]

Mr. Justice MILLER delivered the opinion of the Court.

The plaintiff in error, residing in the State of Illinois, made application to the judges of the Supreme Court of that State for a license to practice law. She accompanied her petition with the usual certificate from an inferior court of her good character, and that on due examination she had been found to possess the requisite qualifications. Pending this application she also filed an affidavit, to the effect "that she was born in the State of Vermont; that she was (had been) a citizen of that State; that she is now a citizen of the United States, and has been for many years past a resident of the city of Chicago, in the State of Illinois." And with this affidavit she also filed a paper claiming that, under the foregoing facts, she was entitled to the license prayed for by virtue of the second section of the fourth article of the Constitution of the United States, and of the XIV. Article of Amendment of that instrument.

The statute of Illinois on this subject enacts that no person shall be permitted to practice as an attorney or counselor-at-law, or to commence, conduct, or defend any action, suit, or plaint, in which he is not a party concerned, in any court of record within this State, either by using or subscribing his own name or the name of any other person, without having previously obtained a license for that purpose from some two of the justices of the Supreme Court, which license shall constitute the person receiving the same an attorney and counselor-at-law, and shall authorize him to appear in all the courts of record within this State, and there to practice as an attorney and counselor-at-law, according to the laws and customs thereof.

The Supreme Court denied the application, apparently upon the ground that it was a woman who made it. The record is not very perfect, but it may be fairly taken that the plaintiff asserted her right to a license on the grounds, among others, that she was a citizen of the United States, and that having been a citizen of Vermont at one time, she was, in the State of Illinois, entitled to any right

granted to citizens of the latter State. The court having overruled these claims of right, founded on the clauses of the Federal Constitution before referred, those propositions may be considered as properly before this court.

As regards the provision of the Constitution that citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States, the plaintiff in her affidavit has stated very clearly a case to which it is inapplicable. The protection designed by that clause, as has been repeatedly held, has no application to a citizen of the State whose laws are complained of. If the plaintiff was a citizen of the State of Illinois, that provision of the Constitution gave her no protection against its courts or its legislation. The plaintiff seems to have seen this difficulty, and attempts to avoid it by stating that she was born in Vermont. While she remained in Vermont that circumstance made her a citizen of that State. But she states, at the same time, that she is a citizen of the United States, and that she is now, and has been for many years past, a resident of Chicago, in the State of Illinois.

[Pg 624]

The XIV. Amendment declares that citizens of the United States are citizens of the State within which they reside; therefore plaintiff was, at the time of making her application, a citizen of the United States and a citizen of the State of Illinois. We do not here mean to say that there may not be a temporary residence in one State, with intent to return to another, which will not create citizenship in the former. But plaintiff states nothing to take her case out of the definition of citizenship of a State as defined by the first section of the XIV. Amendment.

In regard to that amendment counsel for plaintiff in this court truly says that there are certain privileges and immunities which belong to a citizen of the United States as such; otherwise it would be nonsense for the XIV. Amendment to prohibit a State from abridging them, and he proceeds to argue that admission to the bar of a State of a person who possesses the requisite learning and character is one of those which a State may not deny. In this latter proposition we are not able to concur with counsel. We agree with him that there are privileges and immunities belonging to citizens of the United States, in that relation and character, and that it is these, and these alone, which a State is forbidden to abridge. But the right to admission to practice in the courts of a State is not one of them. The right in no sense depends on citizenship of the United States. It has not, as far as we know, ever been made in any State, or in any case, to depend on citizenship at all. Certainly many prominent and distinguished lawyers have been admitted to practice, both in the State and Federal Courts, who were not citizens of the United States or of any State. But, on whatever basis this right may be placed, so far as it can have any relation to citizenship at all, it would seem that, as to the courts of a State, it would relate to citizenship of the State, and as to Federal Courts, it would relate to citizenship of the United States.

The opinion just delivered in the Slaughter-house Cases from Louisiana renders elaborate argument in the present case unnecessary; for, unless we are wholly and radically mistaken in the principles on which those cases are decided, the right to control and regulate the granting of license to practice law in the courts of a State is one of those powers which are not transferred for its protection to the Federal Government, and its exercise is in no manner governed or controlled by citizenship of the United States in the party seeking such license. It is unnecessary to repeat the argument on which the judgment in those cases is founded. It is sufficient to say they are conclusive of the present case.

The judgment of the State court is, therefore, affirmed.

D. W. MIDDLETON, C. S. C. U. S.

Mr. Justice BRADLEY gave the following: I concur in the judgment of the court in this case by which the judgment of the Supreme Court of Illinois is affirmed, but not for the reasons specified in the opinion just read.

The claim of the plaintiff, who is a married woman, to be admitted to practice as an attorney and counselor-at-law, is based upon the supposed right of every person, man or woman, to engage in any lawful employment for a livelihood. The Supreme Court of Illinois denied the application on the ground that, by the common law, which is the basis of laws of Illinois, only men were admitted to the bar, and the Legislature had not made any change in this respect, but had simply provided no person should be admitted to practice as attorney or counselor without having previously obtained a license for that purpose from two justices of the Supreme Court, and that no person should receive a license without first obtaining a certificate from the court of some county of his good moral character. In other respects it was left to the discretion of the court to establish the rules by which admission to the profession should be determined. The court, however, regarded itself as bound by at least two limitations. One was that it should establish such terms of admission as would promote the proper administration of justice, and the other that it should not admit any persons, or class of persons, not intended by the Legislature to be admitted, even though not expressly excluded by statute. In view of this latter limitation the court felt compelled to deny the application of females to be admitted as members of the bar. Being contrary to the rules of the common law and the usages of Westminster Hall from time immemorial, it could not be supposed that the Legislature had intended to adopt any different rule.

[Pg 625]

The claim that, under the XIV. Amendment of the Constitution, which declares that no State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, the statute law of Illinois, or the common law prevailing in that State, can no longer be set up as a barrier against the right of females to pursue any lawful employment for a livelihood (the practice of law included), assumes that it is one of the privileges and immunities of women as citizens to engage in any and every profession, occupation, or employment in civil life.

It certainly can not be affirmed, as a historical fact, that this has ever been established as one of the fundamental privileges and immunities of the sex. On the contrary, the civil law, as well as nature herself, has always recognized a wide difference in the respective spheres and destinies of man and woman. Man is, or should be, woman's protector and defender. The natural and proper timidity and

delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life. The constitution of the family organization, which is founded in the divine ordinance, as well as in the nature of things, indicates the domestic sphere as that which properly belongs to the domain and functions of womanhood. The harmony, not to say identity, of interests and views which belong, or should belong, to the family institution is repugnant to the idea of a woman adopting a distinct and independent career from that of her husband. So firmly fixed was this sentiment in the founders of the common law that it became a maxim of that system of jurisprudence that a woman had no legal existence separate from her husband, who was regarded as her head and representative in the social state; and, notwithstanding some recent modifications of this civil status, many of the special rules of law flowing from and dependent upon this cardinal principle still exist in full force in most States. One of these is, that a married woman is incapable, without her husband's consent, of making contracts which shall be binding on her or him. This very incapacity was one circumstance which the Supreme Court of Illinois deemed important in rendering a married woman incompetent fully to perform the duties and trusts that belong to the office of an attorney and counselor.

[Pg 626]

It is true that many women are unmarried and not affected by any of the duties, complications, and incapacities arising out of the married state, but these are exceptions to the general rule. The paramount destiny and mission of woman are to fulfill the noble and benign offices of wife and mother. This is the law of the Creator. And the rules of civil society must be adapted to the general constitution of things, and can not be based upon exceptional cases.

The humane movements of modern society, which have for their object the multiplication of avenues for woman's advancement, and of occupations adapted to her condition and sex, have my heartiest concurrence. But I am not prepared to say that it is one of her fundamental rights and privileges to be admitted into every office and position, including those which require highly special qualifications and demanding special responsibilities. In the nature of things it is not every citizen of every age, sex, and condition that is qualified for every calling and position. It is the prerogative of the legislator to prescribe regulations founded on nature, reason, and experience for the due admission of qualified persons to professions and callings demanding special skill and confidence. This fairly belongs to the police power of the State; and, in my opinion, in view of the peculiar characteristics, destiny, and mission of woman, it is within the province of the Legislature to ordain what offices, positions, and callings shall be filled and discharged by men, and shall receive the benefit of those energies and responsibilities, and that decision and firmness which are presumed to predominate in the sterner sex.

For these reasons I think that the laws of Illinois now complained of are not obnoxious to the charge of abridging any of the privileges and immunities of citizens of the United States.

I concur in the opinion of Mr. Justice Bradley.

FIELD, J.
D. W. MIDDLETON, C. S. C. U. S.

The result of this suit taught woman that for her civil as well as political rights she had no National protection. This was the first case under the XIV. Amendment that was decided by the Supreme Court of the United States. This august body based its decision against Mrs. Bradwell on the ground of "no jurisdiction," declaring that the case rested with the Legislature of the State of Illinois. In language stripped of legal verbiage and obscurity, it decided that the civil rights of women could be extended and restricted at the caprice of any legislative body in the several States; that the methods for earning their daily bread, in the trades and professions, the use of their powers of mind and body, could be defined, permitted or denied for the citizen by State authorities.

In Norwalk, Connecticut, long known as the Gibraltar of republicanism in that State, Mrs. Sarah M. T. Huntington was allowed to register by sufferance of the selectmen whose objections she overcame by a logical argument upon the constitutional provisions under the XIV. Amendment, but she was not permitted to vote (see Connecticut chapter). At the same election several ladies voted in Nyack, New York, and in Toledo, Ohio, and many unsuccessful attempts were made by others in several States of the Union.

[Pg 627]

It was on November 1st, 1872, at her quiet home in Rochester, while reading her morning paper, that Miss Anthony's eye fell on the following editorial:

Now Register? To-day and to-morrow are the only remaining opportunities. If you were not permitted to vote, you would fight for the right, undergo all privations for it, face death for it. You have it now at the cost of five minutes' time to be spent in seeking your place of registration, and having your name entered. And yet, on election day, less than a week hence, hundreds of you are likely to lose your votes because you have not thought it worth while to give the five minutes. To-day and to-morrow are your only opportunities. Register now!

She immediately threw aside her journal, and asking one of her sisters to accompany her, made her determined way to the registration office. The inspectors were young men, entirely unversed in the intricacies of constitutional law, so that when Miss Anthony expounded to them the XIV. Amendment, they were utterly incapable of answering her legal argument. After some hesitation the two Republican members of the board agreed to receive her name, while the Democratic official remained obdurate. The United States Supervisor being present strongly advised the young men against refusing to allow Miss Anthony to register. A full report of this scene appeared in the afternoon papers with varying comments; the Republican paper inclined toward a favorable view of the right of women to vote, while the Democratic paper denounced these

proceedings and warned all inspectors that if they received the names of women they would be liable to prosecution under the 19th section of the enforcement act.

That if at any election for representative or delegate in the Congress of the United States, any person shall knowingly personate and vote, or attempt to vote, in the name of any other person, whether living, dead, or fictitious; or vote more than once at the same election for any candidate for the same office; or vote at a place where he may not be lawfully entitled to vote; or vote without having a lawful right to vote; or do any unlawful act to secure a right to vote, or an opportunity to vote, for himself or any other person; or by force, threats, menace, intimidation, bribery, reward or offer, or promise thereof, or otherwise unlawfully prevent any qualified voter of any State of the United States of America, or of any Territory thereof, from freely exercising the right of suffrage; or by any such means induce any voter to refuse to exercise such right; or compel or induce, by any such means or otherwise, any officer on any election in any such State or Territory to receive a vote from a person not legally qualified or entitled to vote or interfere in any manner with any officer of said elections in the discharge of his duties, shall be deemed guilty of a crime and shall for such crime be liable to prosecution in any court of the United States, and on conviction thereof shall be punished by a fine not exceeding \$500 or imprisonment for not exceeding three years or both at the discretion of the court.

[Pg 628]

Upon reading this article Miss Anthony hastened back to the registration office and assured the young men that she would be personally responsible for all costs growing out of any suit that might be instituted against them for having registered women. As an outgrowth of all this discussion about fifty women registered in the city, fourteen of them in Miss Anthony's own ward. As a whole, the tone of the press was so adverse that all the inspectors except those of the 8th ward were intimidated and refused to receive the votes of women on election day.

Bright and early on the morning of November 5th, Miss Anthony and six of the women presented themselves at the polling booth. The ladies went early not in order to vote often, but to avoid any disturbance which might result from so novel a scene if it were enacted when the streets had become crowded. Each of these new voters was in turn challenged, and each swore in her vote, except Rhoda De Garmo, who in true Quaker fashion refused either to "swear" or to "affirm," simply saying "I will tell the truth." Nevertheless her vote was also received.

The discussion of this action continued in the papers and on November 28th, Thanksgiving day, those fourteen offending citizens were informed that they were to be prosecuted by the United States Government, and that Commissioner Storrs wished them to call at his office. The ladies refusing to respond to this polite invitation, Marshal Keeney made the circuit to collect the rebellious forces. It was the afternoon of Thanksgiving day that Miss Anthony was summoned to her parlor to receive a visitor. As she entered she saw her guest was a tall gentleman in most irreproachable attire, nervously dandling in his gloved hands a well-brushed high hat. After some incidental remarks the visitor in a hesitating manner made known his mission. "The Commissioner wishes to arrest you" were his first words touching the object of his call. "Is this your usual method of serving a warrant," asked Miss Anthony; whereupon the Marshal summoned courage enough to serve the usual legal paper.^[168] He gallantly offered to leave his prisoner to go alone, but Miss Anthony refusing to take herself to Court, the United States official meekly escorted her to the Commissioner's office. When all the ladies had arrived, the Commissioner, after hours of waiting, announced that the Assistant District Attorney whom he had summoned to examine the culprits, was unable to reach the city that afternoon, and so the ladies were dismissed to appear the next morning.

[Pg 629]

The voters received their preliminary examination in the same small dingy office where, in the days of slavery, fugitives escaping to Canada had been examined and remanded to bondage. This historic little room is a double disgrace to the American Republic, as within its walls the rights of color and of sex have been equally trampled upon.

The fourteen women pleaded "not guilty," but the Commissioner ordered bail of \$500 each for their appearance at the Albany term of the United States District Court January 21, 1873. Miss Anthony refused to give bail, and petitioned for a writ of *habeas corpus*. The Inspectors were also arrested, and had their final hearing the afternoon of the same day before Commissioner Ely,—Hon. John Van Voorhis their counsel—and were bound over to the Albany Term. The hearing on Miss Anthony's petition was had before Judge Hall. The decision was adverse, and bail of \$1,000 demanded for her appearance at the May term at Rochester. The Grand Jury found a true bill of indictment against her, the fourteen other women, and the three Inspectors. Miss Anthony objected to giving bail, but was overruled by her counsel, Hon. Henry R. Selden, whose sense of gallantry made him feel it a disgrace to allow his client to go to jail. This was a source of deep regret to Miss Anthony, as it prevented her case going to the Supreme Court of the United States for final adjudication.

During the intermediate period between November 28, 1872, and January 21, 1873, Miss Anthony, in the eye of the law, was imprisoned, but the Marshal, though somewhat uneasy, left her free to fulfill her lyceum engagements and attend woman suffrage conventions. A singularly anomalous position for a criminal, traveling about the country as a teacher of morals to the people! Learning that in case the jury returned a verdict of guilty the judge must declare the costs of the trial against the defendants, she determined to canvass Monroe County, in order to make a verdict of "guilty" impossible. She held meetings in twenty-nine of the post-office districts, speaking on the equal rights of all citizens to the ballot. Hearing that District Attorney Crowley threatened to move her trial out of that county, she sent him word that she would then

[Pg 630]

canvass the next with an army of speakers.

The court sat in Rochester May 13th, but several days passed without calling the case. Finally, it was moved by District Attorney Crowley, merely to ask its adjournment to the June United States Circuit Court at Canandaigua. Counsel protested, but without avail, and both the women and the Inspectors were again required to answer the charge and renew bail. This motion for change of venue was made on Friday, and the following Monday night Miss Anthony held her first meeting in Ontario County. In the twenty-two days before the convening of the Court she made twenty-one speeches. Matilda Joslyn Gage came to her aid, and spoke in sixteen townships, thus together making a thorough canvass of that county. Miss Anthony's speech, "Is it a crime for a United States citizen to vote," and that of Mrs. Gage, "The United States on trial, not Susan B. Anthony," were most effective in rousing general thought on the vital principles of republican government, and did much toward enlightening the possible jury in the coming trial.

The last meeting of the series was held at Canandaigua on the evening before the trial. Strong resolutions against these acts of injustice toward woman were introduced by Mrs. Gage, and unanimously indorsed by the audience. Thus the case went to trial with ample opportunity for the District Attorney and the Judge to know the opinions of the people, and for the men of Ontario to be too generally enlightened on the subject to find any twelve who could be trusted to bring in a verdict of guilty against the women for voting, or the inspectors for receiving their votes.

The following is the argument which Miss Anthony made in twenty-nine of the post office-districts of Monroe, and twenty-one of Ontario, in her canvass of those counties, prior to her trial, June 17, 1873:

FRIENDS AND FELLOW CITIZENS:—I stand before you to-night, under indictment for the alleged crime of having voted illegally at the last Presidential election. I shall endeavor this evening to prove to you that in voting, I not only committed no crime, but simply exercised my "citizen's right," guaranteed to me and all United States citizens by the National Constitution, beyond the power of any State to deny.

[Pg 631]

Our democratic republican government is based on the idea of the natural right of every individual member thereof to a voice and a vote in making and executing the laws. We assert the province of government to be to secure the people in the enjoyment of their inalienable rights. We throw to the winds the old dogma that governments can give rights. Before governments were organized, no one denies that each individual possessed the right to protect his own life, liberty, and property. And when 100 or 1,000,000 people enter into a free government, they do not barter away their natural rights; they simply pledge themselves to protect each other in the enjoyment of them, through prescribed judicial and legislative tribunals. They agree to abandon the methods of brute force in the adjustment of their differences, and adopt those of civilization. The Declaration of Independence, the National and State Constitutions, and the organic laws of the Territories, all alike propose to protect the people in the exercise of their God-given rights. Not one of them pretends to bestow rights.

All men are created equal, and endowed by their Creator with certain inalienable rights. Among these are life, liberty, and the pursuit of happiness. That to secure these, governments are instituted among men, deriving their just powers from the consent of the governed.

Here is no shadow of government authority over rights, nor exclusion of any class from their full and equal enjoyment. Here is pronounced the rights of all men, and "consequently," as the Quaker preacher said, "of all women," to a voice in the government. And here, in this very first paragraph of the Declaration, is the assertion of the natural right of all to the ballot; for, how can "the consent of the governed" be given, if the right to vote be denied. Again:

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

Surely, the right of the whole people to vote is here clearly implied. For, however destructive to their happiness this government might become, a disfranchised class could neither alter nor abolish it, nor institute a new one, except by the old brute force method of insurrection and rebellion. One half of the people of this Nation to-day are utterly powerless to blot from the statute books an unjust law, or to write there a new and a just one. The women, dissatisfied as they are with this form of government, that enforces taxation without representation,—that compels them to obey laws to which they have never given their consent—that imprisons and hangs them without a trial by a jury of their peers—that robs them, in marriage, of the custody of their own persons, wages, and children—are this half of the people left wholly at the mercy of the other half, in direct violation of the spirit and letter of the declarations of the framers of this government, every one of which was based on the immutable principle of equal rights to all. By those declarations, kings, priests, popes, aristocrats, were all alike dethroned, and placed on a common level, politically, with the lowliest born subject or serf. By them, too, men, as such, were deprived of their divine right to rule, and placed on a political level with women. By the practice of those declarations all class and caste distinction will be abolished; and slave, serf, plebeian, wife, woman, all alike, will bound from their subject position to the proud platform of equality.

[Pg 632]

The preamble of the Federal Constitution says:

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

It was we, the people, not we, the white male citizens, nor yet we, the male citizens, but we, the whole people, who formed this Union. And we formed it, not to give the blessings of liberty, but to secure them; not to the half of ourselves and the half of our posterity, but to the whole people—women as well as men. And it is downright mockery to talk to women of their enjoyment of the blessings of liberty while they are denied the use of the only means of securing them provided by this democratic republican government—the ballot.

The early journals of Congress show that when the Committee reported to that body the original Articles of Confederation, the very first article which became the subject of discussion was that respecting equality of suffrage. Article 4th said:

The better to secure and perpetuate mutual friendship and intercourse between the people of the different States of this Union, the free inhabitants of each of the States (paupers, vagabonds, and fugitives from justice excepted), shall be entitled to all the privileges and immunities of the free citizens of the several States.

Thus, at the very beginning, did the fathers see the necessity of the universal application of the great principle of equal rights to all—in order to produce the desired result—a harmonious union and a homogeneous people. Luther Martin, Attorney-General of Maryland, in his report to the Legislature of that State of the convention that framed the United States Constitution, said:

Those who advocated the equality of suffrage took the matter up on the original principles of government; that the reason why each individual man in forming a State government should have an equal vote, is because each individual, before he enters into government, is equally free and equally independent.

James Madison said:

Under every view of the subject, it seems indispensable that the mass of the citizens should not be without a voice in making the laws which they are to obey, and in choosing the magistrates who are to administer them.

Also,

Let it be remembered, finally, that it has ever been the pride and the boast of America that the rights for which she contended were the rights of human nature.

And these assertions of the framers of the United States Constitution of the equal and natural rights of all the people to a voice in the government, have been affirmed and reaffirmed by the leading statesmen of the nation, throughout the entire history of our Government.

Thaddeus Stevens, of Pennsylvania, said in 1866:

I have made up my mind that the elective franchise is one of the inalienable rights meant to be secured by the Declaration of Independence.

B. Gratz Brown, of Missouri, in the three days' discussion in the United States Senate in 1866, on Senator Cowan's motion to strike "male" from the District of Columbia suffrage bill, said:

[Pg 633]

Mr. President, I say here on the floor of the American Senate, I stand for universal suffrage; and as a matter of fundamental principle, do not recognize the right of society to limit it on any ground of race or sex. I will go farther, and say that I recognize the right of franchise as being intrinsically a natural right. I do not believe that society is authorized to impose any limitations upon it that do not spring out of the necessities of the social state itself.

Charles Sumner, in his brave protests against the XIV. and XV. Amendments, insisted that, so soon as by the XIII. Amendment the slaves became free men, the original powers of the United States Constitution guaranteed to them equal rights—the right to vote and to be voted for:

I do not hesitate to say that when the slaves of our country became "citizens," they took their place in the body politic as a component part of the "people," entitled to equal rights, and under the protection of these two guardian principles: First, that all just governments stand on the consent of the governed; and second, that taxation without representation is tyranny; and these rights it is the duty of Congress to guarantee as essential to the idea of a Republic.

The preamble of the Constitution of the State of New York declares:

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

Here is not the slightest intimation, either of receiving freedom from the United States Constitution, or of the State conferring the blessings of liberty upon the people; and the same is true of every one of the thirty-six State Constitutions. Each and all alike declare rights God-given, and that to secure the people in the enjoyment of their inalienable rights, is their one and only object in ordaining and establishing government. And all of the State constitutions are equally emphatic in their recognition of the ballot as the means of securing the people in the enjoyment of these rights. Article 1 of the New York State Constitution says:

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

And so carefully guarded is the citizen's right to vote, that the Constitution makes special mention of all who may not vote:

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

In naming the various employments that shall not affect the residence of voters, the 3d section of

That being kept at any almshouse or other asylum, at public expense, nor being confined at any public prison, shall deprive a person of his residence,

and hence his vote. Thus is the right of voting most sacredly hedged about. The only seeming permission in our constitution for the disfranchisement of women is in section 1st of Article 2d:

Every male citizen of the age of twenty-one years, etc., shall be entitled to vote.

But I insist that in view of the explicit assertions of the equal right of the whole people, both in the preamble and previous article of the constitution, this omission of the adjective "female" in the second, should not be construed into a denial; but, instead, counted as of no effect. Mark the direct prohibition:

[Pg 634]

"No member of this State shall be disfranchised, unless by the 'law of the land,' or the judgment of his peers."

"The law of the land," is the United States Constitution; and there is no provision in that document that can be fairly construed into a permission to the States to deprive any class of their citizens of their right to vote. Hence New York can get no power from that source to disfranchise one entire half of her members. Nor has "the judgment of their peers" been pronounced against women exercising their right to vote. No disfranchised person is allowed to be judge or juror—and none but disfranchised persons can be women's peers; nor has the Legislature passed laws excluding them on account of idiocy or lunacy; nor yet the courts convicted them of bribery, larceny, or any infamous crime. Clearly, then, there is no constitutional ground for the exclusion of women from the ballot-box in the State of New York. No barriers whatever stand to-day between women and the exercise of their right to vote save those of precedent and prejudice.

The clauses of the United States Constitution, cited by our opponents as giving power to the States to disfranchise any classes of citizens they shall please, are contained in sections 2d and 4th of article 1st. The second says:

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

This can not be construed into a concession to the States of the power to destroy the right to become an elector, but simply to prescribe what shall be the qualifications, such as competency of intellect, maturity of age, length of residence, that shall be deemed necessary to enable them to make an intelligent choice of candidates. If, as our opponents assert, the last clause of this section makes it the duty of the United States to protect citizens in the several States against higher or different qualifications for electors for Representatives in Congress, than for members of Assembly, then must the first clause make it equally imperative for the national government to interfere with the States, and forbid them from arbitrarily cutting off the right of one half of the people to become electors altogether. Section 4th says:

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

Here is conceded the power only to prescribe times, places, and manner of holding the elections; and even with these Congress may interfere, with all excepting the mere place of choosing Senators. Thus you see, there is not the slightest permission in either section for the States to discriminate against the right of any class of citizens to vote. Surely to regulate can not be to annihilate! nor to qualify to wholly deprive! And to this principle every true Democrat and Republican said amen, when applied to black men by Senator Sumner in his great speeches for EQUAL RIGHTS TO ALL from 1865 TO 1869; and when, in 1871, I asked that Senator to declare the power of the United States Constitution to protect women in their right to vote—as he had done for black men—he handed me a copy of all his speeches during that reconstruction period, saying:

[Pg 635]

Miss Anthony, put "sex" where I have "race" or "color," and you have here the best and strongest argument I can make for woman. There is not a doubt but women have the constitutional right to vote, and I will never vote for a XVI. Amendment to guarantee it to them. I voted for both the XIV. and XV. under protest; would never have done it but for the pressing emergency of that hour; would have insisted that the power of the original Constitution to protect all citizens in the equal enjoyment of their rights should have been vindicated through the courts. But the newly made freedmen had neither the intelligence, wealth, nor time to wait that slow process. Women possess all these in an eminent degree; and I insist that they shall appeal to the courts, and through them establish the powers of our American *magna charta*, to protect every citizen of the Republic.

But, friends, when in accordance with Senator Sumner's counsel, I went to the ballot-box, last November, and exercised my citizen's right to vote, the courts did not wait for me to appeal to them—they appealed to me, and indicted me on the charge of having voted illegally. Senator Sumner, putting sex where he did color, would have said:

Qualifications can not be in their nature permanent or insurmountable. Sex can not be a qualification any more than size, race, color, or previous condition of servitude. A permanent or insurmountable qualification is equivalent to a deprivation of the suffrage. In other words, it is the tyranny of taxation without representation, against which our revolutionary mothers, as well as fathers, rebelled.

For any State to make sex a qualification that must ever result in the disfranchisement of one entire half of the people, is to pass a bill of attainder, or an *ex post facto* law, and is therefore a violation of the supreme law of the land. By it, the blessings of liberty are forever withheld from women and

their female posterity. To them, this government has no just powers derived from the consent of the governed. To them this government is not a democracy. It is not a republic. It is an odious aristocracy; a hateful oligarchy; the most hateful ever established on the face of the globe. An oligarchy of wealth, where the rich govern the poor; an oligarchy of learning, where the educated govern the ignorant; or even an oligarchy of race, where the Saxon rules the African, might be endured; but surely this oligarchy of sex, which makes the men of every household sovereigns, masters; the women subjects, slaves; carrying dissension, rebellion into every home of the Nation, can not be endured. And yet this odious aristocracy exists in the face of Section 4, of Article 4, which says:

The United States shall guarantee to every State in the Union a Republican form of government.

What, I ask you, is the distinctive difference between the inhabitants of a Monarchical and those of a Republican form of government, save that in the Monarchical the people are subjects, helpless, powerless, bound to obey laws made by superiors—while in the Republican, the people are citizens, individual sovereigns, all clothed with equal power, to make and unmake both their laws and their law makers. And the moment you deprive a person of his right to a voice in the government, you degrade him from the status of a citizen to that of a subject, and it matters very little to him whether his monarch be an individual tyrant, as is the Czar of Russia, or a 15,000,000 headed monster, as here in the United States.

But, it is urged, the use of the masculine pronouns he, his, and him, in all the constitutions and laws, is proof that only men were meant to be included in their provisions. If you insist on this version of the letter of the law, we shall insist that you be consistent, and accept the other horn of the dilemma, which would compel you to exempt women from taxation for the support of the government, and from penalties for the violation of laws.

[Pg 636]

A year and a half ago I was at Walla Walla, Washington Territory. I saw there a theatrical company, the "Pixley Sisters," playing before crowded houses every night of the whole week of the Territorial fair. The eldest of those three fatherless girls was scarce eighteen. Yet every night a United States officer stretched out his long fingers, and clutched six dollars of the proceeds of the exhibitions of those orphan girls, who, but a few years before, were starvelings in the streets of Olympia, the capital of that far-off north-west territory. So the poor widow, who keeps a boarding-house, manufactures shirts, or sells apples and peanuts on the street corners of our cities, is compelled to pay taxes from her scanty pittance. I would that the women of this republic at once resolve, never again to submit to taxation until their right to vote be recognized. Miss Sarah E. Wall, of Worcester, Mass., twenty years ago, took this position. For several years, the officers of the law distrained her property and sold it to meet the necessary amount; still she persisted, and would not yield an iota, though every foot of her lands should be struck off under the hammer. And now, for several years, the assessor has left her name off the tax list, and the collector passed her by without a call. Mrs. J. S. Weeden, of Viroqua, Wis., for the past six years has refused to pay her taxes, though the annual assessment is \$75. Mrs. Ellen Van Valkenburg, of Santa Cruz, Cal., who sued the County Clerk for refusing to register her name, declares she will never pay another dollar of tax until allowed to vote; and all over the country, women property holders are waking up to the injustice of taxation without representation, and ere long will refuse, *en masse*, to submit to the imposition.

There is no she, or her, or hers, in the tax laws. The statute of New York reads:

Every person shall be assessed in the town or ward where he resides when the assessment is made, for the lands owned by him, etc. Every collector shall call at least once on the person taxed, or at his usual place of residence, and shall demand payment of the taxes charged on him. If any one shall refuse to pay the tax imposed on him, the collector shall levy the same by distress and sale of his property.

The same is true of all the criminal laws:

No person shall be compelled to be a witness against himself, etc.

In the law of May 31, 1870, the 19th section of which I am charged with having violated; not only are all the pronouns masculine, but everybody knows that that particular section was intended expressly to hinder the rebels from voting. It reads:

If any person shall knowingly vote without his having a lawful right, etc.

Precisely so with all the papers served on me—the U. S. Marshal's warrant, the bail-bond, the petition for habeas corpus, the bill of indictment—not one of them had a feminine pronoun printed in it; but, to make them applicable to me, the Clerk of the Court made a little carat at the left of "he" and placed an "s" over it, thus making she out of he. Then the letters "is" were scratched out, the little carat placed under and "er" over, to make her out of his, and I insist if government officials may thus manipulate the pronouns to tax, fine, imprison, and hang women, women may take the same liberty with them to secure to themselves their right to a voice in the government.

[Pg 637]

So long as any classes of men were denied their right to vote, the government made a show of consistency, by exempting them from taxation. When a property qualification of \$250 was required of black men in New York, they were not compelled to pay taxes, so long as they were content to report themselves worth less than that sum; but the moment the black man died, and his property fell to his widow, the black woman's name would be put on the assessor's list, and she be compelled to pay taxes on the same property exempted to her husband. The same is true of ministers in New York. So long as the minister lives, he is exempted from taxation on \$1,500 of property, but the moment the breath goes out of his body, his widow's name will go down on the assessor's list, and she will have to pay taxes on the \$1,500. So much for the special legislation in favor of women. In all the penalties and burdens of the government (except the military), women are reckoned as citizens, equally with men. Also, in all the privileges and immunities, save those of the jury-box and ballot-box, the two fundamental privileges on which rest all the others. The United States government not only taxes, fines, imprisons, and hangs women, but it allows them to pre-empt lands, register ships, and take out passport and naturalization papers. Not only does the law permit single women and

widows to the right of naturalization, but Section 2 says:

A married woman may be naturalized without the concurrence of her husband. (I wonder the fathers were not afraid of creating discord in the families of foreigners); and again: When an alien, having complied with the law, and declared his intention to become a citizen, dies before he is actually naturalized, his widow and children shall be considered citizens, entitled to all rights and privileges as such, on taking the required oath.

If a foreign-born woman, by becoming a naturalized, citizen, is entitled to all rights and privileges of citizenship, is not a native-born woman by her National citizenship, possessed of equal rights and privileges?

The question of the masculine pronouns, yes and nouns too, has been settled by the United States Supreme Court, in the case of *Silver vs. Ladd*, December, 1868, in a decision as to whether a woman was entitled to lands under the Oregon donation law of 1850. Elizabeth Cruthers, a widow, settled upon a claim and received patents. She died, and her son was heir. He died. Then Messrs. Ladd & Nott took possession, under the general pre-emption law, December, 1861. The administrator, E. P. Silver, applied for a writ of ejectment at the land office in Oregon City. Both the Register and Receiver decided that an unmarried woman could not hold land under that law. The Commissioner of the General Land Office, at Washington, and the Secretary of the Interior, also gave adverse opinions. Here patents were issued to Ladd & Nott, and duly recorded. Then a suit was brought to set aside Ladd's patent, and it was carried through all the State Courts and the Supreme Court of Oregon; each, in turn, giving adverse decisions. At last, in the United States Supreme Court, Associate Justice Miller reversed the decisions of all the lower tribunals, and ordered the land back to the heirs of Mrs. Cruthers. The Court said:

In construing a benevolent statute of the government, made for the benefit of its own citizens, inviting and encouraging them to settle on its distant public lands, the words "single man," and "unmarried man" may, especially if aided by the context and other parts of the statute, be taken in a generic sense. Held, accordingly, that the fourth section of the Act of Congress, of September 27th, 1850, granting by way of donation, lands in Oregon Territory, to every white settler or occupant, American half-breed Indians included, embraced within the term single man an unmarried woman.

And the attorney, who carried this question to its final success, is now the Senator elect from Oregon, Hon. J. H. Mitchell, in whom the cause of equal rights to women has an added power on the floor of the United States Senate.

Though the words persons, people, inhabitants, electors, citizens, are all used indiscriminately in the National and State constitutions, there was always a conflict of opinion, prior to the war, as to whether they were synonymous terms, as for instance:

No *person* shall be a representative who shall not have been seven years a *citizen*, and who shall not, when elected, be an *inhabitant* of that State in which he is chosen. No *person* shall be a senator who shall not have been a *citizen* of the United States, and an *inhabitant* of that State in which he is chosen.

But, whatever room there was for a doubt, under the old regime, the adoption of the XIV. Amendment settled that question forever, in its first sentence:

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

And the second settles the equal status of all persons—all citizens:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

The only question left to be settled now, is: Are women persons? And I hardly believe any of our opponents will have the hardihood to say they are not. Being persons, then, women are citizens, and no State has a right to make any new law, or to enforce any old law, that shall abridge their privileges or immunities. Hence, every discrimination against women in the constitutions and laws of the several States, is to-day null and void, precisely as is every one against negroes. Is the right to vote one of the privileges or immunities of citizens? I think the disfranchised ex-rebels, and the ex-state prisoners will all agree with me, that it is not only one of them, but *the one without which all the others are nothing*. Seek first the kingdom of the ballot, and all things else shall be given thee, is the political injunction.

Webster, Worcester and Bouvier all define citizen to be a person, in the United States, entitled to vote and hold office. And prior to the adoption of the XIII. Amendment, by which slavery was forever abolished, and black men transformed from property to persons, the judicial opinions of the country had always been in harmony with these definitions. To be a person was to be a citizen, and to be a citizen was to be a voter. Associate Justice Washington, in defining the privileges and immunities of the citizen, more than fifty years ago, said:

They included all such privileges as were fundamental in their nature. And among them is the right to exercise the elective franchise and to hold office.

Even the "Dred Scott" decision, pronounced by the Abolitionists and Republicans infamous, because it virtually declared "black men had no rights white men were bound to respect," gave this true and logical conclusion, that to be one of the people was to be a citizen and a voter. Chief Judge Daniels said:

There is not, it is believed, to be found in the theories of writers on government, or in any actual experiment heretofore tried, an exposition of the term citizen, which has not been considered as

conferring the actual possession and enjoyment of the perfect right of acquisition and enjoyment of an entire equality of privileges, civil and political.

Associate Justice Taney said:

The words "people of the United States" and "citizens," are synonymous terms, and mean the same thing. They both describe the political body, who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government, through their representatives. They are what we familiarly call the sovereign people, and every citizen is one of this people, and a constituent member of this sovereignty.

Thus does Judge Taney's decision, which was such a terrible ban to the black man while he was a slave, now that he is a person, no longer property, pronounce him a citizen, possessed of an entire equality of privileges, civil and political. And not only the black man, but the black woman, and all women as well. And it was not until after the abolition of slavery, by which the negroes became free men, hence citizens, that the United States Attorney-General Bates rendered a contrary opinion:

The Constitution uses the word "citizen" only to express the political quality (not equality, mark) of the individual in his relation to the nation; to declare that he is a member of the body politic, and bound to it by the reciprocal obligations of allegiance on the one side, and protection on the other. The phrase "a citizen of the United States," without addition or qualification, means neither more nor less than a member of the nation.

Then, to be a citizen of this Republic, is no more than to be a subject of an Empire. You and I, and all true and patriotic citizens must repudiate this base conclusion. We all know that American citizenship, without addition or qualification, means the possession of equal rights, civil and political. We all know that the crowning glory of every citizen of the United States is, that he can either give or withhold his vote from every law and every legislator under the government. Did "I am a Roman citizen," mean nothing more than that I am a "member" of the body politic of the Republic of Rome, bound to it by the reciprocal obligations of allegiance on the one side, and protection on the other? When you, young man, shall travel abroad among the monarchies of the old world, and there proudly boast yourself an "American citizen," will you thereby declare yourself neither more nor less than a "member" of the American nation?

And this opinion of Attorney-General Bates, that a black citizen was not a voter, made merely to suit the political exigency of the Republican party in that transition hour between emancipation and enfranchisement, was no less infamous, in spirit or purpose, than was the decision of Judge Taney, that a black man was not one of the people, rendered in the interest and at the behest of the old Democratic party, in its darkest hour of subjection to the Slave power. Nevertheless, all of the adverse arguments, adverse congressional reports and judicial opinions, thus far, have been based on this purely partisan, time-serving opinion of General Bates, that the normal condition of the citizen of the United States is that of disfranchisement. That only such classes of citizens as have had special legislative guarantee have a legal right to vote. And if this decision of Attorney-General Bates was infamous, as against black men, but yesterday plantation slaves, what shall we pronounce upon Judge Bingham, in the House of Representatives, and Carpenter, in the Senate of the United States, for citing it against the women of the entire nation, vast numbers of whom are the peers of those honorable gentlemen themselves, in morals, intellect, culture, wealth, family—paying taxes on large estates, and contributing equally with them and their sex, in every direction, to the growth, prosperity, and well-being of the Republic? And what shall be said of the judicial opinions of Judges Carter, Jameson, McKay, and Sharswood, all based upon this aristocratic monarchical idea, of the right of one class to govern another?

[Pg 640]

I am proud to mention the names of the two United States judges who have given opinions honorable to our Republican idea, and honorable to themselves—Judge Howe, of Wyoming Territory, and Judge Underwood, of Virginia. The former gave it as his opinion a year ago, when the Legislature seemed likely to revoke the law enfranchising the women of that Territory, that, in case they succeeded, the women would still possess the right to vote under the XIV. Amendment. Judge Underwood, of Virginia, in noticing the recent decision of the Supreme Court of the District of Columbia, denying to women the right to vote, under the XIV. Amendment, says:

If the people of the United States, by amendment of their Constitution, could expunge, without any explanatory or assisting legislation, an adjective of five letters from all State constitutions, and thereby raise millions of our most ignorant fellow-citizens to all the rights and privileges of electors, why should not the same people, by the same Amendment, expunge an adjective of four letters from the same State constitutions, and thereby raise other millions of more educated and better informed citizens to equal rights and privileges, without explanatory or assisting legislation?

If the XIV. Amendment does not secure to all citizens the right to vote, for what purpose was that grand old charter of the fathers lumbered with its unwieldy proportions? The Republican party, and Judges Howard and Bingham, who drafted the document, pretended it was to do something for black men; and if that something was not to secure them in their right to vote and hold office, what could it have been? For, by the XIII. Amendment, black men had become people, and hence were entitled to all the privileges and immunities of the Government, precisely as were the women of the country and foreign men not naturalized. According to Associate Justice Washington, they already had the

Protection of the Government, the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety, subject to such restraints as the Government may justly prescribe for the general welfare of the whole; the right of a citizen of one State to pass through or to reside in any other State for the purpose of trade, agriculture, professional pursuit, or otherwise; to claim the benefit of the writ of habeas corpus, to institute and maintain actions of any kind in the courts of the State; to take, hold, and dispose of property, either real or personal, and an exemption from higher taxes or impositions than are paid by the other citizens of the State.

Thus, you see, those newly-made freed men were in possession of every possible right, privilege, and immunity of the Government, except that of suffrage, and hence, needed no constitutional amendment for any other purpose. What right, I ask you, has the Irishman the day after he receives his naturalization papers that he did not possess the day before, save the right to vote and hold office? And the Chinamen, now crowding our Pacific coast, are in precisely the same position. What privilege or immunity has California or Oregon the constitutional right to deny them, save that of the ballot? Clearly, then, if the XIV. Amendment was not to secure to black men their right to vote, it did nothing for them, since they possessed everything else before. But if it was meant to be a prohibition of the States to deny or abridge their right to vote—which I fully believe—then it did the same for all persons, white women included, born or naturalized in the United States, for the amendment does not say all male persons of African descent, but all persons are citizens.

The second section is simply a threat to punish the States, by reducing their representation on the floor of Congress, should they disfranchise any class of male citizens, and does not allow of the inference that the States may disfranchise from any, or all other causes; nor in anywise weaken or invalidate the universal guarantee of the first section. What rule of law or logic would allow the conclusion, that the prohibition of a crime to one person, on severe pains and penalties, was a sanction of that crime to any and all other persons save that one? But, however much the doctors of the law may disagree, as to whether people and citizens, in the original constitution, were one and the same, or whether the privileges and immunities in the XIV. Amendment include the right of suffrage, the question of the right of the citizen to vote is settled forever by the XV. Amendment:

The citizen's right to vote shall not be denied by the United States, nor any State thereof; on account of race, color, or previous condition of servitude.

How can the State deny or abridge the right of the citizen, if the citizen does not possess it? There is no escape from the conclusion, that to vote is the citizen's right, and the specifications of race, color, or previous condition of servitude can, in no way, impair the force of the emphatic assertion, that the citizen's right to vote shall not be denied or abridged. The political strategy of the second section of the XIV. Amendment, failing to coerce the rebel States into enfranchising their negroes, and the necessities of the Republican party demanding their votes throughout the South, to insure the re-election of Grant in 1872, that party was compelled to place this positive prohibition of the XV. Amendment upon the United States and all the States thereof.

If we once establish the false principle, that United States citizenship does not carry with it the right to vote in every State in this Union, there is no end to the petty freaks and cunning devices that will be resorted to, to exclude one and another class of citizens from the right of suffrage. It will not always be men combining to disfranchise women; native-born men combining to abridge the rights of naturalized citizens, as in Rhode Island; it will not always be the rich and educated who may combine to cut off the poor and ignorant; but we may live to see the poor, hard-working, uncultivated day laborers, foreign and native born, learning the power of the ballot and their vast majority of numbers, combine and amend State constitutions so as to disfranchise the Vanderbilts and A. T. Stewarts, the Conklings and Fentons. It is a poor rule that won't work more ways than one. Establish this precedent, admit the right of the States to deny suffrage, and there is no power to foresee the confusion, discord, and disruption that may await us. There is, and can be, but one safe principle of government—equal rights to all. And any and every discrimination against any class, whether on account of color, race, nativity, sex, property, culture, can but embitter and disaffect that class, and thereby endanger the safety of the whole people. Clearly, then, the National government must not only define the rights of citizens, but it must stretch out its powerful hand and protect them in every State in this Union.

But if you will insist that the XV. Amendment's emphatic interdiction against robbing United States citizens of their right to vote, "on account of race, color, or previous condition of servitude," is a recognition of the right, either of the United States or any State, to rob citizens of that right for any or all other reasons, I will prove to you that the class of citizens for which I now plead, and to which I belong, may be, and are, by all the principles of our Government, and many of the laws of the States, included under the term "previous condition of servitude."

First.—The married women and their legal status. What is servitude? "The condition of a slave." What is a slave? "A person who is robbed of the proceeds of his labor; a person who is subject to the will of another."

By the law of Georgia, South Carolina, and all the States of the South, the negro had no right to the custody and control of his person. He belonged to his master. If he was disobedient, the master had the right to use correction. If the negro didn't like the correction, and attempted to run away, the master had a right to use coercion to bring him back. By the law of every State in this Union to-day, North as well as South, the married woman has no right to the custody and control of her person. The wife belongs to her husband; and if she refuses obedience to his will, he may use moderate correction, and if she doesn't like his moderate correction, and attempts to leave his "bed and board," the husband may use moderate coercion to bring her back. The little word "moderate," you see, is the saving clause for the wife, and would doubtless be overstepped should her offended husband administer his correction with the "cat-o'-nine-tails," or accomplish his coercion with blood-hounds.

Again, the slave had no right to the earnings of his hands, they belonged to his master; no right to the custody of his children, they belonged to his master; no right to sue or be sued, or testify in the courts. If he committed a crime, it was the master who must sue or be sued. In many of the States there has been special legislation, giving to married women the right to property inherited, or received by bequest, or earned by the pursuit of any avocation outside of the home; also, giving her the right to sue and be sued in matters pertaining to such separate property; but *not a single State of this Union has ever secured the wife in the enjoyment of her right to the joint ownership of the joint earnings of the marriage copartnership*. And since, in the nature of things, the vast majority of married women never earn a dollar by work outside of their families, nor inherit a dollar from their fathers, it follows that from the day of their marriage to the day of the death of their husbands, not one of them ever has a dollar, except it shall please her husband to let her have it. In some of the

States, also, there have been laws passed giving to the mother a joint right with the father in the guardianship of the children. But twenty years ago, when our woman's rights movement commenced, by the laws of the State of New York, and all the States, the father had the sole custody and control of the children. No matter if he were a brutal, drunken libertine, he had the legal right, without the mother's consent, to apprentice her sons to rumsellers, or her daughters to brothel keepers. He could even will away an unborn child, to some other person than the mother. And in many of the States the law still prevails, and legal mothers are still utterly powerless under the common law.

I doubt if there is, to-day, a State in this Union where a married woman can sue or be sued for slander of character, and until quite recently there was not one in which she could sue or be sued for injury of person. However damaging to the wife's reputation any slander may be, she is wholly powerless to institute legal proceedings against her accuser, unless her husband shall join with her; and how often have we heard of the husband conspiring with some outside barbarian to blast the good name of his wife. A married woman can not testify in the courts in cases of joint interest with her husband. A good farmer's wife near Earlville, Ill., who had all the rights she wanted, went to the dentist of the village, who made her a full set of false teeth, both upper and under. The dentist pronounced them an admirable fit, and the wife declared they gave her fits to wear them; that she could neither chew nor talk with them in her mouth. The dentist sued the husband; his counsel brought the wife as witness; the judge ruled her off the stand, saying:

A married woman can not be a witness in matters of joint interest between herself and her husband.

Think of it, ye good wives, the false teeth in your mouths a joint interest with your husbands, about which you are legally incompetent to speak! If in our frequent and shocking railroad accidents a married woman is injured in her person, in nearly all of the States, it is her husband who must sue the company, and it is to her husband that the damages, if there are any, will be awarded. In Ashfield, Mass., supposed to be the most advanced of any State in the Union in all things, humanitarian as well as intellectual, a married woman was severely injured by a defective sidewalk. Her husband sued the corporation and recovered \$13,000 damages. And those \$13,000 belong to him *bona fide*; and whenever that unfortunate wife wishes a dollar of it to supply her needs she must ask her husband for it; and if the man be of a narrow, selfish, niggardly nature, she will have to hear him say, every time:

"What have you done, my dear, with the twenty-five cents I gave you yesterday?"

Isn't such a position, I ask you, humiliating enough to be called "servitude"? That husband, as would any other husband, in nearly every State of this Union, sued and obtained damages for the loss of the services of his wife, precisely as the master, under the old slave regime, would have done, had his slave been thus injured, and precisely as he himself would have done had it been his ox, cow, or horse instead of his wife. There is an old saying that "a rose by any other name would smell as sweet," and I submit if the deprivation by law of the ownership of one's own person, wages, property, children, the denial of the right as an individual, to sue and be sued, and to testify in the courts, is not a condition of servitude most bitter and absolute, though under the sacred name of marriage?

[Pg 644]

Does any lawyer doubt my statement of the legal status of married women? I will remind him of the fact that the old common law of England prevails in every State in this Union, except where the Legislature has enacted special laws annulling it. And I am ashamed that not one State has yet blotted from its statute books the old common law of marriage, by which Blackstone, summed up in the fewest words possible, is made to say: "Husband and wife are one, and that one is the husband."

Thus may all married women, wives, and widows, by the laws of the several States, be technically included in the XV. Amendment's specification of "condition of servitude," present or previous. And not only married women, but I will also prove to you that by all the great fundamental principles of our free government, the entire womanhood of the nation is in a "condition of servitude" as surely as were our revolutionary fathers, when they rebelled against old King George. Women are taxed without representation, governed without their consent, tried, convicted, and punished without a jury of their peers. And is all this tyranny any less humiliating and degrading to women under our democratic-republican government to-day than it was to men under their aristocratic, monarchical government one hundred years ago? There is not an utterance of old John Adams, John Hancock, or Patrick Henry, but finds a living response in the soul of every intelligent, patriotic woman of the nation. Bring to me a common-sense woman property holder, and I will show you one whose soul is fired with all the indignation of 1776, every time the tax-gatherer presents himself at her door. You will not find one such but feels her condition of servitude as galling as did James Otis when he said:

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

What was the three-penny tax on tea, or the paltry tax on paper and sugar to which our revolutionary fathers were subjected, when compared with the taxation of the women of this Republic? The orphaned Pixley sisters, six dollars a day; and even the women who are proclaiming the tyranny of taxation without representation, from city to city throughout the country, are often compelled to pay a tax for the poor privilege of protesting against the outrage. And again, to show that disfranchisement was precisely the slavery of which the fathers complained, allow me to cite to you old Ben. Franklin, who in those olden times was admitted to be good authority, not merely in domestic economy, but in political as well:

Every man of the commonalty, except infants, insane persons and criminals, is, of common right and the law of God, a freeman and entitled to the free enjoyment of liberty. That liberty or

freedom consists in having an actual share in the appointment of those who are to frame the laws, and who are to be the guardians of every man's life, property, and peace. For the all of one man is as dear to him as the all of another; and the poor man has an equal right, but more need to have representatives in the Legislature than the rich one. That they who have no voice or vote in the electing of representatives do not enjoy liberty, but are absolutely enslaved to those who have votes and their representatives; for to be enslaved is to have governors whom other men have set over us, and to be subject to laws made by the representatives of others, without having had representatives of our own to give consent in our behalf.

Suppose I read it with the feminine gender:

That women who have no voice nor vote in the electing of representatives, do not enjoy liberty, but are absolutely enslaved to men who have votes and their representatives; for to be enslaved is to have governors whom men have set over us, and to be subject to the laws made by the representatives of men, without having representatives of our own to give consent in our behalf.

And yet one more authority; that of Thomas Paine, than whom not one of the Revolutionary patriots more ably vindicated the principles upon which our government is founded:

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

Is anything further needed to prove woman's condition of servitude sufficiently orthodox to entitle her to the guarantees of the XV. Amendment? Is there a man who will not agree with me, that to talk of freedom without the ballot, is mockery—is slavery—to the women of this Republic, precisely as New England's orator, Wendell Phillips, at the close of the late war, declared it to be to the newly emancipated black men?

I admit that prior to the rebellion, by common consent, the right to enslave, as well as to disfranchise both native and foreign born citizens, was conceded to the States. But the one grand principle, settled by the war and the reconstruction legislation, is the supremacy of National power to protect the citizens of the United States in their right to freedom and the elective franchise, against any and every interference on the part of the several States. And again and again, have the American people asserted the triumph of this principle, by their overwhelming majorities for Lincoln and Grant. The one issue of the last two Presidential elections was, whether the XIV. and XV. Amendments should be considered the irrevocable will of the people; and the decision was, they shall be—and that it is not only the right, but the duty of the National government to protect all United States citizens in the full enjoyment and free exercise of all their privileges and immunities against any attempt of any State to deny or abridge. And in this conclusion Republicans and Democrats alike agree.

Senator FRELINGHUYSEN said—The heresy of State rights has been completely buried in these amendments, that as amended, the Constitution confers not only National but State citizenship upon all persons born or naturalized within our limits.

The CALL for the NATIONAL REPUBLICAN Convention said—Equal suffrage has been engrafted on the National Constitution; the privileges and immunities of American citizenship have become a part of the organic law.

The NATIONAL REPUBLICAN Platform said—Complete liberty and exact equality in the enjoyment of all civil, political, and public rights, should be established and maintained throughout the Union by efficient and appropriate State and Federal legislation.

If these assertions mean anything, it is that Congress should pass a law compelling the States to protect women in their equal political rights, and that the States should enact laws making it the duty of inspectors of election to receive women's votes on precisely the same conditions they do those of men.

Judge Stanley Matthews—a substantial Ohio Democrat—in his preliminary speech at the Cincinnati Convention, said most emphatically:

The Constitutional Amendments have established the political equality of all citizens before the law.

President Grant, in his message to Congress March 30, 1870, on the adoption of the XV. Amendment, said:

A measure which makes at once four millions of people voters, is indeed a measure of greater importance than any act of the kind from the foundation of the Government to the present time.

How could the four million negroes be made voters if the two million women were not included?

The California State Republican Convention said:

Among the many practical and substantial triumphs of the principles achieved by the Republican party during the past twelve years, we may enumerate with pride and pleasure, the prohibiting of any State from abridging the privileges of any citizen of the Republic, the declaring the civil and political equality of every citizen, and the establishing of all these principles in the Federal Constitution by amendments thereto, as the permanent law.

Benjamin F. Butler, in a recent letter to me said:

I do not believe anybody in Congress doubts that the Constitution authorizes the right of women to vote, precisely as it authorizes trial by jury and many other like rights guaranteed to citizens.

And again, It is not laws we want; there are plenty of laws—good enough, too. Administrative ability to enforce law is the great want of the age, in this country especially. Everybody talks of law, law. If everybody would insist on the enforcement of law, the government would stand on a firmer basis, and questions would settle themselves.

And it is upon this just interpretation of the United States Constitution that our National Woman Suffrage Association, which celebrates the twenty-fifth anniversary of the woman's rights movement, in New York on the 6th of May next, has based all its arguments and action the past three years. We no longer petition Legislature or Congress to give us the right to vote. We appeal to the women everywhere to exercise their too long neglected "citizen's right to vote." We appeal to the inspectors of election everywhere to receive the votes of all United States citizens, as it is their duty to do. We appeal to United States commissioners and marshals to arrest the inspectors who reject the names and votes of United States citizens, as it is their duty to do, and leave those alone who, like our eighth ward inspectors, perform their duties faithfully and well. We ask the juries to fail to return verdicts of "guilty" against honest, law-abiding, tax-paying United States citizens for offering their votes at our elections; or against intelligent, worthy young men, inspectors of election, for receiving and counting such citizens' votes. We ask the judges to render true and unprejudiced opinions of the law, and wherever there is room for a doubt to give its benefit on the side of liberty and equality to women, remembering that

The true rule of interpretation under our National Constitution, especially since its Amendments, is that anything for human rights is constitutional, everything against human rights unconstitutional.

And it is on this line that we propose to fight our battle for the ballot—peaceably, but nevertheless persistently to complete triumph, when all United States citizens shall be recognized as equals before the law.

[Pg 647]

Miss Anthony's trial opened the morning of the 18th of June. The lovely village of Canandaigua, with its placid lake reflecting the soft summer sky, gave no evidence of the great event that was to make the day and the place memorable in history. All was still, the usual peaceful atmosphere pervaded that conservative town, and with the exception of a small group of men and women in earnest conversation at the hotel, few there were who thought or cared about the great principles of government involved in the pending trial. When the tolling of the Court House bell announced that the hour had arrived, Miss Anthony, her counsel and friends, promptly appeared, and were soon followed by the District Attorney and Judge, representing the power of the United States,—Miss Anthony to stand as a criminal before the bar of her country for having dared to exercise a freeman's right of self-government, and that country through its Judiciary to falsify its grand declarations as to the equality of its citizens by a verdict of guilty because of sex.

On the bench sat Judge Hunt, a small-brained, pale-faced, prim-looking man, enveloped in a faultless suit of black broadcloth, and a snowy white neck-tie. This was the first criminal case he had been called on to try since his appointment, and with remarkable forethought, he had penned his decision before hearing it. At times by his side sat Judge Hall, who had declared himself unwilling to try the suit. Within the bar sat Miss Anthony and counsel, the Hon. Henry R. Selden and Hon. John Van Voorhis, several of the ladies who had voted,^[169] Mrs. Gage, and the United States District Attorney. Upon the right sat the jury, while all the remaining space was crowded with curious and anxious listeners, among whom were many men^[170] prominent in public life.

The indictment^[171] presented against Miss Anthony will be regarded by the future historian as a remarkable document to have originated in a republic against one of its native-born citizens guilty of no crime.

[Pg 648]

UNITED STATES CIRCUIT COURT. (NORTHERN DISTRICT OF NEW YORK.)

The United States of America vs. Susan B. Anthony; Hon. Ward Hunt, Presiding. Appearances: For the United States: Hon. Richard Crowley, U. S. District Attorney; For the Defendant: Hon. Henry R. Selden, John Van Voorhis, Esq.

Tried at Canandaigua, Tuesday and Wednesday, June 17th and 18th, 1873, before Hon. Ward Hunt, and a jury. Jury impaneled at 2:30 P.M.

Mr. Crowley opened the case as follows:

May it please the Court and Gentlemen of the Jury:

On the 5th of November, 1872, there was held in this State, as well as in other States of the Union, a general election for different officers, and among those, for candidates to represent several districts of this State in the Congress of the United States. The defendant, Miss Susan B. Anthony, at that time resided in the city of Rochester, in the county of Monroe, Northern District of New York, and upon the 5th day of November, 1872, she voted for a representative in the Congress of the United States, to represent the 29th Congressional District of this State, and also for a representative at large for the State of New York, to represent the State in the Congress of the United States. At that time she was a woman. I suppose there will be no question about that. The question in this case, if there be a question of fact about it at all, will, in my judgment, be rather a question of law than one of fact. I suppose that there will be no question of fact, substantially, in the case when all of the evidence is out, and it will be for you to decide under the charge for his honor, the Judge, whether or not the defendant committed the offense of voting for a representative in Congress upon that occasion. We think, on the part of the Government, that there is no question about it either one way or the other, neither a question of fact, nor a question of law, and that whatever Miss Anthony's intentions may have been—whether they were good or otherwise—she did not have a right to vote upon that question, and if she did vote without having a lawful right to vote,

[Pg 649]

then there is no question but what she is guilty of violating a law of the United States in that behalf enacted by the Congress of the United States.

We don't claim in this case, gentlemen, that Miss Anthony is of that class of people who go about "repeating." We don't claim that she went from place to place for the purpose of offering her vote. But we do claim that upon the 5th of November, 1872, she voted, and whether she believed that she had a right to vote or not, it being a question of law, that she is within the statute. Congress in 1870 passed the following statute: (Reads 19th Section of the Act of 1870, page 144, 16th statutes at large.) It is not necessary for me, gentlemen, at this stage of the case, to state all the facts which will be proven on the part of the Government. I shall leave that to be shown by the evidence and by the witnesses, and if any question of law shall arise his Honor will undoubtedly give you instructions as he shall deem proper. Conceded, that on the 5th day of November, 1872, Miss Susan B. Anthony was a woman.

[Pg 650]

Beverly W. Jones, a witness, called in behalf of the United States, testified as follows: Examined by Mr. Crowley:

Q. Mr. Jones, where do you reside? *A.* 8th Ward, Rochester.

Q. Where were you living on the 5th of November, 1872? *A.* Same place.

Q. Do you know the defendant, Miss Susan B. Anthony? *A.* Yes, sir.

Q. In what capacity were you acting upon that day, if any, in relation to elections? *A.* Inspector of election.

Q. Into how many election districts is the 8th Ward divided, if it contains more than one? *A.* Two, sir.

Q. In what election district were you inspector of elections? *A.* The first district.

Q. Who were inspectors with you? *A.* Edwin T. Marsh and William B. Hall.

Q. Had the Board of Inspectors been regularly organized? *A.* Yes, sir.

Q. Upon the 5th day of November, did the defendant, Susan B. Anthony, vote in the first election district of the 8th Ward of the city of Rochester?

A. Yes, sir.

Q. Did you see her vote? *A.* Yes, sir.

Q. Will you state to the jury what tickets she voted, whether State, Assembly, Congress and Electoral? Objected to as calling for a conclusion.

Q. State what tickets she voted, if you know, Mr. Jones. *A.* If I recollect right she voted the Electoral ticket, Congressional ticket, State ticket, and Assembly ticket.

Q. Was there an election for member of Congress from that district and for Representative at large in Congress, for the State of New York, held on the 5th of November, in the city of Rochester? *A.* I think there was; yes, sir.

Q. In what Congressional District was the city of Rochester at the time? *A.* The 29th.

Q. Did you receive the tickets from Miss Anthony? *A.* Yes, sir.

Q. What did you do with them when you received them? *A.* Put them in the separate boxes where they belonged.

Q. State to the jury whether you had separate boxes for the several tickets voted in that election district? *A.* Yes, sir; we had.

Q. Was Miss Anthony challenged upon that occasion? *A.* Yes, sir—no; not on that day she wasn't.

Q. She was not challenged on the day she voted? *A.* No, sir.

Cross-examination by Judge Selden:

Q. Prior to the election, was there a registry of voters in that district made? *A.* Yes, sir.

Q. Were you one of the officers engaged in making that registry? *A.* Yes, sir.

Q. When the registry was being made did Miss Anthony appear before the Board of Registry and claim to be registered as a voter? *A.* She did.

Q. Was there any objection made, or any doubt raised as to her right to vote? *A.* There was.

Q. On what ground? *A.* On the ground that the Constitution of the State of New York did not allow women to vote.

[Pg 651]

Q. What was the defect in her right to vote as a citizen? *A.* She was not a male citizen.

Q. That she was a woman? *A.* Yes, sir.

Q. Did the Board consider that and decide that she was entitled to register? Objected to. Objection overruled.

Q. Did the Board consider the question of her right to registry, and decide that she was entitled to registry as a voter? *A.* Yes, sir.

Q. And she was registered accordingly? A. Yes, sir.

Q. When she offered her vote, was the same objection brought up in the Board of Inspectors, or question made of her right to vote as a woman? A. She was challenged previous to election day.

Q. It was canvassed previous to election day between them? A. Yes, sir; she was challenged on the second day of registering names.

Q. At the time of the registry, when her name was registered, was the Supervisor of Election present at the Board? A. He was.

Q. Was he consulted upon the question of whether she was entitled to registry, or did he express an opinion on the subject to the inspectors?

Mr. CROWLEY.—I submit that it is of no consequence whether he did or not.

JUDGE SELDEN.—He was the Government Supervisor under this act of Congress.

Mr. CROWLEY.—The Board of Inspectors, under the State law, constitute the Board of Registry, and they are the only persons to pass upon that question.

THE COURT.—You may take it. A. Yes, sir; there was a United States Supervisor of Elections, two of them.

By Judge Selden:

Q. Did they advise the registry or did they not? A. One of them did.

Q. And on that advice the registry was made with the judgment of the inspectors? A. It had a great deal of weight with the inspectors, I have no doubt.

Re-direct examination by Mr. CROWLEY:

Q. Was Miss Anthony challenged before the Board of Registry? A. Not at the time she offered her name.

Q. Was she challenged at any time? A. Yes, sir; the second day of the meeting of the Board.

Q. Was the preliminary and the general oath administered? A. Yes, sir.

Q. Won't you state what Miss Anthony said, if she said anything, when she came there and offered her name for registration? A. She stated that she did not claim any rights under the Constitution of the State of New York; she claimed her right under the Constitution of the United States.

Q. Did she name any particular amendment? A. Yes, sir; she cited the XIV. Amendment.

Q. Under that she claimed her right to vote? A. Yes, sir.

Q. Did the other Federal Supervisor who was present, state it as his opinion that she was entitled to vote under that amendment, or did he protest, claiming that she did not have the right to vote? A. One of them said that there was no way for the inspectors to get around placing the name upon the register; the other one, when she came in, left the room.

[Pg 652]

Q. Did this one who said that there was no way to get around placing the name upon the register, state that she had her right to register, but did not have the right to vote? A. I didn't hear him make any such statement.

Q. You didn't hear any such statement as that? A. No, sir.

Q. Was there a poll list kept of the voters of the first election district of the 8th Ward on the day of election? A. Yes, sir.

Q. (Handing witness two books.) State whether that is the poll list of voters kept upon the day of election in the first election district of the 8th Ward, of the city of Rochester? A. This is the poll list, and also the register.

Q. Turn to the name of Susan B. Anthony, if it is upon that poll list. A. I have it.

Q. What number is it? A. Number 22.

Q. From that poll list what tickets does it purport to show that she voted upon that occasion? A. Electoral, State, Congress, and Assembly.

United States rests.

Judge SELDEN opened the case in behalf of the defendant, as follows:

If the Court please, Gentlemen of the Jury:

This is a case of no ordinary magnitude, although many might regard it as one of very little importance. The question whether my client here has done anything to justify her being consigned to a felon's prison or not, is one that interests her very essentially, and that interests the people also essentially. I claim and shall endeavor to establish before you that when she offered to have her name registered as a voter, and when she offered her vote for Member of Congress, she was as much entitled to vote as any man that voted at that election, according to the Constitution and laws of the Government under which she lives. If I maintain that proposition, as a matter of course she has committed no offense, and is entitled to be discharged at your hands.

But, beyond that, whether she was a legal voter or not, whether she was entitled to a vote or not, if she sincerely believed that she had a right to vote, and offered her ballot in good faith, under that belief, whether right or wrong, by the laws of this country she is guilty of no crime. I apprehend that that proposition, when it is discussed, will be maintained with a clearness and force that shall leave no doubt upon the mind of the Court or upon your minds as the gentlemen of the jury. If I maintain that proposition here, then the further question and the only question which, in my judgment, can come before you to be passed upon by you as a question of fact is whether or not she did vote in good faith, believing that she had a right to vote. The public prosecutor assumes that, however honestly she may have offered her vote, however sincerely she may have believed that she had a right to vote, if she was mistaken in that judgment, her offering her vote and its being received makes a criminal offense—a proposition to me most abhorrent, as I believe it will be equally abhorrent to your judgment.

Before the registration, and before this election, Miss Anthony called upon me for advice upon the question whether, under the XIV. Amendment of the Constitution of the United States, she had a right to vote. I had not examined the question. I told her I would examine it and give her my opinion upon the question of her legal right. She went away and came again after I had made the examination. I advised her that she was as lawful a voter as I am, or as any other man is, and advised her to go and offer her vote. I may have been mistaken in that, and if I was mistaken, I believe she acted in good faith. I believe she acted according to her right as the law and Constitution gave it to her. But whether she did or not, she acted in the most perfect good faith, and if she made a mistake, or if I made one, that is not a reason for committing her to a felon's cell.

[Pg 653]

For the second time in my life, in my professional practice, I am under the necessity of offering myself as a witness for my client.

HENRY R. SELDEN, a witness sworn in behalf of the defendant, testified as follows: Before the last election, Miss Anthony called upon me for advice, upon the question whether she was or was not a legal voter. I examined the question, and gave her my opinion, unhesitatingly, that the laws and Constitution of the United States authorized her to vote, as well as they authorize any man to vote; and I advised her to have her name placed upon the registry and to vote at the election, if the inspectors should receive her vote. I gave the advice in good faith, believing it to be accurate, and I believe it to be accurate still. [This witness was not cross-examined.]

Judge SELDEN: I propose to call Miss Anthony as to the fact of her voting—on the question of the intention or belief under which she voted.

Mr. CROWLEY: She is not competent as a witness in her own behalf. [The Court so held.] Defendant rests.

JOHN E. POUND, a witness sworn in behalf of the United States, testified as follows, examined by Mr. CROWLEY:

Q. During the months of November and December, 1872, and January, 1873, were you Assistant United States District Attorney for the Northern District of New York? A. Yes, sir.

Q. Do you know the defendant, Susan B. Anthony? A. Yes, sir.

Q. Did you attend an examination before Wm. C. Storrs, a United States Commissioner, in the city of Rochester, when her case was examined? A. I did.

Q. Was she called as a witness in her own behalf upon that examination? A. She was.

Q. Was she sworn? A. She was.

Q. Did she give evidence? A. She did.

Q. Did you keep minutes of evidence on that occasion? A. I did.

Q. (Handing the witness a paper). Please look at the paper now shown you and see if it contains the minutes you kept upon that occasion? A. It does.

Q. Turn to the evidence of Susan B. Anthony? A. I have it.

Q. Did she, upon that occasion, state that she consulted or talked with Judge Henry R. Selden, of Rochester, in relation to her right to vote?

Judge SELDEN: I object to that upon the ground that it is incompetent, that if they refuse to allow her to be sworn here, they should be excluded from producing any evidence that she gave elsewhere, especially when they want to give the version which the United States officer took of her evidence.

[Pg 654]

THE COURT: Go on.

By Mr. CROWLEY:

Q. State whether she stated on that examination, under oath, that she had talked or consulted with Judge Henry R. Selden in relation to her right to vote? A. She did.

Q. State whether she asked, upon that examination, if the advice given her by Judge Henry R. Selden would or did make any difference in her action in voting, or in substance that? A. She stated on the cross-examination, "I should have made the same endeavor to vote that I did had I not consulted Judge Selden. I didn't consult any one before I registered. I was not influenced by his advice in the matter at all; have been resolved to vote, the first time I was at home thirty days, for a number of years."

Cross-examination by Mr. Van VOORHIS:

Q. Mr. Pound, was she asked there if she had any doubt about her right to vote, and did she answer, "Not a particle"? A. She stated, "Had no doubt as to my right to vote," on the direct examination.

Q. There was a stenographic reporter there, was there not? A. A reporter was there taking notes.

Q. Was not this question put to her, "Did you have any doubt yourself of your right to vote?" and did she not answer, "Not a particle"?

THE COURT: Well, he says so, that she had no doubt of her right to vote.

Judge SELDEN: I beg leave to state, in regard to my own testimony, Miss Anthony informs me that I was mistaken in the fact that my advice was before her registry. It was my recollection that it was on her way to the registry, but she states to me now that she was registered and came immediately to my office. In that respect I was under a mistake.

Evidence closed.

ARGUMENT OF MR. SELDEN FOR THE DEFENDANT.

The defendant is indicted under the 19th section of the Act of Congress of May 31, 1874 (16 St. at L., 144), for "voting without having a lawful right to vote." The words of the statute, so far as they are material in this case, are as follows:

If at any election for representative or delegate in the Congress of the United States, any person shall knowingly ... vote without having a lawful right to vote ... every such person shall be deemed guilty of a crime ... and on conviction thereof shall be punished by a fine not exceeding \$500, or by imprisonment for a term not exceeding three years, or by both, in the discretion of the court, and shall pay the costs of prosecution.

The only alleged ground of illegality of the defendant's vote is that she is a woman. If the same act had been done by her brother under the same circumstances, the act would have been not only innocent, but honorable and laudable; but having been done by a woman it is said to be a crime. The crime, therefore, consists not in the act done, but in the simple fact that the person doing it was a woman and not a man. I believe this is the first instance in which a woman has been arraigned in a criminal court merely on account of her sex. If the advocates of female suffrage had been allowed to choose the point of attack to be made upon their position, they could not have chosen it more favorably for themselves; and I am disposed to thank those who have been instrumental in this proceeding, for presenting it in the form of a criminal prosecution. Women have the same interest that men have in the establishment and maintenance of good government; they are to the same extent as men bound to obey the laws; they suffer to the same extent by bad laws, and profit to the same extent by good laws; and upon principles of equal justice, as it would seem, should be allowed equally with men, to express their preference in the choice of law-makers and rulers. But however that may be, no greater absurdity, to use no harsher term, could be presented, than that of rewarding men and punishing women, for the same act, without giving to women any voice in the question which should be rewarded, and which punished.

[Pg 655]

I am aware, however, that we are here to be governed by the Constitution and laws as they are, and that if the defendant has been guilty of violating the law, she must submit to the penalty, however unjust or absurd the law may be. But courts are not required to so interpret laws or constitutions as to produce either absurdity or injustice, so long as they are open to a more reasonable interpretation. This must be my excuse for what I design to say in regard to the propriety of female suffrage, because with that propriety established there is very little difficulty in finding sufficient warrant in the Constitution for its exercise. This case, in its legal aspects, presents three questions, which I purpose to discuss.

1. Was the defendant legally entitled to vote at the election in question?
2. If she was not entitled to vote, but believed that she was, and voted in good faith in that belief, did such voting constitute a crime under the statute before referred to?
3. Did the defendant vote in good faith in that belief?

If the first question be decided in accordance with my views, the other questions become immaterial; if the second be decided adversely to my views, the first and third become immaterial. The first two are questions of law to be decided by the court, the other is a question for the jury.

The Court suggested that the argument should be confined to the legal questions, and the argument on the other question suspended. This suggestion was assented to, and the counsel proceeded.

My first position is that the defendant had the same right to vote as any other citizen who voted at that election. Before proceeding to the discussion of the purely legal question, I desire, as already intimated, to pay some attention to the propriety and justice of the rule which I claim to have been established by the Constitution.

Miss Anthony, and those united with her in demanding the right of suffrage, claim, and with a strong appearance of justice, that upon the principles upon which our Government is founded, and which lie at the basis of all just government, every citizen has a right to take part, upon equal terms with every other citizen, in the formation and administration of government. This claim on the part of the female sex presents a question the magnitude of which is not well appreciated by the writers and speakers who treat it with ridicule. Those engaged in the movement are able, sincere, and earnest women, and they will not be silenced by such ridicule, nor even by the villainous caricatures of Nast. On the contrary, they justly place all those things to the account of the wrongs which they think their sex has suffered. They believe, with an intensity of feeling which men who have not associated with them have not yet learned, that their sex has not had, and has not now, its just and true position in the organization of government and society. They may be wrong in their position,

[Pg 656]

but they will not be content until their arguments are fairly, truthfully, and candidly answered.

In the most celebrated document which has been put forth on this side of the Atlantic, our ancestors declared that "governments derive their just powers from the consent of the governed." Blackstone says:

The lawfulness of punishing such criminals (*i.e.*, persons offending merely against the laws of society) is founded upon this principle; that the law by which they suffer was made by their own consent; it is a part of the original contract into which they entered when first they engaged in society; it was calculated for and has long contributed to their own security.

Quotations, to an unlimited extent, containing similar doctrines from eminent writers, both English and American, on government, from the time of John Locke to the present day, might be made. Without adopting this doctrine which bases the rightfulness of government upon the consent of the governed, I claim that there is implied in it the narrower and unassailable principle that all citizens of a State, who are bound by its laws, are entitled to an equal voice in the making and execution of such laws. The doctrine is well stated by Godwin in his treatise on "Political Justice." He says:

The first and most important principle that can be imagined relative to the form and structure of government, seems to be this: that as government is a transaction in the name and for the benefit of the whole, every member of the community ought to have some share in its administration. Again, Government is a contrivance instituted for the security of individuals; and it seems both reasonable that each man should have a share in providing for his own security, and probable, that partiality and cabal should by this means be most effectually excluded. And again, To give each man a voice in the public concerns comes nearest to that admirable idea of which we should never lose sight, the uncontrolled exercise of private judgment. Each man would thus be inspired with a consciousness of his own importance, and the slavish feelings that shrink up the soul in the presence of an imagined superior would be unknown.

The mastery which this doctrine, whether right or wrong, has acquired over the public mind, has produced as its natural fruit, the extension of the right of suffrage to all the adult male population in nearly all the States of the Union; a result which was well epitomized by President Lincoln, in the expression, "government by the people for the people." This extension of the suffrage is regarded by many as a source of danger to the stability of free government. I believe it furnishes the greatest security for free government, as it deprives the mass of the people of all motive for revolution; and that government so based is most safe, not because the whole people are less liable to make mistakes in government than a select few, but because they have no interest which can lead them to such mistakes, or to prevent their correction when made. On the contrary, the world has never seen an aristocracy, whether composed of few or many, powerful enough to control a government, who did not honestly believe that their interest was identical with the public interest, and who did not act persistently in accordance with such belief; and, unfortunately, an aristocracy of sex has not proved an exception to the rule. The only method yet discovered of overcoming this tendency to the selfish use of power, whether consciously or unconsciously, by those possessing it, is the distribution of the power among all who are its subjects. Short of this the name free government is a misnomer.

[Pg 657]

This principle, after long strife, not yet entirely ended has been, practically at least, very generally recognized on this side of the Atlantic, as far as relates to men; but when the attempt is made to extend it to women, political philosophers and practical politicians, those "inside of politics," two classes not often found acting in concert, join in denouncing it. It remains to be determined whether the reasons which have produced the extension of the franchise to all adult men, do not equally demand its extension to all adult women. If it be necessary for men that each should have a share in the administration of government for his security, and to exclude partiality, as alleged by Godwin, it would seem to be equally, if not more, necessary for women, on account of their inferior physical power; and if, as is persistently alleged by those who sneer at their claims, they are also inferior in mental power, that fact only gives additional weight to the argument in their behalf, as one of the primary objects of government, as acknowledged on all hands, is the protection of the weak against the power of the strong.

I can discover no ground consistent with the principle on which the franchise has been given to all men, upon which it can be denied to women. The principal argument against such extension, so far as argument upon that side of the question has fallen under my observation, is based upon the position that women are represented in the government by men, and that their rights and interests are better protected through that indirect representation than they would be by giving them a direct voice in the government. The teachings of history in regard to the condition of women under the care of these self-constituted protectors, to which I can only briefly allude, show the value of this argument as applied to past ages; and in demonstration of its value as applied to more recent times, even at the risk of being tedious, I will give some examples from my own professional experience. I do this because nothing adds more to the efficacy of truth than the translation of the abstract into the concrete. Withholding names, I will state the facts with fullness and accuracy.

An educated and refined woman, who had been many years before deserted by her drunken husband, was living in a small village of Western New York, securing, by great economy and intense labor in fine needlework, the means of living, and of supporting her two daughters at an academy, the object of her life being to give them such an education as would enable them to become teachers, and thus secure to them some degree of independence when she could no longer provide for them. The daughters were good scholars and favorites in the school, so long as the mother was able to maintain them there. A young man, the nephew and clerk of a wealthy but miserly merchant, became acquainted with the daughters, and was specially attentive to the older one. The uncle disapproved of the conduct of his nephew, and failing to control it by honorable means, resorted to the circulation of the vilest slanders against mother and daughters. He was a man of wealth and influence. They were almost unknown. The mother had but recently come to the village, her object having been to secure to her daughters the educational advantages which the academy afforded. Poverty, as well as perhaps an excusable

if not laudable pride, compelled her to live in obscurity, and consequently the assault upon their characters fell upon her and her daughters with crushing force. Her employment mainly ceased, her daughters were of necessity withdrawn from school, and all were deprived of the means, from their own exertions, of sustaining life. Had they been in fact the harlots which the miserly scoundrel represented them to be, they would not have been so utterly powerless to resist his assault. The mother in her despair naturally sought legal redress. But how was it to be obtained? By the law the wife's rights were merged in those of the husband. She had in law no individual existence, and consequently no action could be brought by her to redress the grievous wrong; indeed, *according to the law she had suffered no wrong*, but the husband had suffered all, and was entitled to all the redress. Where he was the lady did not know; she had not heard from him for many years. Her counsel, however, ventured to bring an action in her behalf, joining the husband's name with hers, as the law required. When the cause came to trial the defendant made no attempt to sustain the charges which he had made, well knowing that they were as groundless as they were cruel; but he introduced and proved a release of the cause of action, signed by the husband, reciting a consideration of fifty dollars paid to him. The defendant's counsel had some difficulty in proving the execution of the release, and was compelled to introduce as a witness the constable who had been employed to find the vagabond husband and obtain his signature. His testimony disclosed the facts that he found the husband in the forest in one of our north-eastern counties, engaged in making shingles (presumably stealing timber from the public lands and converting it into the means of indulging his habits of drunkenness), and only five dollars of the fifty mentioned in the release had in fact been paid. The Court held, was compelled to hold, that the party injured *in view of the law*, had received full compensation for the wrong—and the mother and daughters with no means of redress were left to starve. This was the act of the *representative* of the wife and daughters to whom we are referred, as a better protector of their rights than they themselves could be. It may properly be added, that if the action had proceeded to judgment without interference from the husband, and such amount of damages had been recovered as a jury might have thought it proper to award, the money would have belonged to the husband, and the wife could not lawfully have touched a cent of it. Her attorney might, and doubtless would have paid it to her, but he could only have done so at the peril of being compelled to pay it again to the drunken husband if he had demanded it.

In another case, two ladies, mother and daughter, some time prior to 1860 came from an eastern county of New York to Rochester, where a habeas corpus was obtained for a child of the daughter less than two years of age. It appeared on the return of the writ, that the mother of the child had been previously abandoned by her husband, who had gone to a Western State to reside, and his wife had returned with the child to her mother's house, and had resided there after her desertion. The husband had recently returned from the West, had succeeded in getting the child into his custody, and was stopping overnight with it in Rochester on the way to his Western home. No misconduct on the part of the wife was pretended, and none on the part of the husband, excepting that he had gone to the West, leaving his wife and child behind, no cause appearing, and had returned, and somewhat clandestinely obtained possession of the child. The Judge, following Blackstone's views of husbands' rights, remanded the infant to the custody of the father. He thought the law required it, and perhaps it did; but if mothers had had a voice, either in making or administering the law, I think the result would have been different. The distress of the mother on being thus separated from her child can be better imagined than described. The separation proved a final one, as in less than a year neither father nor mother had any child on earth to love or care for. Whether the loss to the little one of a mother's love and watchfulness had any effect upon the result, can not, of course, be known.

The state of the law a short time since, in other respects, in regard to the rights of married women, shows what kind of security had been provided for them by their assumed representatives. Prior to 1848, all the personal property of every woman on marriage became the absolute property of the husband—the use of all her real estate became his during coverture, and on the birth of a living child, it became his during his life. He could squander it in dissipation or bestow it upon harlots, and the wife could not touch or interfere with it. Prior to 1860, the husband could by will take the custody of his infant children away from the surviving mother, and give it to whom he pleased—and he could in like manner dispose of the control of the children's property, after his death, during their minority, without the mother's consent. In most of these respects the state of the law has undergone great changes within the last twenty-five years. The property, real and personal, which a woman possesses before marriage, and such as may be given to her during coverture, remains her own, and is free from the control of her husband. If a married woman is slandered she can prosecute the slanderer in her own name, and recover to her own use damages for the injury. The mother now has an equal claim with the father to the custody of their minor children, and in case of controversy on the subject, courts may award the custody to either in their discretion. The husband can not now by will effectually appoint a guardian for his infant children without the consent of the mother, if living. These are certainly great ameliorations of the law; but how have they been produced? Mainly as the result of the exertions of a few heroic women, one of the foremost of whom is she who stands arraigned as a criminal before this Court to-day. For a thousand years the absurdities and cruelties to which I have alluded have been imbedded in the common law, and in the statute books, and men have not touched them, and would not until the end of time, had they not been goaded to it by the persistent efforts of the noble women to whom I have alluded.

Much has been done, but much more remains to be done by women. If they had possessed the elective franchise, the reforms which have cost them a quarter of a century of labor would have been accomplished in a year. They are still subject to taxation upon their property, without any voice as to the levying or destination of the tax; and are still subject to laws made by men, which subject them to fine and imprisonment for the same acts which men do with honor and reward—and when brought to trial no woman is allowed a place on the bench or in the jury box, or a voice in her behalf at the bar. They are bound to suffer the penalty of such laws, made and administered solely by men, and to be silent under the infliction. Give them the ballot, and, although I do not suppose that any great revolution will be produced, or that all political evils will be removed (I am not a believer in political panaceas), but if I mistake not, valuable reforms will be introduced which are not now thought of. Schools, alms-houses, hospitals, drinking saloons, and those worse dens which

are destroying the morals and the constitutions of so many of the young of both sexes, will feel their influence to an extent now little dreamed of. At all events women will not be taxed without an opportunity to be heard, and will not be subject to fine and imprisonment by laws made exclusively by men for doing what it is lawful and honorable for men to do.

It may be said in answer to the argument in favor of female suffrage derived from the cases to which I have referred, that men, not individually, but collectively, are the natural and appropriate representatives of women, and that, notwithstanding cases of individual wrong, the rights of women are, on the whole, best protected by being left to their care. It must be observed, however, that the cases which I have stated, and which are only types of thousands like them, in their cruelty and injustice, are the result of ages of legislation by these assumed protectors of women. The wrongs were less in the men than in the laws which sustained them, and which contained nothing for the protection of the women. But passing this view, let us look at the matter historically and on a broader field.

[Pg 660]

If Chinese women were allowed an equal share with men in shaping the laws of that great empire, would they subject their female children to torture with bandaged feet, through the whole period of childhood and growth, in order that they might be cripples for the residue of their lives? If Hindoo women could have shaped the laws of India, would widows for ages have been burned on the funeral pyres of their deceased husbands? If Jewish women had had a voice in framing Jewish laws, would the husband, at his own pleasure, have been allowed to "write his wife a bill of divorcement and give it in her hand, and send her out of his house"? Would women in Turkey or Persia have made it a heinous, if not capital, offense for a wife to be seen abroad with her face not covered by an impenetrable veil? Would women in England, however learned, have been for ages subjected to execution for offenses for which men, who could read, were only subjected to burning in the hand and a few months imprisonment?

The principle which governs in these cases, or which has done so hitherto, has been at all times and everywhere the same. Those who succeed in obtaining power, no matter by what means, will, with rare exceptions, use it for their exclusive benefit. Often, perhaps generally, this is done in the honest belief that such use is for the best good of all who are affected by it. A wrong, however, to those upon whom it is inflicted, is none the less a wrong by reason of the good motives of the party by whom it is inflicted.

The condition of subjection in which women have been held is the result of this principle; the result of superior strength, not of superior rights, on the part of men. Superior strength, combined with ignorance and selfishness, but not with malice. It is a relic of the barbarism in the shadow of which nations have grown up. Precisely as nations have receded from barbarism the severity of that subjection has been relaxed. So long as merely physical power governed in the affairs of the world, the wrongs done to women were without the possibility of redress or relief; but since nations have come to be governed by laws, there is room to hope, though the process may still be a slow one, that injustice in all its forms, or at least political injustice, may be extinguished. No injustice can be greater than to deny to any class of citizens not guilty of crime, all share in the political power of a State, that is, all share in the choice of rulers, and in the making and administration of the laws. Persons to which such share is denied, are essentially slaves, because they hold their rights, if they can be said to have any, subject to the will of those who hold the political power. For this reason it has been found necessary to give the ballot to the emancipated slaves. Until this was done their emancipation was far from complete. Without a share in the political powers of the State, no class of citizens has any security for its rights, and the history of nations to which I briefly alluded, shows that women constitute no exception to the universality of this rule.

Great errors, I think, exist in the minds of both the advocates and the opponents of this measure in their anticipation of the immediate effects to be produced by its adoption. On the one hand it is supposed by some that the character of women would be radically changed—that they would be unsexed, as it were, by clothing them with political rights, and that instead of modest, amiable, and graceful beings, we should have bold, noisy, and disgusting political demagogues, or something worse, if anything worse can be imagined. I think those who entertain such opinions are in error. The innate character of women is the result of God's laws, not of man's, nor can the laws of man affect that character beyond a very slight degree. Whatever rights may be given to them, and whatever duties may be charged upon them by human laws, their general character will remain unchanged. Their modesty, their delicacy, and intuitive sense of propriety, will never desert them, into whatever new positions their added rights or duties may carry them.

[Pg 661]

So far as women, without change of character as women, are qualified to discharge the duties of citizenship, they will discharge them if called upon to do so, and beyond that they will not go. Nature has put barriers in the way of any excessive devotion of women to public affairs, and it is not necessary that nature's work in that respect should be supplemented by additional barriers invented by men. Such offices as women are qualified to fill will be sought by those who do not find other employment, and others they will not seek, or if they do, will seek in vain. To aid in removing as far as possible the disheartening difficulties which women dependent upon their own exertions encounter, it is, I think, desirable that such official positions as they can fill should be thrown open to them, and that they should be given the same power that men have to aid each other by their votes. I would say, remove all legal barriers that stand in the way of their finding employment, official or unofficial, and leave them, as men are left, to depend for success upon their character and their abilities. As long as men are allowed to act as milliners, with what propriety can they exclude women from the post of school commissioners when chosen to such positions by their neighbors?

To deny them such rights, is to leave them in a condition of political servitude as absolute as that of the African slaves before their emancipation. This conclusion is readily to be deduced from the opinion of Chief-Justice Jay in the case of *Chisholm's Ex'rs vs. The State of Georgia* (2 Dallas, 419-471), although the learned Chief-Justice had of course no idea of any such application as I make of his opinion. The action was assumpsit by a citizen of the State of South Carolina, and the question was, whether the United States Court had jurisdiction, the State of Georgia declining to appear. The Chief-Justice, in the course of his opinion, after alluding to the feudal idea of the character of the

sovereign in England, and giving some of the reasons why he was not subject to suit before the courts of the kingdom, says:

The same feudal ideas run through all their jurisprudence, and constantly remind us of the distinction between the prince and the subject. No such ideas obtain here. At the Revolution the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects (unless the African slaves among us may be so called), and have none to govern but themselves; the citizens of America are equal as fellow-citizens, and as joint tenants in the sovereignty.

Now I beg leave to ask, in case this charge against Miss Anthony can be sustained, what equality and what sovereignty is enjoyed by the half of the citizens of these United States to which she belongs? Do they not, in that event, occupy politically exactly the position which the learned Chief-Justice assigns to the African slaves? Are they not shown to be subjects of the other half, who are the sovereigns? And is not their political subjection as absolute as was that of the African slaves? If that charge has any basis to rest upon, the learned Chief-Justice was wrong. The sovereigns of this country, according to the theory of this prosecution, are not sovereigns without subjects. Though two or three millions of their subjects have lately ceased to be such, and have become freemen, they still hold twenty millions of subjects in absolute political bondage. If it be said that my language is stronger than the facts warrant, I appeal to the record in this case for its justification.

[Pg 662]

As deductions from what has been said, I respectfully insist, 1st, That upon the principles upon which our government is based, the privileges of the elective franchise can not justly be denied to women. 2d. That women need it for their protection. 3d. That the welfare of both sexes will be promoted by granting it to them.

It would not become me, however clear my own convictions may be on the subject, to assert the right of women, under our Constitution and laws as they now are, to vote at Presidential and Congressional elections, is free from doubt, because very able men have expressed contrary opinions on that question, and, so far as I am informed, there has been no authoritative adjudication upon it; or, at all events, none upon which the public mind has been content to rest as conclusive. I proceed, therefore, to offer such suggestions as occur to me, and to refer to such authorities bearing upon the question, as have fallen under my observation, hoping to satisfy your honor, not only that my client has committed no criminal offense, but that she has done nothing which she had not a legal and Constitutional right to do. It is not claimed that, under our State Constitution and the laws made in pursuance of it, women are authorized to vote at elections, other than those of private corporations, and consequently the right of Miss Anthony to vote at the election in question, can only be established by reference to an authority superior to and sufficient to overcome the provisions of our State Constitution. Such authority can only be found, and I claim that it is found in the Constitution of the United States. For convenience I beg leave to bring together the various provisions of that Constitution which bear more or less directly upon the question:

ARTICLE I, Section 2. The House of Representatives shall be composed of members chosen every second year, by the people of the several States; and the electors in each State shall have the qualifications for electors of the most numerous branch of the State Legislature.

ARTICLE I, Section 3. The Senate of the United States shall be composed of two senators from each State, chosen by the Legislature thereof for six years; and each senator shall have one vote.

ARTICLE II, Section 1. Each State shall appoint in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of senators and representatives to which the State may be entitled in the Congress.

ARTICLE IV, Section 2. The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States.

ARTICLE IV, Section 4. The United States shall guarantee to every State in the Union a republican form of government.

[Pg 663]

THIRTEENTH AMENDMENT. (DECEMBER 18, 1865.)

1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

2. Congress shall have power to enforce this article by appropriate legislation.

FOURTEENTH AMENDMENT. (JULY 28, 1868.)

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

FIFTEENTH AMENDMENT. (MARCH 30, 1870.)

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

By reference to the provisions of the original Constitution, here recited, it appears that prior to the XIII., if not until the XIV. Amendment, the whole power over the elective franchise, even in the choice of Federal officers, rested with the States. The Constitution contains no definition of the term "citizen," either of the United States, or of the several States, but contents itself with the provision that "the citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States." The States were thus left free to place such restrictions and limitations upon the "privileges and immunities" of citizens as they saw fit, so far as is consistent with a republican form of government, subject only to the condition that no State could place restrictions upon the "privileges or immunities" of the citizens of any other State, which would not be applicable to its own citizens under like circumstances. It will be seen, therefore, that the whole subject, as to what should constitute the "privileges and immunities" of the citizen being left to the States, no question, such as we now present, could have arisen under the original Constitution of the United States.

But now, by the XIV. Amendment, the United States have not only declared what constitutes citizenship, both in the United States and in the several States, securing the rights of citizens to "all persons born or naturalized in the United States"; but have absolutely prohibited the States from making or enforcing "any law which shall abridge the privileges or immunities of citizens of the United States." By virtue of this provision, I insist that the act of Miss Anthony in voting was lawful. It has never, since the adoption of the XIV. Amendment, been questioned, and can not be questioned, that women as well as men are included in the terms of its first section, nor that the same "privileges and immunities of citizens" are equally secured to both.

[Pg 664]

What, then, are the "privileges and immunities of citizens of the United States" which are secured against such abridgment, by this section? I claim that these terms not only include the right of voting for public officers, but that they include that right as pre-eminently the most important of all the privileges and immunities to which the section refers. Among these privileges and immunities may doubtless be classed the right to life and liberty, to the acquisition and enjoyment of property, and to the free pursuit of one's own welfare, so far as such pursuit does not interfere with the rights and welfare of others; but what security has any one for the enjoyment of these rights when denied any voice in the making of the laws, or in the choice of those who make, and those who administer them? The possession of this voice, in the making and administration of the laws—this political right—is what gives security and value to the other rights, which are merely personal, not political. A person deprived of political rights is essentially a slave, because he holds his personal rights subject to the will of those who possess the political power. This principle constitutes the very corner-stone of our Government—indeed, of all republican government. Upon that basis our separation from Great Britain was justified. "Taxation without representation is tyranny." This famous aphorism of James Otis, although sufficient for the occasion when it was put forth, expresses but a fragment of the principle, because government can be oppressive through means of many appliances besides that of taxation. The true principle is, that all government over persons deprived of any voice in such government, is tyranny. That is the principle of the Declaration of Independence. We were slow in allowing its application to the African race, and have been still slower in allowing its application to women; but it has been done by the XIV. Amendment, rightly construed, by a definition of "citizenship," which includes women as well as men, and in the declaration that "the privileges and immunities of citizens shall not be abridged."

If there is any privilege of the citizen which is paramount to all others, it is the right of suffrage; and in a constitutional provision, designed to secure the most valuable rights of the citizen, the declaration that the privileges and immunities of the citizen shall not be abridged must, as I conceive, be held to secure that right before all others. It is obvious, when the entire language of the section is examined, not only that this declaration was designed to secure to the citizen this political right, but that such was its principal, if not its sole object, those provisions of the section which follow it being devoted to securing the personal rights of "life, liberty, property, and the equal protection of the laws." The clause on which we rely, to wit: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States," might be stricken out of the section, and the residue would secure to the citizen every right which is now secured, excepting the political rights of voting and holding office. If the clause in question does not secure those political rights, it is entirely nugatory, and might as well have been omitted.

[Pg 665]

If we go to the lexicographers and to the writers upon law, to learn what are the privileges and immunities of the "citizen" in a republican government, we shall find that the leading feature of citizenship is the enjoyment of the right of suffrage. The definition of the term "citizen" by Bouvier is:

One who under the Constitution and laws of the United States, has a right to vote for Representatives in Congress, and other public officers, and who is qualified to fill offices in the gift of the people.

By Worcester:

An inhabitant of a republic who enjoys the rights of a freeman, and has a right to vote for public officers.

By Webster:

In the United States, a person, native or naturalized, who has the privilege of exercising the elective franchise, or the qualifications which enable him to vote for rulers, and to purchase and hold real estate.

The meaning of the word "citizen" is directly and plainly recognized by the latest Amendment of the Constitution, the XV.:

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

This clause assumes that the right of citizens, as such, to vote, is an existing right. Mr. Richard Grant White, in his late work on "Words and their Uses," says of the word citizen:

A citizen is a person who has certain political rights, and the word is properly used to imply or suggest the possession of these rights.

Mr. Justice Washington, in the case of *Corfield vs. Coryell* (4 Wash. C. C. Rep. 380), speaking of the "privileges and immunities" of the citizen, as mentioned in Sec. 2, Art. 4, of the Constitution, after enumerating the personal rights mentioned above, and some others, as embraced by those terms, says,

To which may be added the elective franchise, as regulated and established by the laws or constitution of the State in which it is to be exercised.

At that time the States had entire control of the subject, and could abridge this privilege of the citizen at its pleasure; but the judge recognizes the "elective franchise" as among the "privileges and immunities" secured, to a qualified extent, to the citizens of every State by the provisions of the Constitution last referred to. When, therefore, the States were, by the XIV. Amendment, absolutely prohibited from abridging the privileges of the citizen, either by enforcing existing laws, or by the making of new laws, the right of every "citizen" to the full exercise of this privilege, as against State action, was absolutely secured.

Chancellor Kent and Judge Story both refer to the opinion of Mr. Justice Washington, above quoted, with approbation. The Supreme Court of Kentucky, in the case of *Amy, a woman of color, vs. Smith* (1 Littell's Rep. 326), discussed with great ability the questions as to what constituted citizenship, and what were the "privileges and immunities of citizens" which were secured by Sec. 2, Art. 4, of the Constitution, and they showed, by an unanswerable argument, that the term "citizens," as there used, was confined to those who were entitled to the enjoyment of the elective franchise, and that that was among the highest of the "privileges and immunities" secured to the citizen by that section. The court says that,

To be a citizen it is necessary that he should be entitled to the enjoyment of these privileges and immunities, upon the same terms upon which they are conferred upon other citizens; and unless he is so entitled he can not, in the proper sense of the term, be a citizen.

In the case of *Scott vs. Sanford* (19 How. 404), Chief-Justice Taney says:

The words "people of the United States," and "citizens," are synonymous terms, and mean the same thing; they describe the political body, who according to our republican institutions, form the sovereignty and hold the power, and conduct the government through their representatives. They are what we familiarly call the sovereign people, and every citizen is one of this people, and a constituent member of this sovereignty.

Mr. Justice Daniel, in the same case (p. 476), says:

Upon the principles of etymology alone, the term citizen, as derived from *civitas*, conveys the idea of connection or identification with the State or Government, and a participation in its functions. But beyond this, there is not, it is believed, to be found in the theories of writers on government, or in any actual experiment heretofore tried, an exposition of the term citizen, which has not been understood as conferring the actual possession and enjoyment, or the perfect right of acquisition and enjoyment of an entire equality of privileges, civil and political.

Similar references might be made to an indefinite extent, but enough has been said to show that the term citizen, in the language of Justice Daniel, conveys the idea "of identification with the State or Government, and a participation in its functions." Beyond question, therefore, the first section of the XIV. Amendment, by placing the citizenship of women upon a par with that of men, and declaring that the "privileges and immunities" of the citizen shall not be abridged, has secured to women, equally with men, the right of suffrage, unless that conclusion is overthrown by some other provision of the Constitution.

It is not necessary for the purposes of this argument to claim that this Amendment prohibits a State from making or enforcing any law whatever, regulating the elective franchise, or prescribing the conditions upon which it may be exercised. But we do claim that in every republic the right of suffrage, in some form and to some extent, is not only one of the privileges of its citizens, but is the first, most obvious and most important of all the privileges they enjoy; that in this respect all citizens are equal, and that the effect of this Amendment is, to prohibit the States from enforcing any law which denies this right to any of its citizens, or which imposes any restrictions upon it, which are inconsistent with a republican form of government. Within this limit, it is unnecessary for us to deny that the States may still regulate and control the exercise of the right.

The only provisions of the Constitution which it can be contended conflict with the construction which has here been put upon the first section of the XIV. Amendment, are the XV. Amendment, and the second section of the XIV. In regard to the XV. Amendment, I shall only say, that if my interpretation of the XIV. is correct, there was still an object to be accomplished and which was accomplished by the XV. The prohibition of any action abridging the privileges and immunities of citizens, contained in the XIV. Amendment, applies only to the States, and leaves the United States

Government free to abridge the political privileges and immunities of citizens of the United States, as such, at its pleasure. By the XV. Amendment both the United States and the State governments are prohibited from exercising this power, "on account of race, color, or previous condition of servitude" of the citizen.

The first remark to be made upon the second section of the XIV. Amendment is, that it does not give, and was not designed to give to the States any power to deny or abridge the right of any citizen to exercise the elective franchise. So far as it touches that subject, it was designed to be restrictive upon the States. It gives to them no power whatever. It takes away no power, and it gives none; but if the States possess the power to deny or abridge the right of citizens to vote, it must be derived from some other provision of the Constitution. I believe none such can be found, which was not necessarily abrogated by the first section of this Amendment. It may be conceded that the persons who prepared this section supposed that, by other parts of the Constitution, or in some other way, the States would still be authorized, notwithstanding the provisions of the first section, to deny to the citizens the privilege of voting, as mentioned in the second section; but their mistake can not be held to add to, or to take from the other provisions of the Constitution. It is very clear that they did not intend, by this section, to give to the States any such power, but, believing that the States possessed it, they designed to hold the prospect of a reduction of their representation in Congress *in terrorem* over them to prevent them from exercising it. They seem not to have been able to emancipate themselves from the influence of the original Constitution which conceded this power to the States, or to have realized the fact that the first section of the Amendment, when adopted, would wholly deprive the States of that power.

But those who prepare constitutions are never those who adopt them, and consequently the views of those who frame them have little or no bearing upon their interpretation. The question for consideration here is, what the people, who, through their representatives in the legislatures, adopted the Amendments, understood, or must be presumed to have understood, from their language. They must be presumed to have known that the "privileges and immunities" of citizens which were secured to them by the first section beyond the power of abridgment by the States, gave them the right to exercise the elective franchise, and they certainly can not be presumed to have understood that the second section, which was also designed to be restrictive upon the States, would be held to confer by implication a power upon them, which the first section in the most express terms prohibited.

It has been, and may be again asserted, that the position which I have taken in regard to the second section is inadmissible, because it renders the section nugatory. That is, as I hold, an entire mistake. The leading object of the second section was the readjustment of the representation of the States in Congress, rendered necessary by the abolition of chattel slavery [not of political slavery], effected by the XIII. Amendment. This object the section accomplishes, and in this respect it remains wholly untouched, by my construction of it. Neither do I think the position tenable which has been taken by one tribunal, to which the consideration of this subject was presented, that the constitutional provision does not execute itself. The provisions on which we rely were negative merely, and were designed to nullify existing as well as any future State legislation interfering with our rights. This result was accomplished by the constitution itself. Undoubtedly before we could exercise our right, it was necessary that there should be a time and place appointed for holding the election and proper officers to hold it, with suitable arrangements for receiving and counting the votes. All this was properly done by existing laws, and our right being made complete by the Constitution, no further legislation was required in our behalf. When the State officers attempted to interpose between us and the ballot-box the State Constitution or State law, whether ancient or recent, abridging or denying our equal right to vote with other citizens, we had but to refer to the United States Constitution, prohibiting the States from enforcing any such constitutional provision or law, and our rights were complete; we needed neither Congressional nor State legislation in aid of them. The opinion of Mr. Justice Bradley, in a case in the United States Circuit Court in New Orleans (1 Abb. U. S. Rep., 402) would seem to be decisive of this question, although the right involved in that case was not that of the elective franchise. The learned Justice says:

It was very ably contended on the part of the defendants that the XIV. Amendment was intended only to secure to all citizens equal capacities before the law. That was at first our view of it. But it does not so read. The language is: "No State shall abridge the privileges or immunities of citizens of the United States." What are the privileges and immunities of citizens? Are they capacities merely? Are they not also rights?

Senator Carpenter, who took part in the discussion of the XIV. Amendment in the Senate, and aided in its passage, says:

The XIV. Amendment executes itself in every State of the Union.... It is thus the will of the United States in every State, and silences every State Constitution, usage, or law which conflicts with it.... And if this provision does protect the colored citizen, then it protects every citizen, black or white, male or female.... And all the privileges and immunities which I vindicate to a colored citizen, I vindicate to our mothers, our sisters, and our daughters.—*Chicago Legal News*, vol. IV., No. 15.

It has been said, with how much or how little truth I do not know, that the subject of securing to women the elective franchise was not considered in the preparation or in the adoption of these Amendments. It is wholly immaterial whether that was so or not. It is never possible to arrive at the intention of the people in adopting constitutions, except by referring to the language used. As is said by Mr. Cooley, "the intent is to be found in the instrument itself" (p. 55), and to that I have confined my remarks. It is not a new thing for constitutional and legislative acts to have an effect beyond the anticipation of those who framed them. It is undoubtedly true, that in exacting *Magna Charta* from King John, the Barons of England provided better securities for the rights of the common people than they were aware of at the time, although the rights of the common people were neither forgotten nor neglected by them. It has also been said, perhaps with some truth, that the framers of the original Constitution of the United States "built better than they knew;" and it is quite possible that in framing the Amendments under consideration, those engaged in doing it have accomplished a much greater work than they were at the time, aware of. I am quite sure that it will

be fortunate for the country, if this great question of female suffrage, than which few greater were ever presented for the consideration of any people, shall be found, almost unexpectedly, to have been put at rest. The opinion of Mr. Justice Bradley, in regard to this Amendment, in the case above referred to, if I understand it, corresponds very nearly with what I have here said. The learned Judge, in one part of his opinion, says:

[Pg 669]

It is possible that those who framed the article were not themselves aware of the far-reaching character of its terms. They may have had in mind but one particular phase of social and political wrong, which they desired to redress—yet, if the Amendment, as framed and expressed, does, in fact, have a broader meaning, and does extend its protecting shield over those who were never thought of when it was conceived and put in form, and does reach such social evils which were never before prohibited by constitutional amendment, it is to be presumed that the American people, in giving it their imprimatur, understood what they were doing, and meant to decree what has, in fact, been done.... It embraces much more. The "privileges and immunities" secured by the original Constitution were only such as each State gave its own citizens. Each was prohibited from discriminating in favor of its own citizens, and against the citizens of other States. But the XIV. Amendment prohibits any State from abridging the privileges or immunities of the citizens of the United States, whether its own citizens or any others. It not merely requires equality of privileges, but it demands that the privileges and immunities of all citizens shall be absolutely unabridged, unimpaired. (1 Abbott's U. S. Rep., 397).

It will doubtless be urged as an objection to my position (that citizenship carries with it the right to vote) that it would, in that case, follow that infants and lunatics, who, as well as adults and persons of sound mind, are citizens, would also have that right. This objection, which appears to have great weight with certain classes of persons, is entirely without force. It takes no note of the familiar fact, that every legislative provision, whether constitutional or statutory, which confers any discretionary power, is always confined in its operation to persons who are *compos mentis*. It is wholly unnecessary to except idiots and lunatics out of any such statute. They are excluded from the very nature of the case. The contrary supposition would be simply absurd. And, in respect to every such law, infants, during their minority, are in the same class. But are women, who are not infants, ever included in this category? Does any such principle of exclusion apply to them? Not at all. On the contrary, they stand, in this respect, upon the same footing as men, with the sole exception of the right to vote and the right to hold office. In every other respect, whatever rights and powers are conferred upon persons by law may be exercised by women as well as by men. They may transact any kind of business for themselves, or as agents or trustees for others; may be executors and administrators, with the same powers and responsibilities as men; and it ought not to be a matter of surprise or regret that they are now placed, by the XIV. Amendment, in other respects upon a footing of perfect equality.

Although not directly connected with the argument as to the right secured to women by the Constitution, I deem it not improper to allude briefly to some of the popular objections against the propriety of allowing females the privilege of voting. I do this because I know from past experience that these popular objections, having no logical bearing upon the subject, are yet, practically, among the most potent arguments against the interpretation of the XIV. Amendment, which I consider the only one that its language fairly admits of.

It is said that women do not desire to vote. Certainly many women do not but that furnishes no reason for denying the right to those who do desire to vote. Many men decline to vote. Is that a reason for denying the right to those who would vote? I believe, however, that the public mind is greatly in error in regard to the proportion of female citizens who would vote if their right to do so were recognized. In England there has been to some extent a test of that question, with the following result, as given in the newspapers, the correctness of which, in this respect, I think there is no reason to doubt:

[Pg 670]

Woman suffrage is, to a certain extent, established in England, with the result as detailed in the London *Examiner*, that in 66 municipal elections, out of every 1,000 women who enjoy equal rights with men on the register, 516 went to the poll, which is but 48 less than the proportionate number of men. And out of 27,949 women registered, where a contest occurred, 14,416 voted. Of men there were 166,781 on the register, and 90,080 at the poll. The *Examiner* thereupon draws this conclusion: "Making allowance for the reluctance of old spinsters to change their habits, and the more frequent illness of the sex, it is manifest that women, if they had opportunity, would exercise the franchise as freely as men. There is an end, therefore, of the argument that women would not vote if they had the power."

Our law books furnish, perhaps, more satisfactory evidence of the earnestness with which women in England are claiming the right to vote, under the reform act of 1867, aided by Lord Brougham's act of 1850. The case of Chorlton, appellant, vs. Lings, respondent, came before the Court of Common Pleas in England in 1869. It was an appeal from the decision of the revising barrister, for the borough of Manchester, to the effect "that Mary Abbott, being a woman, was not entitled to be placed on the register." Her right was perfect in all respects excepting that of sex. The court, after a very full and able discussion of the subject, sustained the decision of the revising barrister, denying to women the right to be placed on the register, and consequently denying their right to vote. The decision rested upon the peculiar phraseology of several Acts of Parliament, and the point decided has no applicability here. My object in referring to the case has been to call attention to the fact stated by the reporter, that appeals of 5,436 other women were consolidated and decided with this. No better evidence could be furnished of the extent and earnestness of the claim of women in England to exercise the elective franchise.—Law Rep. Com. Pleas, 4-374. I infer, without being able to say how the fact is, that the votes given by women, as mentioned in the newspapers, were given at municipal elections merely, and that the cases decided by the Court of Common Pleas relate to elections for members of Parliament.

Another objection is, that the right to hold office must attend the right to vote, and that women are not qualified to discharge the duties of responsible offices. I beg leave to answer this objection by asking one or more questions. How many of the male bipeds who do our voting are qualified to hold

high offices? How many of the large class to whom the right of voting is supposed to have been secured by the XV. Amendment, are qualified to hold office? Whenever the qualifications of persons to discharge the duties of responsible offices is made the test of their right to vote, and we are to have a competitive examination on that subject, open to all claimants, my client will be content to enter the lists, and take her chances among the candidates for such honors.

But the practice of the world, and our own practice, give the lie to this objection. Compare the administration of female sovereigns of great kingdoms, from Semiramis to Victoria, with the average administration of male sovereigns, and which will suffer by the comparison? How often have mothers governed large kingdoms, as regents, during the minority of their sons, and governed them well? Such offices as the "sovereigns" who rule them in this country have allowed women to hold (they having no voice on the subject), they have discharged the duties of with ever-increasing satisfaction to the public; and Congress has lately passed an act, making the official bonds of married women valid, so that they could be appointed to the office of postmaster.

[Pg 671]

The case of *Olive vs. Ingraham* (7 Modern Rep. 263) was an action brought to try the title to an office. On the death of the sexton of the parish of St. Butolph, the place was to be filled by election, the voters being the housekeepers who "paid Scot and lot" in the parish. The widow of the deceased sexton (Sarah Bly) entered the lists against Olive, the plaintiff in the suit, and received 169 indisputable votes, and 40 votes given by women who were "housekeepers, and paid to church and poor." The plaintiff had 174 indisputable votes, and 22 votes given by such women as voted for Mrs. Bly. Mrs. Bly was declared elected. The action was brought to test two questions: 1. Whether women were legal voters; and 2. Whether a woman was capable of holding the office. The case was four times argued in the King's Bench, and all the Judges delivered opinions, holding that the women were competent voters; that the widow was properly elected, and could hold the office. In the course of the discussion it was shown that women had held many offices, those of constable, church warden, overseer of the poor, keeper of the "gate house" (a public prison), governess of a house of correction, keeper of castles, sheriffs of counties, and high constable of England. If women are legally competent to hold minor offices, I would be glad to have the rule of law, or of propriety, shown which should exclude them from higher offices, and which marks the line between those which they may and those which they may not hold.

Another objection is that women can not serve as soldiers. To this I answer that capacity for military service has never been made a test of the right to vote. If it were, young men from sixteen to twenty-one would be entitled to vote, and old men from sixty and upward would not. If that were the test, some women would present much stronger claims than many of the male sex.

Another objection is that engaging in political controversies is not consistent with the feminine character. Upon that subject, women themselves are the best judges, and if political duties should be found inconsistent with female delicacy, we may rest assured that women will either effect a change in the character of political contests, or decline to engage in them. This subject may be safely left to their sense of delicacy and propriety. If any difficulty on this account should occur, it may not be impossible to receive the votes of women at their places of residence. This method of voting was practiced in ancient Rome under the republic; and it will be remembered that when the votes of the soldiers who were fighting our battles in the Southern States were needed to sustain their friends at home, no difficulty was found in the way of taking their votes at their respective camps.

I humbly submit to your honor, therefore, that on the Constitutional grounds to which I have referred, Miss Anthony had a lawful right to vote; that her vote was properly received and counted; that the first section of the XIV. Amendment secured to her that right, and did not need the aid of any further legislation. But conceding that I may be in error in supposing that Miss Anthony had a right to vote, she has been guilty of no crime, if she voted in good faith believing that she had such right. This proposition appears to me so obvious, that were it not for the severity to my client of the consequences which may follow a conviction, I should not deem it necessary to discuss it.

[Pg 672]

To make out the offense, it is incumbent on the prosecution to show affirmatively, not only that the defendant knowingly voted, but that she so voted knowing that she had no right to vote. That is, the term "knowingly" applies, not to the fact of voting, but to the fact of want of right. Any other interpretation of the language would be absurd. We can not conceive of a case where a party could vote without knowledge of the fact of voting, and to apply the term "knowingly" to the mere act of voting, would make nonsense of the statute. This word was inserted as defining the essence of the offense, and it limits the criminality to cases where the voting is not only without right, but where it is done willfully, with a knowledge that it is without right. Short of that there is no offense within the statute. This would be so upon well-established principles, even if the word "knowingly" had been omitted, but that word was inserted to prevent the possibility of doubt on the subject, and to furnish security against the inability of stupid or prejudiced judges or jurors, to distinguish between willful wrong and innocent mistake. If the statute had been merely that "if at any election for representative in Congress any person shall vote without having a lawful right to vote, such person shall be deemed guilty of a crime," there could have been justly no conviction under it without proof that the party voted knowing that he had not a right to vote. If he voted innocently supposing he had the right to vote, but had not, it would not be an offense within the statute. An innocent mistake is not a crime, and no amount of judicial decisions can make it such. Mr. Bishop says, (1 Cr. Law, § 205),

There can be no crime unless a culpable intent accompanies the criminal act. The same author (1 Cr. Prac. § 521), repeated in other words, the same idea: In order to render a party criminally responsible, a vicious will must concur with a wrongful act.

I quote from a more distinguished author:

Felony is always accompanied with an evil intention, and therefore shall not be imputed to a mere mistake or misanimadversion, as where persons break open a door, in order to execute a warrant, which will not justify such proceeding: *Affectio enim tua nomen imponit operi tuo: item crimen non contrahitur nisi nocendi, voluntas intercedat*, which, as I understand, may read: For

your violation puts the name upon your act; and a crime is not committed unless the will of the offender takes part in it. (1 Hawk. P. C., p. 99, Ch. 25, § 3.)

This quotation by Hawkins is, I believe, from Bracton, which carries the principle back to a very early period in the existence of the common law. It is a principle, however, which underlies all law, and must have been recognized at all times, wherever criminal law has been administered, with even the slightest reference to the principles of common morality and justice. I quote again on this subject from Mr. Bishop:

[Pg 673]

The doctrine of the intent as it prevails in the criminal law, is necessarily one of the foundation principles of public justice. There is only one criterion by which the guilt of man is to be tested. It is whether the mind is criminal. Criminal law relates only to crime. And neither in philosophical speculation, nor in religious or moral sentiment, would any people in any age allow that a man should be deemed guilty unless his mind was so. It is, therefore, a principle of our legal system, as probably it is of every other, that the essence of an offense is the wrongful intent without which it can not exist. (1 Bishop's Crim. Law, § 287.)

Again, the same author, writing on the subject of knowledge, as necessary to establish the intent, says:

It is absolutely necessary to constitute guilt, as in indictments for uttering forged tokens, or other attempts to defraud, or for receiving stolen goods, and offenses of a similar description. (1 Crim. Prac. § 504.)

In regard to the offense of obtaining property by false pretenses, the author says:

The indictment must allege that the defendant knew the pretenses to be false. This is necessary upon the general principles of the law, in order to show an offense, even though the statute does not contain the word "knowingly." (2 Id. § 172.)

As to a presumed knowledge of the law, where the fact involves a question of law, the same author says:

The general doctrine laid down in the foregoing sections (*i.e.*, that every man is presumed to know the law, and that ignorance of the law does not excuse), is plain in itself and plain in its application. Still, there are cases, the precise nature and extent of which are not so obvious, wherein ignorance of the law constitutes, in a sort of indirect way, not in itself a defense, but a foundation on which another defense rests. Thus, if the guilt or innocence of a prisoner depends on the fact to be found by the jury, of his having been or not, when he did the act, in some precise mental condition, which mental condition is the gist of the offense, the jury in determining this question of mental condition, may take into consideration his ignorance or misinformation in a matter of law. For example, to constitute larceny, there must be an intent to steal, which involves the knowledge that the property taken does not belong to the taker; yet, if all the facts concerning the title are known to the accused, and so the question is one merely of law whether the property is his or not; still he may show, and the showing will be a defense to him against the criminal proceeding, that he honestly believed it his through a misapprehension of the law.

The conclusions of the writer here are correct, but in a part of the statement the learned author has thrown some obscurity over his own principles. The doctrines elsewhere enunciated by him, show with great clearness, that in such cases the state of the mind constitutes the essence of the offense, and if the state of the mind which the law condemns does not exist, in connection with the act, there is no offense. It is immaterial whether its non-existence be owing to ignorance of law or ignorance of fact, in either case the fact which the law condemns, the criminal intent, is wanting. It is not, therefore, in an "indirect way," that ignorance of the law in such cases constitutes a defense, but in the most direct way possible. It is not a fact which jurors "may take into consideration" or not, at their pleasure, but which they must take into consideration, because, in case the ignorance exists, no matter from what cause, the offense which the statute describes is not committed. In such case, ignorance of the law is not interposed as a shield to one committing a criminal act, but merely to show, as it does show, that no criminal act has been committed. I quote from Sir Matthew Hale on the subject. Speaking of larceny, the learned author says:

[Pg 674]

As it is *cepit* and *asportavit*, so it must be *felonice*, or *animo furandi*, otherwise it is not felony, for it is the mind that makes the taking of another's goods to be a felony, or a bare trespass only; but because the intention and mind are secret, the intention must be judged of by the circumstances of the fact, and these circumstances are various, and may sometimes deceive, yet regularly and ordinarily these circumstances following direct in the case. If A., thinking he hath a title to the house of B., seizeth it as his own ... this regularly makes no felony, but a trespass only; but yet this may be a trick to color a felony, and the ordinary discovery of a felonious intent is, if the party doth it secretly or being charged with the goods denies it. (1 Hale's P. C, 509.)

I concede, that if Miss Anthony voted, knowing that as a woman she had no right to vote, she may properly be convicted, and that if she had dressed herself in men's apparel, and assumed a man's name, or resorted to any other artifice to deceive the board of inspectors, the jury might properly regard her claim of right to be merely colorable, and might, in their judgment, pronounce her guilty of the offense charged, in case the constitution has not secured to her the right she claimed. All I claim is, that if she voted in perfect good faith, believing that it was her right, she has committed no crime. An innocent mistake, whether of law or fact, though a wrongful act may be done in pursuance of it, can not constitute a crime.

[The following cases and authorities were referred to and commented upon by the counsel, as sustaining his positions: U. S. vs. Conover, 3 McLean's Rep., 573; The State vs. McDonald, 4 Harrington, 555; The State vs. Homes, 17 Mo., 379; Rex vs. Hall, 3 C. & P., 409 (S. C. 14 Eng., C. L.); The Queen vs. Reed, 1 C. & M., 306 (S. C. 41 Eng., C. L.); Lancaster's Case, 3 Leon, 208; Starkie on Ev., Part IV., Vol. 2, p. 828, 3d Am. Ed.]

The counsel then said, there are some cases which I concede can not be reconciled with the position which I have endeavored to maintain, and I am sorry to say that one of them is found in the reports of this State. As the cases are referred to in that, and the principle, if they can be said to stand on any principle, is in all of them the same, it will only be incumbent on me to notice that one. That case is not only irreconcilable with the numerous authorities and the fundamental principles of criminal law to which I have referred, but the enormity of its injustice is sufficient alone to condemn it. I refer to the case of *Hamilton vs. The People* (57 Barb., 725). In that case Hamilton had been convicted of a misdemeanor, in having voted at a general election, after having been previously convicted of a felony, and sentenced to two years imprisonment in the State prison, and not having been pardoned; the conviction having by law deprived him of citizenship and right to vote, unless pardoned and restored to citizenship. The case came up before the General Term of the Supreme Court, on writ of error. It appeared that on the trial evidence was offered, that before the prisoner was discharged from the State prison, he and his father applied to the Governor for a pardon, and that the Governor replied in writing, that on the ground of the prisoner's being a minor at the time of his discharge from prison, a pardon would not be necessary, and that he would be entitled to all the rights of a citizen on his coming of age. They also applied to two respectable counselors of the Supreme Court, and they confirmed the Governor's opinion. All this evidence was rejected. It appeared that the prisoner was seventeen years old when convicted of the felony, and was nineteen when discharged from prison. The rejection of the evidence was approved by the Supreme Court on the ground that the prisoner was bound to know the law, and was presumed to do so, and his conviction was accordingly confirmed.

[Pg 675]

Here a young man, innocent so far as his conduct in this case was involved, was condemned for acting in good faith upon the advice (mistaken advice it may be conceded), of one governor and two lawyers to whom he applied for information as to his rights; and this condemnation has proceeded upon the assumed ground, conceded to be false in fact, that he knew the advice given to him was wrong. On this judicial fiction the young man, in the name of justice, is sent to prison, punished for a mere mistake, and a mistake made in pursuance of such advice. It can not be, consistently with the radical principles of criminal law to which I have referred, and the numerous authorities which I have quoted, that this man was guilty of a crime, that his mistake was a crime, and I think the judges who pronounced his condemnation, upon their own principles, better than their victim, deserved the punishment which they inflicted. The condemnation of Miss Anthony, her good faith being conceded, would do no less violence to any fair administration of justice.

One other matter will close what I have to say. Miss Anthony believed, and was advised that she had a right to vote. She may also have been advised, as was clearly the fact, that the question as to her right could not be brought before the courts for trial, without her voting or offering to vote, and if either was criminal, the one was as much so as the other. Therefore she stands now arraigned as a criminal, for taking the only step by which it was possible to bring the great constitutional question as to her right, before the tribunals of the country for adjudication. If for thus acting, in the most perfect good faith, with motives as pure and impulses as noble as any which can find place in your honor's breast in the administration of justice, she is by the laws of her country to be condemned a criminal. Her condemnation, however, under such circumstances, would only add another most weighty reason to those which I have already advanced, to show that women need the aid of the ballot for their protection.

Upon the remaining question, of the good faith of the defendant, it is not necessary for me to speak. That she acted in the most perfect good faith stands conceded.

Thanking your honor for the great patience with which you have listened to my too extended remarks, I submit the legal questions which the case involves for your honor's consideration.

District Attorney Crowley followed Judge Selden with an argument two hours in length. He stated that, in his view, the case simply presented questions of law, and that his argument, therefore, would be addressed strictly to the court, leaving the court to give such instructions to the jury upon the facts as he might deem proper. He contended that the right to vote was not included in "privileges and immunities," and was only given by State laws and State constitutions. He concluded his argument by saying that an honest mistake of the facts may sometimes excuse, but a mistake of the law never. The COURT addressed the jury as follows:

Gentlemen of the Jury: I have given this case such consideration as I have been able to, and, that there might be no misapprehension about my views, I have made a brief statement in writing.

[Pg 676]

The defendant is indicted under the act of Congress of 1870, for having voted for Representatives in Congress in November, 1872. Among other things, that Act makes it an offense for any person knowingly to vote for such Representatives without having a right to vote. It is charged that the defendant thus voted, she not having a right to vote because she is a woman. The defendant insists that she has a right to vote; that the provision of the Constitution of this State limiting the right to vote to persons of the male sex is in violation of the XIV. Amendment of the Constitution of the United States, and is void.

The XIII., XIV., and XV. Amendments were designed mainly for the protection of the newly emancipated negroes, but full effect must nevertheless be given to the language employed. The XIII. Amendment provided that neither slavery nor involuntary servitude should longer exist in the United States. If honestly received and fairly applied, this provision would have been enough to guard the rights of the colored race. In some States it was attempted to be evaded by enactments cruel and oppressive in their nature; as that colored persons were forbidden to appear in the towns except in a menial capacity; that they should reside on and cultivate the soil without being allowed to own it; that they were not permitted to give testimony in cases where a white man was a party. They were excluded from performing particular kinds of business, profitable and reputable, and they were denied the right of suffrage. To meet the difficulties arising from this state of things, the XIV. and XV. Amendments were enacted.

The XIV. Amendment created and defined citizenship of the United States. It had long been

contended, and had been held by many learned authorities, and had never been judicially decided to the contrary, that there was no such thing as a citizen of the United States, except as that condition arose from citizenship of some State. No mode existed, it was said, of obtaining a citizenship of the United States except by first becoming a citizen of some State. This question is now at rest. The XIV. Amendment defines and declares who shall be citizens of the United States, to wit: "All persons born or naturalized in the United States and subject to the jurisdiction thereof." The latter qualification was intended to exclude the children of foreign representatives and the like. With this qualification every person born in the United States or naturalized is declared to be a citizen of the United States, and of the State wherein he resides.

After creating and defining citizenship of the United States, the Amendment provides that no State shall make or enforce any law which shall abridge the privileges or immunities of a citizen of the United States. This clause is intended to be a protection, not to all our rights, but to our rights as citizens of the United States only; that is, the rights existing or belonging to that condition or capacity. (The words "or citizen of a State," used in the previous paragraph, are carefully omitted here.) In article 4, paragraph 2, of the Constitution of the United States it had been already provided in this language, viz: "The citizens of each State shall be entitled to all the privileges and immunities of the citizens in the several States." The rights of citizens of the States and of citizens of the United States are each guarded by these different provisions. That these rights were separate and distinct, was held in the Slaughter-house Cases recently decided by the United States Supreme Court at Washington.

[Pg 677]

The rights of citizens of the State, as such, are not under consideration in the XIV. Amendment. They stand as they did before the adoption of the XIV. Amendment, and are fully guaranteed by other provisions. The rights of citizens of the States have been the subject of judicial decision on more than one occasion. (*Corfield agt. Coryell*, 4 Wash. C. C. R., 371. *Ward agt. Maryland*, 12 Wall., 430. *Paul agt. Virginia*, 8 Wall., 140.) These are the fundamental privileges and immunities belonging of right to the citizens of all free governments, such as the right of life and liberty; the right to acquire and possess property, to transact business, to pursue happiness in his own manner, subject to such restraint as the Government may adjudge to be necessary for the general good. In *Cromwell agt. Nevada*, 6 Wallace, 36, is found a statement of some of the rights of a citizen of the United States, viz:

To come to the seat of the Government to assert any claim he may have upon the Government, to transact any business he may have with it; to seek its protection; to share its offices; to engage in administering its functions. He has the right of free access to its seaports through which all operations of foreign commerce are conducted, to the sub-treasuries, land offices, and courts of justice in the several States.

Another privilege of a citizen of the United States, says Miller, Justice, in the "Slaughter-house" cases, is to demand the care and protection of the Federal Government over his life, liberty, and property when on the high seas or within the jurisdiction of a foreign government. The right to assemble and petition for a redress of grievances, the privilege of the writ of *habeas corpus*, he says, are rights of the citizen guaranteed by the Federal Constitution.

The right of voting, or the privilege of voting, is a right or privilege arising under the Constitution of the State, and not of the United States. The qualifications are different in the different States. Citizenship, age, sex, residence, are variously required in the different States, or may be so. If the right belongs to any particular person, it is because such person is entitled to it by the laws of the State where he offers to exercise it, and not because of citizenship of the United States. If the State of New York should provide that no person should vote until he had reached the age of thirty-one years, or after he had reached the age of fifty, or that no person having gray hair, or who had not the use of all his limbs, should be entitled to vote, I do not see how it could be held to be a violation of any right derived or held under the Constitution of the United States. We might say that such regulations were unjust, tyrannical, unfit for the regulation of an intelligent State; but if rights of a citizen are thereby violated, they are of that fundamental class derived from his position as a citizen of the State, and not those limited rights belonging to him as a citizen of the United States, and such was the decision in *Corfield agt. Coryell*, *supra*.

The United States rights appertaining to this subject are those first under article 1, paragraph 2, of the United States Constitution, which provides that electors of Representatives in Congress shall have the qualifications requisite for electors of the most numerous branch of the State Legislature, and second, under the XV. Amendment, which provides that the right of a citizen of the United States to vote shall not be denied or abridged by the United States or by any State, on account of race, color, or previous condition of servitude. If the Legislature of the State of New York should require a higher qualification in a voter for a representative in Congress than is required for a voter for a member of Assembly, this would, I conceive, be a violation of a right belonging to one as a citizen of the United States. That right is in relation to a federal subject or interest, and is guaranteed by the Federal Constitution. The inability of a State to abridge the right of voting on account of race, color, or previous condition of servitude, arises from a federal guaranty. Its violation would be the denial of a federal right—that is, a right belonging to the claimant as a citizen of the United States.

[Pg 678]

This right, however, exists by virtue of the XV. Amendment. If the XV. Amendment had contained the word "sex," the argument of the defendant would have been potent. She would have said, an attempt by a State to deny the right to vote because one is of a particular sex, is expressly prohibited by that Amendment. The Amendment, however, does not contain that word. It is limited to race, color, or previous condition of servitude. The Legislature of the State of New York has seen fit to say, that the franchise of voting shall be limited to the male sex. In saying this there is, in my judgment, no violation of the letter or of the spirit of the XIV. or of the XV. Amendment.

This view is assumed in the second section of the XIV. Amendment, which enacts that if the right to vote for Federal officers is denied by any State to any of the male inhabitants of such State, except for crime, the basis of representation of such State shall be reduced in proportion specified. Not only does this section assume that the right of male inhabitants to vote was the especial object of its

protection, but it assumes and admits the right of a State, notwithstanding the existence of that clause under which the defendant claims to the contrary, to deny to classes or portions of the male inhabitants the right to vote which is allowed to other male inhabitants. The regulation of the suffrage is thereby conceded to the States as a State's right.

The case of Myra Bradwell, decided at a recent term of the Supreme Court of the United States, sustains both the positions above put forth, viz: First, that the rights referred to in the XIV. Amendment are those belonging to a person as a citizen of the United States and not as a citizen of a State; and second, that a right of the character here involved is not one connected with citizenship of the United States. Mrs. Bradwell made application to be admitted to practice as an attorney and counselor-at-law in the Courts of Illinois. Her application was denied, and upon appeal to the Supreme Court of the United States, it was there held that to give jurisdiction under the XIV. Amendment, the claim must be of a right pertaining to citizenship of the United States, and that the claim made by her did not come within that class of cases. Mr. Justice Bradley and Mr. Justice Field held that a woman was not entitled to a license to practice law. It does not appear that the other Judges passed upon that question. The XIV. Amendment gives no right to a woman to vote, and the voting by Miss Anthony was in violation of the law.

[Pg 679]

If she believed she had a right to vote, and voted in reliance upon that belief, does that relieve her from the penalty? It is argued that the knowledge referred to in the act relates to her knowledge of the illegality of the act, and not to the act of voting; for it is said that she must know that she voted. Two principles apply here: First, ignorance of the law excuses no one; second, every person is presumed to understand and to intend the necessary effects of his own acts. Miss Anthony knew that she was a woman, and that the Constitution of this State prohibits her from voting. She intended to violate that provision—intended to test it, perhaps, but certainly intended to violate it. The necessary effect of her act was to violate it, and this she is presumed to have intended. There was no ignorance of any fact, but all the facts being known, she undertook to settle a principle in her own person. She takes the risk, and she can not escape the consequences. It is said, and authorities are cited to sustain the position, that there can be no crime unless there is a culpable intent; to render one criminally responsible a vicious will must be present. A. commits a trespass on the land of B., and B., thinking and believing that he has a right to shoot an intruder on his premises, kills A. on the spot. Does B.'s misapprehension of his rights justify his act? Would a Judge be justified in charging the jury that if satisfied that B. supposed he had a right to shoot A he was justified, and they should find a verdict of not guilty? No Judge would make such a charge. To constitute a crime, it is true that there must be a criminal intent, but it is equally true that knowledge of the facts of the case is always held to supply this intent. An intentional killing bears with it evidence of malice in law. Whoever, without justifiable cause, intentionally kills his neighbor, is guilty of a crime. The principle is the same in the case before us, and in all criminal cases. The precise question now before me has been several times decided, viz: That one illegally voting was bound and was assumed to know the law, and that a belief that he had a right to vote gave no defense, if there was no mistake of fact. (Hamilton against The People, 57th of Barbour, p. 625; State against Boyet, 10th of Iredell, p. 336; State against Hart, 6th Jones, 389; McGuire against State, 7 Humphrey, 54; 15th of Iowa reports, 404.) No system of criminal jurisprudence can be sustained upon any other principle. Assuming that Miss Anthony believed she had a right to vote, that fact constitutes no defense if in truth she had not the right. She voluntarily gave a vote which was illegal, and thus is subject to the penalty of the law.

The Judge directed the jury to find a verdict of guilty.

Judge SELDEN: I submit that on the view which your honor has taken, that the right to vote and the regulation of it is solely a State matter. That this whole law is out of the jurisdiction of the United States Courts and of Congress. The whole law upon that basis, as I understand it, is not within the constitutional power of the General Government, but is one which applies to the States. I suppose that it is for the jury to determine whether the defendant is guilty of a crime or not. And I therefore ask your honor to submit to the jury these propositions:

First.—If the defendant, at the time of voting, believed that she had a right to vote and voted in good faith in that belief, she is not guilty of the offense charged.

[Pg 680]

Second.—In determining the question whether she did or did not believe that she had a right to vote, the jury may take into consideration, as bearing upon that question, the advice which she received from the counsel to whom she applied.

Third.—That they may also take into consideration, as bearing upon the same question, the fact that the inspectors considered the question and came to the conclusion that she had a right to vote.

Fourth.—That the jury have a right to find a general verdict of guilty or not guilty as they shall believe that she has or has not committed the offense described in the statute.

A professional friend sitting by has made this suggestion which I take leave to avail myself of as bearing upon this question: "The Court has listened for many hours to an argument in order to decide whether the defendant has a right to vote. The arguments show the same question has engaged the best minds of the country as an open question. Can it be possible that the defendant is to be convicted for acting upon such advice as she could obtain while the question is an open and undecided one?"

THE COURT.—You have made a much better argument than that, sir.

JUDGE SELDEN.—As long as it is an open question, I submit that she has not been guilty of an offense. At all events, it is for the jury.

THE COURT.—I can not charge these propositions of course. The question, gentlemen of the jury, in the form it finally takes, is wholly a question or questions of law, and I have decided as a question of law, in the first place, that under the XIV. Amendment, which Miss Anthony claims protects her, she was not protected in a right to vote. And I have decided also that her belief and the advice which

she took do not protect her in the act which she committed. If I am right in this, the result must be a verdict on your part of guilty, and I therefore direct that you find a verdict of guilty.

JUDGE SELDEN.—That is a direction no Court has power to make in a criminal case.

THE COURT.—Take the verdict, Mr. Clerk.

THE CLERK.—Gentlemen of the jury, hearken to your verdict as the Court has recorded it. You say you find the defendant guilty of the offense whereof she stands indicted, and so say you all?

JUDGE SELDEN.—I don't know whether an exception is available, but I certainly must except to the refusal of the Court to submit those propositions, and especially to the direction of the Court that the jury should find a verdict of guilty. I claim that it is a power that is not given to any Court in a criminal case. Will the Clerk poll the jury? THE COURT.—No. Gentlemen of the jury, you are discharged.

On the next day a motion for a new trial was made and argued by Judge Selden, as follows:

May it please the Court.—The trial of this case commenced with a question of very great magnitude—whether by the Constitution of the United States the right of suffrage was secured to female equally with male citizens. It is likely to close with a question of much greater magnitude—whether the right of trial by jury is absolutely secured by the Federal Constitution to persons charged with crime before the Federal Courts.

I assume, without attempting to produce any authority on the subject, that this Court has power to grant to the defendant a new trial in case it should appear that in the haste and in the lack of opportunity for examination which necessarily attend a jury trial, any material error should have been committed prejudicial to the defendant, as otherwise no means whatever are provided by the law for the correction of such errors.

[Pg 681]

The defendant was indicted under the nineteenth section of the act of Congress of May 31, 1870, entitled, "An act to enforce the right of citizens of the United States to vote in the several States of this Union, and for other purposes," and was charged with having knowingly voted, without having a lawful right to vote, at the Congressional election in the Eighth Ward of the City of Rochester, in November last; the only ground of illegality being that the defendant was a woman.

The provisions of the act of Congress, so far as they bear upon the present case, are as follows:

Section 19. If at any election for representative or delegate in the Congress of the United States, any person shall knowingly personate and vote, or attempt to vote, in the name of any other person, whether living, dead, or fictitious, or vote more than once at the same election for any candidate for the same office, or vote at a place where he may not be lawfully entitled to vote, or vote without having a lawful right to vote, ... every such person shall be deemed guilty of a crime, and shall for such crime be liable to prosecution in any court of the United States, of competent jurisdiction, and on conviction thereof, shall be punished by a fine not exceeding \$500 or by imprisonment for a term not exceeding three years, or both, in the discretion of the Court, and shall pay the costs of prosecution.

It appeared on the trial that before voting the defendant called upon a respectable lawyer, and asked his opinion whether she had a right to vote, and he advised her that she had such right, and the lawyer was examined as a witness in her behalf, and testified that he gave her such advice, and that he gave it in good faith, believing that she had such right.

It also appeared that when she offered to vote, the question whether as a woman she had a right to vote, was raised by the inspectors, and considered by them in her presence, and they decided that she had a right to vote, and received her vote accordingly.

It was also shown on the part of the Government, that on the examination of the defendant before the commissioner on whose warrant she was arrested, she stated that she should have voted, if allowed to vote, without reference to the advice she had received from the attorney whose opinion she had asked; that she was not influenced to vote by that opinion; that she had before determined to offer her vote, and had no doubt about her right to vote.

At the close of the testimony the defendant's counsel proceeded to address the jury, and stated that he desired to present for consideration three propositions, two of law and one of fact:

First.—That the defendant had a lawful right to vote.

Second.—That whether she had a lawful right to vote or not, if she honestly believed that she had that right and voted in good faith in that belief, she was guilty of no crime.

Third.—That when she gave her vote she gave it in good faith, believing that it was her right to do so.

That the first two propositions presented questions for the Court to decide, and the last for the jury.

[Pg 682]

When the counsel had proceeded thus far, the Court suggested that the counsel had better discuss in the first place the questions of law; which the counsel proceeded to do, and having discussed the two legal questions at length, asked leave then to say a few words to the jury on the question of fact. The Court then said to the counsel that he thought that had better be left until the views of the Court upon the legal question should be made known.

The District Attorney thereupon addressed the Court at length upon the legal questions, and at the close of his argument the Court delivered an opinion adverse to the positions of the defendant's counsel upon both of the legal questions presented, holding that the defendant was not entitled to vote; and that if she voted in good faith in the belief in fact that she had a right to vote, it would

constitute no defense—the grounds of the decision on the last point being that she was bound to know that by law she was not a legal voter, and that even if she voted in good faith in the contrary belief, it constituted no defense to the crime with which she was charged. The decision of the court upon these questions was read from a written document.

At the close of the reading, the Court said that the decision of these questions disposed of the case and left no question of fact for the jury, and that he should therefore direct the jury to find a verdict of guilty, and proceeded to say to the jury that the decision of the Court had disposed of all there was in the case, and that he directed them to find a verdict of guilty, and he instructed the clerk to enter a verdict of guilty.

At this point, before any entry had been made by the clerk, the defendant's counsel asked the Court to submit the case to the jury, and to give to the jury the following several instructions: [Here Judge Selden repeated the instructions. See page 665.]

The Court declined to submit the case to the jury upon any question whatever, and directed them to render a verdict of guilty against the defendant. The defendant's counsel excepted to the decision of the Court upon the legal questions—to its refusal to submit the case to the jury; to its refusal to give the instructions asked; and to its direction to the jury to find a verdict of guilty against the defendant—the counsel insisting that it was a direction which no Court had a right to give in a criminal case.

The Court then instructed the clerk to take the verdict, and the clerk said, "Gentlemen of the jury, hearken to the verdict as the Court hath recorded it. You say you find the defendant guilty of the offense charged. So say you all." No response whatever was made by the jury, either by word or sign. They had not consulted together in their seats or otherwise. None of them had spoken a word. Nor had they been asked whether they had or had not agreed upon a verdict. The defendant's counsel then asked that the clerk be requested to poll the jury. The Court said, "That can not be allowed. Gentlemen of the jury, you are discharged," and the jurors left the box. No juror spoke a word during the trial, from the time they were impaneled to the time of their discharge.

Now I respectfully submit, that in these proceedings the defendant has been substantially denied her constitutional right of trial by jury. The jurors composing the panel have been merely silent spectators of the conviction of the defendant by the Court. They have had no more share in her trial and conviction than any other twelve members of the jury summoned to attend this Court, or any twelve spectators who have sat by during the trial. If such course is allowable in this case, it must be equally allowable in all criminal cases, whether the charge be for treason, murder, or any minor grade of offense which can come under the jurisdiction of a United States Court; and as I understand it, if correct, substantially abolishes the right of trial by jury.

[Pg 683]

It certainly does so in all those cases where the judge shall be of the opinion that the facts which he may regard as clearly proved, lead necessarily to the guilt of the defendant. Of course by refusing to submit any question to the jury, the judge refuses to allow counsel to address the jury in the defendant's behalf. The constitutional provisions which I insist are violated by this proceeding are the following:

Constitution of the United States, article 3, section 2. The trial of all crimes, except in cases of impeachment, shall be by jury.

Amendments to Constitution, article 6. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and District wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

In accordance with these provisions, I insist that in every criminal case, where the party has pleaded not guilty, whether upon the trial the guilt of such party appears to the judge to be clear or not, the response to the question, guilty or not guilty, must come from the jury, must be their voluntary act, and can not be imposed upon them by the Court.

No opportunity has been given me to consult precedents on this subject, but a friend has referred me to an authority strongly supporting my position, from which I will quote, though I deem a reference to precedents unnecessary to sustain the plain declarations of the Constitution: I refer to the case of the State vs. Shule (10 Iredell, 153), the substance of which is stated in 2 Graham & Waterman on New Trials, page 363. Before stating that case I quote from the text of G. & W.

The verdict is to be the result of the deliberation of the jury upon all the evidence in the case. The Court has no right to anticipate the verdict by an expression of opinion calculated so to influence the jury as to take from them their independence of action.

In the State vs. Shule two defendants were indicted for an affray. The jury remaining out a considerable time, at the request of the prosecuting attorney they were sent for by the Court. The Court then charged them that although Jones (the other defendant) had first commenced a battery on Shule, yet, if the jury believed the evidence, the defendant, Shule, was also guilty. Thereupon, one of the jurors remarked that they had agreed to convict Jones, but were about to acquit Shule. The Court then charged the jury again, and told them that they could retire if they thought proper to do so. The jury consulted together a few minutes in the court room. The prosecuting attorney directed the clerk to enter a verdict of guilty as to both defendants. When the clerk had entered the verdict, the jury were asked to attend to it, as it was about to be read by the clerk. The clerk then read the verdict in the hearing of the jury. The jury, upon being requested, if any of them disagreed to the verdict to make it known by a nod, seemed to express their unanimous assent; and no juror expressed his dissent.

In reviewing the case the Court say:

[Pg 684]

The error complained of is, that before the jury had announced their verdict, and in fact after they had intimated an intention to acquit the defendant, Shule, the Court allowed the clerk to be directed to enter a verdict finding him guilty, and after the verdict was so entered, allowing the jury to be asked if any of them disagreed to the verdict which had been recorded by the clerk. No juror expressed his dissent; but by a nod which appeared to be made by each juror, expressed their unanimous assent. The innovation is, that instead of permitting the jury to give their verdict, the Court allows a verdict to be entered for them, such as it is to be presumed the Court thinks they ought to render, and then they are asked if any of them disagree to it; thus making a verdict for them, unless they are bold enough to stand out against a plain intimation of the opinion of the Court.

A *venire de novo* was ordered. The principal difference between this case and the one under consideration is, that in the latter the Court directed the clerk to enter the verdict, and in the former he was allowed to do so, and in the latter the Court denied liberty to the jurors to dissent from the verdict, and in the former the Court allowed such dissent.

With what jealous care the right of trial by jury in criminal cases has been guarded by every English-speaking people from the days of King John, indeed from the days of King Alfred, is known to every lawyer and to every intelligent layman, and it does not seem to me that such a limitation of that right as is presented by the proceedings in this case, can be reconciled either with constitutional provisions, with the practice of courts, with public sentiment on the subject, or with safety in the administration of justice. How the question would be regarded by the highest Court of this State may fairly be gathered from its decision in the case of *Cancemi*, 18 N. Y., 128, where, on a trial for murder, one juror, some time after the trial commenced, being necessarily withdrawn, a stipulation was entered into, signed by the District Attorney, and by the defendant and his council, to the effect that the trial should proceed before the remaining eleven jurors, and that their verdict should have the same effect as the verdict of a full panel would have. A verdict of guilty having been rendered by the eleven jurors, was set aside and a new trial ordered by the Court of Appeals, on the ground that the defendant could not, even by his own consent, be lawfully tried by a less number of jurors than twelve. It would seem to follow that he could not waive the entire panel, and effectually consent to be tried by the Court alone, and still less could the Court, against his protest, assume the duties of the jury, and effectually pronounce the verdict of guilty or not guilty in their stead.

It will doubtless be insisted that there was no disputed question of fact upon which the jury were required to pass. In regard to that, I insist that however clear and conclusive the proof of the facts might appear to be, the response to the question, guilty or not guilty, must under the Constitution come from the jury and could not be supplied by the judgment of the court, unless, indeed, the jury should see fit to render a special verdict, which they always may, but can never be required to do. It was the province of the court to instruct the jury as to the law, and to point out to them how clearly the law, on its view of the established facts, made out the offense; but it has no authority to instruct them positively on any question of fact, or to order them to find any particular verdict. That must be their spontaneous work.

But there was a question of fact, which constituted the very essence of the offense, and one on which the jury were not only entitled to exercise, but were in duty bound to exercise, their independent judgment. That question of fact was, whether the defendant, at the time when she voted, knew that she had not a right to vote. The statute makes this knowledge the very gist of the offense, without the existence of which, in the mind of the voter at the time of voting, there is no crime. There is none by the statute and none in morals. The existence of this knowledge, in the mind of the voter at the time of voting, is under the statute, necessarily a fact and nothing but a fact, and one which the jury was bound to find as a fact, before they could, without violating the statute, find the defendant guilty. The ruling which took that question away from the jury, on the ground that it was a question of law and not of fact, and which declared that as a question of law, the knowledge existed, was, I respectfully submit, a most palpable error, both in law and justice. It was an error in law, because its effect was to deny any force whatever to the most important word which the statute uses in defining the offense—the word "knowingly." It was also unjust, because it makes the law declare a known falsehood as a truth, and then by force of that judicial falsehood condemns the defendant to such punishment as she could only lawfully be subject to, if the falsehood were a truth.

[Pg 685]

I admit that it is an established legal maxim that every person (judicial officers excepted) is bound, and must be presumed, to know the law. The soundness of this maxim, in all the cases to which it can properly be applied, I have no desire to question; but it has no applicability whatever to this case. It applies in every case where a party does an act which the law pronounces criminal, whether the party knows or does not know that the law has made the act a crime. That maxim would have applied to this case, if the defendant had voted, knowing that she had no legal right to vote; without knowing that the law had made the act of knowingly voting without a right, a crime. In that case she would have done the act which the law made a crime, and could not have shielded herself from the penalty by pleading ignorance of the law. But in the present case the defendant has not done the act which the law pronounces a crime. The law has not made the act of voting without a lawful right to vote, a crime, where it is done by mistake, and in the belief by the party voting that he has the lawful right to vote. The crime consists in voting "knowingly," without lawful right. Unless the knowledge exists in fact, the very gist of the offense is wanting. To hold that the law presumes conclusively that such knowledge exists in all cases where the legal right is wanting, and to reject all evidence to the contrary, or to deny to such evidence any effect, as has been done on this trial, is to strike the word "knowingly" out of the statute—and to condemn the defendant on the legal fiction that she was acting in bad faith, it being all the while conceded that she was in fact acting in good faith. I admit that there are precedents to sustain such ruling, but they can not be reconciled with the fundamental principles of criminal law, nor with the most ordinary rules of justice. Such a ruling can not but shock the moral sense of all right-minded, unprejudiced men.

No doubt the assumption by the defendant of a belief of her right to vote might be made use of by her as a mere cover to secure the privilege of giving a known illegal vote, and of course that false assumption would constitute no defense to the charge of illegal voting. If the defendant had dressed herself in male attire, and had voted as John Anthony, instead of Susan, she would not be able to

[Pg 686]

protect herself against a charge of voting with a knowledge that she had no right to vote, by asserting her belief that she had a right to vote as a woman. The artifice would no doubt effectually overthrow the assertion of good faith. No such question, however, is made here. The decision of which I complain concedes that the defendant voted in good faith, in the most implicit belief that she had a right to vote, and condemns her on the strength of the legal fiction, conceded to be in fact a mere fiction, that she knew the contrary. But if the facts admitted of a doubt of the defendant's good faith, that was a question for the jury, and it was clear error for the court to assume the decision of it.

Again. The denial of the right to poll the jury was most clearly an error. Under the provisions of the Constitution which have been cited, the defendant could only be convicted on the verdict of a jury. The case of *Cancemi* shows that such jury must consist of twelve men; and it will not be claimed that anything less than the unanimous voice of the jury can be received as their verdict. How then could the defendant be lawfully deprived of the right to ask every juror if the verdict had his assent? I believe this is a right which was never before denied to a party against whom a verdict was rendered in any case, either civil or criminal. The following cases show, and many others might be cited to the same effect, that the right to poll the jury is an absolute right in all cases, civil and criminal. (*The People vs. Perkins*, 1 Wend., 91; *Jackson vs. Hawks*, 2 Wend., 619; *Fox vs. Smith*, 3 Cowen, 23.)

The ground on which the right of the defendant to vote has been denied, is, as I understood the decision of the Court,

That the rights of the citizens of the State as such were not under consideration in the XIV. Amendment; that they stand as they did before that Amendment.... The right of voting or the privilege of voting is a right or privilege arising under the Constitution of the State, and not of the United States. If the right belongs to any particular person, it is because such person is entitled to it as a citizen of the State where he offers to exercise it, and not because of citizenship of the United States.... The regulation of the suffrage is conceded to the States as a State right.

If this position be correct, which I am not now disposed to question, I respectfully insist that the Congress of the United States had no power to pass the act in question; that by doing so it has attempted to usurp the rights of States, and that all proceedings under the act are void.

I claim therefore that the defendant is entitled to a new trial.

First—Because she has been denied her right of trial by jury.

Second—Because she has been denied the right to ask the jury severally whether they assented to the verdict which the Court had recorded for them.

Third—Because the Court erroneously held, that the defendant had not a lawful right to vote.

Fourth—Because the Court erroneously held, that if the defendant, when she voted, did so in good faith, believing that she had a right to vote, that fact constituted no defense.

Fifth—Because the Court erroneously held that the question, whether the defendant at the time of voting knew that she had not a right to vote, was a question of law to be decided by the Court, and not a question of fact to be decided by the jury.

[Pg 687]

Sixth—Because the Court erred in holding that it was a presumption of law that the defendant knew that she was not a legal voter, although in fact she had not that knowledge.

Seventh—Because Congress had no Constitutional right to pass the act under which the defendant was indicted, and the act and all proceedings under it are void.

Sir, so far as my information in regard to legal proceedings extends, this is the only court in any country where trial by jury exists, in which the decisions that are made in the haste and sometimes confusion of such trials, are not subject to review before any other tribunal. I believe that to the decisions of this court, in criminal cases, no review is allowed, except in the same court in the informal way in which I now ask your honor to review the decisions made on this trial. This is therefore the court of last resort, and I hope your honor will give to these, as they appear to me, grave questions, such careful and deliberate consideration as is due to them from such final tribunal.

If a new trial shall be denied to the defendant, it will be no consolation to her to be dismissed with a slight penalty, leaving the stigma resting upon her name, of conviction for an offense of which she claims to be, and I believe is, an innocent as the purest of the millions of male voters who voted at the same election, are innocent of crime in so voting. If she is in fact guilty of the crime with which she stands charged, and of which she has been convicted by the court, she deserves the utmost penalty which the court under the law has power to impose; if she is not guilty she should be acquitted, and not declared upon the records of this high court guilty of a crime she never committed.

The Court, after listening to an argument from the District Attorney, denied the motion for a new trial.

The COURT: The prisoner will stand up. Has the prisoner anything to say why sentence shall not be pronounced?

Miss ANTHONY: Yes, your honor, I have many things to say; for in your ordered verdict of guilty, you have trampled underfoot every vital principle of our government. My natural rights, my civil rights, my political rights, are all alike ignored. Robbed of the fundamental privilege of citizenship, I am degraded from the status of a citizen to that of a subject; and not only myself individually, but all of my sex, are, by your honor's verdict, doomed to political subjection under this so-called Republican

government.

Judge HUNT: The Court can not listen to a rehearsal of arguments the prisoner's counsel has already consumed three hours in presenting.

Miss ANTHONY: May it please your honor, I am not arguing the question, but simply stating the reasons why sentence can not, in justice, be pronounced against me. Your denial of my citizen's right to vote is the denial of my right of consent as one of the governed, the denial of my right of representation as one of the taxed, the denial of my right to a trial by a jury of my peers as an offender against law, therefore, the denial of my sacred rights to life, liberty, property, and—

Judge HUNT: The Court can not allow the prisoner to go on.

Miss ANTHONY: But your honor will not deny me this one and only poor privilege of protest against this high-handed outrage upon my citizen's rights. May it please the Court to remember that since the day of my arrest last November, this is the first time that either myself or any person of my disfranchised class has been allowed a word of defense before judge or jury—

[Pg 688]

Judge HUNT: The prisoner must sit down; the Court can not allow it.

Miss ANTHONY: All my prosecutors, from the 8th Ward corner grocery politician, who entered the complaint, to the United States Marshal, Commissioner, District Attorney, District Judge, your honor on the bench, not one is my peer, but each and all are my political sovereigns; and had your honor submitted my case to the jury, as was clearly your duty, even then I should have had just cause of protest, for not one of those men was my peer; but, native or foreign, white or black, rich or poor, educated or ignorant, awake or asleep, sober or drunk, each and every man of them was my political superior; hence, in no sense, my peer. Even, under such circumstances, a commoner of England, tried before a jury of lords, would have far less cause to complain than should I, a woman, tried before a jury of men. Even my counsel, the Hon. Henry R. Selden, who has argued my cause so ably, so earnestly, so unanswerably before your honor, is my political sovereign. Precisely as no disfranchised person is entitled to sit upon a jury, and no woman is entitled to the franchise, so, none but a regularly admitted lawyer is allowed to practice in the courts, and no woman can gain admission to the bar—hence, jury, judge, counsel, must all be of the superior class.

Judge HUNT: The Court must insist—the prisoner has been tried according to the established forms of law.

Miss ANTHONY: Yes, your honor, but by forms of law all made by men, interpreted by men, administered by men, in favor of men, and against women; and hence, your honor's ordered verdict of guilty, against a United States citizen for the exercise of "that citizen's right to vote," simply because that citizen was a woman and not a man. But, yesterday, the same man-made forms of law declared it a crime punishable with \$1,000 fine and six months' imprisonment, for you, or me, or any of us, to give a cup of cold water, a crust of bread, or a night's shelter to a panting fugitive as he was tracking his way to Canada. And every man or woman in whose veins coursed a drop of human sympathy violated that wicked law, reckless of consequences, and was justified in so doing. As then the slaves who got their freedom must take it over, or under, or through the unjust forms of law, precisely so now must women, to get their right to a voice in this Government, take it; and I have taken mine, and mean to take it at every possible opportunity.

Judge HUNT: The Court orders the prisoner to sit down. It will not allow another word.

Miss ANTHONY: When I was brought before your honor for trial, I hoped for a broad and liberal interpretation of the Constitution and its recent amendments, that should declare all United States citizens under its protecting ægis—that should declare equality of rights the national guarantee to all persons born or naturalized in the United States. But failing to get this justice—failing, even, to get a trial by a jury *not* of my peers—I ask not leniency at your hands—but rather the full rigors of the law.

Judge HUNT: The Court must insist— (Here the prisoner sat down.)

[Pg 689]

Judge HUNT: The prisoner will stand up. (Here Miss Anthony arose again.) The sentence of the Court is that you pay a fine of one hundred dollars and the costs of the prosecution.

Miss ANTHONY: May it please your honor, I shall never pay a dollar of your unjust penalty. All the stock in trade I possess is a \$10,000 debt, incurred by publishing my paper—*The Revolution*—four years ago, the sole object of which was to educate all women to do precisely as I have done, rebel against your man-made, unjust, unconstitutional forms of law, that tax, fine, imprison, and hang women, while they deny them the right of representation in the Government; and I shall work on with might and main to pay every dollar of that honest debt, but not a penny shall go to this unjust claim. And I shall earnestly and persistently continue to urge all women to the practical recognition of the old revolutionary maxim, that "Resistance to tyranny is obedience to God."

Judge HUNT: Madam, the Court will not order you committed until the fine is paid.

Immediately after the verdict, Miss Anthony, her counsel, her friends, and the jury, passed out together talking over the case. Said Judge Selden: "The war has abolished something besides slavery, it has abolished jury trial. The decision of Justice Hunt was most iniquitous. He had as much right to order me hung to the nearest tree, as to take the case from the jury and render the decision he did," and he bowed his head with shame at this prostitution of legal power.

The jury with freedom now to use their tongues, when too late, also canvassed the trial and the injury done. "The verdict of guilty would not have been mine, could I have spoken," said one, "nor should I have been alone. There were others who thought as I did, but we could not speak."

The decision of Judge Hunt was severely criticised.^[172] Even among those who believed women

had no right to vote, and who did not hesitate to say that Miss Anthony's punishment was inadequate, there was a wide questioning as to his legal right to take the case from the jury and enter the verdict of guilty, without permitting them in any way to indicate their opinion. It was deemed a tyrannical and arrogant assumption on the part of Judge Hunt, and one which endangered the rights of the whole people. It was pertinently asked, "If this may be done in one instance, why not in all?" and "If the courts may thus arbitrarily direct what verdicts shall be rendered, what becomes of the right to trial by an impartial jury, which the Constitution guarantees to all persons alike, whether male or female?" These questions were of the gravest importance, and the more so because from this court there was no appeal. To deprive Miss Anthony of the benefit of jury trial seemed, however, in unison with every step taken in the cases of women under the XIV. Amendment.

[Pg 690]

The design of the Government was evidently to crush at once, and arbitrarily, all efforts of women for equality of rights with men. The principles of law and justice involved did not, however, apply to women alone, but to all persons alike. Where the rights of the most insignificant or humble are outraged those of all are endangered. The decisions in these cases are the more remarkable since they were based on the most ultra State Rights doctrine, and yet were rendered in every instance by members of the Republican party which held its position by reason of its recent success against the extreme demands of State sovereignty. The right of women to vote under national protection was but the logical result of the political guarantees of the war, and Republican leaders should have been anxious to clinch their war record by legislative and judicial decisions.

But a more thorough recognition of the State Rights theory never was presented than in the proceedings of this Judge of the Supreme Court in his verdict against Miss Anthony, nor a more absolute exhibition of National power in State affairs than his decision in the case of the Inspectors, who were State officers, working under State authority and State laws, and not under authority derived from the Constitution of the United States, but who were tried by an United States judge, and punished for what was held as a crime against the State of New York—a monstrous usurpation of National authority! Each of these trials was, in its way, an example of authority overriding law, and an evidence of the danger to the liberties of the people from a practically irresponsible judiciary. Men need to feel their indebtedness and their responsibility to those who place them in position; first, in order to preserve them from despotism; and, second, that they may be removed when infirmity demands the substitution of a competent person in their place.

Although for a period little has been said in regard to the usurpations of the judiciary, a time will come in the history of the country when the course of Justice Hunt will be recalled as a dangerous precedent.

It was more than a year after Miss Anthony's trial was completed before her case received notice in the chief legal journal of the State of New York. At that time, in an article entitled, "Can a Judge Direct a Verdict of Guilty?"^[173] Judge Hunt's course in refusing to poll the jury was reviewed and condemned as contrary to justice and law. To Mrs. Gage's review of this article, the *Law Journal* said, "If Mrs. Gage and Miss Anthony are not pleased with our laws, they had better emigrate." This would make real, in case of woman, Edward Everett Hale's story of the "Man Without a Country." Women are, by this advice, assumed to have no country; to be living in the United States upon sufferance, a species of useful aliens, which possesses no rights that man is bound to respect, which are not to be permitted to vote, nor even to protest when the dearest rights are trampled upon. While admitting that Justice Hunt usurped power in taking the case from the jury, the *Albany Law Journal* expressed a desire that it should have gone to the jury, not on the ground of legal right, but on the ground that the jury would have brought in a verdict of guilty.

[Pg 691]

But had the case been allowed to go to the jury, no verdict of guilty would have been rendered. The *jury* did not believe the defendant guilty, but they were not permitted to give their opinion. Their opinions counted for nothing; they were wronged as well as Miss Anthony.

It was said of the infamous Lord Jeffries, that when pre-determined upon a conviction he always wore a red cap. In such cases juries were useless appendages to his court. Justice Hunt, through this trial, wore an invisible red cap which only came into view at its close.

The effect of Miss Anthony's prosecution, conviction, and sentence, was in many ways advantageous to the cause of freedom. Her trial served to awaken thought, promote discussion, and compel an investigation of the principles of government. The argument of Judge Selden, clearly proving woman's constitutional right to vote, published^[174] in all the leading papers, arrested the attention of legal minds as no popular discussions had done.

Thus the question of the abstract rights of each individual, their civil and political rights under State and National Constitutions, were widely discussed. And when the verdict, contrary to law, was rendered by the Judge, and the jury dismissed without having been permitted to utter a word, the whole question of woman's rights and wrongs was brought into new prominence through this infringement of the sacred right of jury trial.

A *nolle prosequi* was entered for the women who voted with Miss Anthony. Immediately after the decision in her case, the trial of the Inspectors took place before the same court. This was in

reality a continuation of the same question—a citizen's right to vote—and like that of Miss Anthony's was a legal farce, the decision in this case evidently having also been pre-determined. The indictment stated that:

Beverly W. Jones, Edwin T. Marsh, and William B. Hall, Inspectors of Election in and for said first election district of said eight ward of said city of Rochester, etc., did then and there knowingly and willfully register as a voter of said District, one Susan B. Anthony, she, said Susan B. Anthony, then and there not being entitled to be registered as a voter of said District in that she, said Susan B. Anthony was then and there a person of the female sex, contrary to the form of the statute of the United States of America in such case made and provided, and against the peace of the United States of America and their dignity.

Although the above indictment may have been legal in form, it clearly proved the inadequacy of man alone to frame just laws, holding, as it did, Susan B. Anthony to be "then and there a person of the female sex, contrary to the form of the statutes of the United States of America," etc.

Witnesses were first called on behalf of the United States; during whose examination it was again conceded that the women named in the indictment were women on the 5th day of November, 1872, thus again clearly showing the animus of these trials to be against sex—making sex a crime in the eye of United States laws. While the right to testify in her own behalf was denied to Miss Anthony it was granted to the Inspectors of election.

Beverly W. Jones, and each of the other defendants, was duly sworn as a witness in his own behalf, and Susan B. Anthony was called as a witness in behalf of the defendants.

MISS ANTHONY: I would like to know if the testimony of a person who has been convicted of a crime can be taken?

THE COURT: They call you as a witness, madam.

The witness, having been duly affirmed, testified as follows:

Examined by Mr. VAN VOORHIS:

Q. Miss Anthony, I want you to state what occurred at the Board of Registry, when your name was registered? A. That would be very tedious, for it was full an hour.

Q. State generally what was done, or what occupied that hour's time?

Objected to.

Q. Well, was the question of your right to be registered a subject of discussion there? A. It was.

Q. By and between whom? A. Between the supervisors, the inspectors, and myself.

Q. State, if you please, what occurred when you presented yourself at the polls on election day? A. Mr. Hall decidedly objected—

[Pg 693]

MR. CROWLEY: I submit to the Court that unless the counsel expects to change the version given by the other witnesses, it is not necessary to take up time.

THE COURT: As a matter of discretion, I don't see how it will be any benefit. It was fully related by the others, and doubtless correctly.

MR. CROWLEY: It is not disputed.

THE WITNESS: I would like to say, if I might be allowed by the Court, that the general impression that I swore I was a male citizen, is an erroneous one.

MR. VAN VOORHIS: You took the two oaths there, did you? A. Yes, sir.

THE COURT: You presented yourself as a female, claiming that you had a right to vote? A. I presented myself not as a female at all, sir; I presented myself as a citizen of the United States. I was called to the United States ballot-box by the XIV. Amendment, not as a female, but as a citizen, and I went there.

Miss Anthony's emphatic reply and intimation that, although a condemned criminal for having voted, she still believed in her citizenship as securing that right to her, closed the lips of the Court, and she was summarily dismissed from the witness-box, and the case rested.

Mr. Van Voorhis addressed the Court at some length, submitting that there was no ground whatever to charge these defendants (the Inspectors) with any criminal offense,

1. Because the women who voted were legal voters. 2. Because they were challenged and took the oaths which the statute requires of Electors, and the Inspectors had no right, after such oath, to reject their votes. 3. Because no malice is shown. Whether the women were entitled to have their names registered and to vote, or not, the defendants believed they had such right, and acted in good faith, according to their best judgment, in allowing the registry of their names—and in receiving their votes—and whether they decided right or wrong in point of law, they are not guilty of any criminal offense.

These points were amplified by the counsel at some length, who closed by saying, "The defendants should be discharged by the Court." Mr. Crowley then rose to make his argument, when the Court said:

The COURT: I don't think it is necessary for you to spend time in argument, Mr. Crowley. I think upon the last authority cited by the counsel there is no defense in this case. It is entirely clear that where there is a distinct judicial act, the party performing the judicial act is not responsible, civilly or criminally, unless corruption is proven, and in many cases when corruption is not proven. But where the act is not judicial in its character—where there is no discretion—then there is no legal protection. That is the law as laid down in the authority last quoted, and the authority quoted by Judge Selden in his opinion. It is undoubtedly good law. They hold expressly in that case that the inspectors are administrative officers, and not judicial officers.

[Pg 694]

Now, this is the point in the case, in my view of it: If there was any case in which a female was entitled to vote, then it would be a subject of examination. If a female over the age of twenty-one was entitled to vote, then it would be within the judicial authority of the inspectors to examine and determine whether in the given case the female came within that provision. If a married woman was entitled to vote, or if a married woman was not entitled to vote, and a single woman was entitled to vote, I think the inspectors would have a right in a case before them, to judge upon the evidence whether the person before them was married or single. If they decided erroneously, their judicial character would protect them. But under the law of this State, as it stands, under no circumstances is a woman entitled to vote. When Miss Anthony, Mrs. Leyden, and the other ladies came there and presented themselves for registry, and presented themselves to offer their votes, when it appeared that they were women—that they were of the female sex—the power and authority of the inspectors was at an end. When they act upon a subject upon which they have no discretion, I think there is no judicial authority. There is a large range of discretion in regard to the votes offered by the male sex. If a man offers his vote, there is a question whether he is a minor—whether he is twenty-one years of age. The subject is within their jurisdiction. If they decide correctly, it is well; if they decide erroneously, they act judicially, and are not liable. If the question is whether the person presenting his vote is a foreigner or naturalized, or whether he has been a resident of the State or district for a sufficient length of time, the subject is all within their jurisdiction, and they have a right to decide, and are protected if they decide wrong.

But upon the view which has been taken of this question of the right of females to vote, by the United States Court at Washington, and by the adjudication which was made this morning, upon this subject there is no discretion, and therefore I must hold that it affords no protection. In that view of the case, is there anything to go to the jury?

Mr. VAN VOORHIS: Yes, your honor. The COURT: What?

Mr. VAN VOORHIS: The jury must pass upon the whole case, and particularly as to whether any ballots were received for representative in Congress, or candidates for representative in Congress, and whether the defendants acted willfully and maliciously.

The COURT: It is too plain to argue that. Mr. VAN VOORHIS: There is nothing but circumstantial evidence.

The COURT: Your own witness testified to it. Mr. VAN VOORHIS: But "knowingly," your honor, implies knowing that it is a vote for representative in Congress.

The COURT: That comes within the decision of the question of law. I don't see that there is anything to go to the jury. Mr. VAN VOORHIS: I can not take your honor's view of the case, but of course must submit to it. We ask to go to the jury upon this whole case, and claim that in this case, as in all criminal cases, the right of trial by jury is made inviolate by the Constitution—that the Court has no power to take it from the jury. The COURT: I am going to submit it to the jury.

[Pg 695]

Gentlemen of the Jury: This case is now before you upon the evidence as it stands, and I shall leave the case with you to decide. Mr. VAN VOORHIS: I claim the right to address the jury.

The COURT: I don't think there is anything upon which you can legitimately address the jury. *Gentlemen*, the defendants are charged with knowingly, willfully, and wrongfully receiving the votes of the ladies whose names are mentioned, in November last, in the city of Rochester. They are charged in the same indictment with willfully and improperly registering those ladies. I decided in the case this morning, which many of you heard, probably, that under the law as it stands the ladies who offered their votes had no right to vote whatever. I repeat that decision, and I charge you that they had no right to offer their votes. They having no right to offer their votes, the inspectors of election ought not to receive them. The additional question exists in this case whether the fact that they acted as inspectors will relieve them from the charge in this case. You have heard the views which I have given upon that. I think they are administrative officers. I charge you that they are administrative and ministerial officers in this respect, and that they are not judicial officers whose action protects them, and that therefore they are liable in this case. But, instead of doing as I did in the case this morning—directing a verdict—I submit the case to you with these instructions, and you can decide it here, or you may go out.

Mr. VAN VOORHIS: I ask your honor to instruct the jury that if they find these inspectors acted honestly, in accordance with their best judgment, they should be acquitted. The COURT: I have expressly ruled to the contrary of that, gentlemen; that that makes no difference.

Mr. VAN VOORHIS: And that in this country—under the laws of this country—The COURT: That is enough—you need not argue it, Mr. Van Voorhis.

Mr. VAN VOORHIS: Then. I ask your honor to charge the jury that they must find the fact that these inspectors received the votes of these persons knowingly, and that such votes were votes for some person for member of Congress, there being in the case no evidence that any man was voted for, for member of Congress, and there being no evidence except that secret ballots were received; that the jury have a right to find for the defendants, if they choose. The COURT: I charge the jury that there is sufficient evidence to sustain the indictment upon this point.

Mr. VAN VOORHIS: I ask your honor also to charge the jury that there is sufficient evidence to sustain

a verdict of not guilty. The COURT: I can not charge that.

Mr. VAN VOORHIS: Then why should it go to the jury? The COURT: As a matter of form.

Mr. VAN VOORHIS: If the jury should find a verdict of not guilty, could your honor set it aside? The COURT: I will debate that with you when the occasion arises. Gentlemen, you may deliberate here, or retire, as you choose.

The jury retired for consultation, and the Court took a recess. The Court re-convened at 7 o'clock, when the clerk called the jury and asked them if they had agreed upon their verdict. The foreman replied in the negative.

[Pg 696]

The COURT: Is there anything upon which I can give you any advice gentlemen, or any information? A JUROR: We stand eleven for conviction, and one opposed.

The COURT: If that gentleman desires to ask any questions in respect to the questions of law, or the facts in the case, I will give him any information he desires. [No response from the jury.] It is quite proper, if any gentleman has doubts about anything, either as to the law or the facts, that he should state it to the Court. Counsel are both present, and I can give such information as is correct. A JUROR: I don't wish to ask any questions.

The COURT: Then you may retire again, gentlemen. The Court will adjourn until to-morrow morning.

The jury retired, and after an absence of about ten minutes returned into court. The clerk called the names of the jury.

The CLERK: Gentlemen, have you agreed upon your verdict? The FOREMAN: We have.

The CLERK: How say you, do you find the prisoners at the bar guilty of the offense whereof they stand indicted, or not guilty? The FOREMAN: Guilty.

The CLERK: Hearken to your verdict as it stands recorded by the court. You say you find the prisoners at the bar guilty of the offense whereof they stand indicted, and so say you all. Mr. VAN VOORHIS: I ask that the jury be polled. The clerk polled the jury, each juror answering in the affirmative to the question, "Is this your verdict."

On the next day, June 19, 1873, the counsel for the defendants, Mr. John Van Voorhis, made a motion to the court for a new trial in behalf of Beverley W. Jones, Edwin T. Marsh, and William B. Hall. The following are the grounds of the motion:

1. The indictment contains no sufficient statement of any crime under the Acts of Congress, upon which it is framed.
2. The court has no jurisdiction of the subject matter of the offense.
3. It was an error, for which a new trial should be granted, to refuse the defendants the fundamental right to address the jury through their counsel. This is a right guaranteed by the United States Constitution. (See Article VI. of the amendments to the U.S. Constitution. 1 Graham and Waterman on New Trials, pages 682, 683, and 684.)
4. The defendants were substantially deprived of the right of jury trial. The instructions of the court to the jury were imperative. They were equivalent to a direction to find a verdict of guilty. It was said by the court in the hearing of the jury, that the case was submitted to the jury "as a matter of form." The jury was not at liberty to exercise its own judgment upon the evidence, and without committing a gross discourtesy to the court, could render no verdict except that of guilty.
5. Admitting that the defendants acted without malice, or any corrupt motive, and in accordance with their best judgments, and in perfect good faith, it was error to charge that that was no defense.
6. The defendants are admitted to have acted in accordance with their duty as defined by the laws of New York (1 R. S. Edmonds' Ed., pp. 126-127, sections 13, 14, 15, 16, 17, 18 and 19) as construed by the Court of Appeals. (People vs. Pease, 27 N. Y. 45.)

[Pg 697]

They are administrative officers and bound to regard only the evidence which the statute prescribes. They are not clothed with the power to reject the vote of a person who has furnished the evidence which the law requires of a right to vote, on what they or either of them might know, as to the truth or falsity of such evidences. They have no discretion, and must perform their duty, as it is defined by the laws of New York and the decisions of her courts.

7. The defendant, William B. Hall, has been tried and convicted in his absence from the court. This is an error fatal to the conviction in his case.

The court denied the motion; then asked the defendants if they had anything to say why sentence should not be pronounced, in response to which they replied as follows:

BEVERLY W. JONES said: Your honor has pronounced me guilty of crime; the jury had but little to do with it. In the performance of my duties as an inspector of election, which position I have held for the last four years, I acted conscientiously, faithfully and according to the best of my judgment and ability. I did not believe that I had the right to reject the ballot of a citizen who offered to vote, and who took the preliminary and general oaths; and answered all questions prescribed by law. The instructions furnished me by the State authorities declared that I had no such right. As far as the registry of the names is concerned, they would never have been placed upon the registry if it had not been for Daniel Warner, the Democratic federal supervisor of elections, appointed by this court, who not only advised the registry, but addressed us, saying, "Young men, do you know the penalty of the law if you refuse to register these names?" And after discharging my duties faithfully and honestly and to the best of my ability, if it is to vindicate the law that I am to be imprisoned, I willingly submit to the penalty.

EDWIN T. MARSH said: In October last, just previous to the time fixed for the sitting of the Board of Registrars in the first district of the eighth ward of Rochester, a vacancy occurred. I was solicited to act, and consenting, I was duly appointed by the common council. I had never given the matter a thought until called to the position, and as a consequence knew nothing of the law. On the morning

of the first day of the last session of the board, Miss Anthony and other women presented themselves and claimed the right to be registered. So far as I knew, the question of woman suffrage had never come up in that shape before. We were in a position where we could take no middle course. Decide which way we might, we were liable to prosecution. We devoted all the time to acquiring information on the subject that our duties as Registrars would allow. We were expected, it seems, to make an infallible decision, inside of two days, of a question in regard to which some of the best minds of the country are divided. The influences by which we were surrounded, were nearly all in unison with the course we took. I believed then, and believe now, that we acted lawfully.

I faithfully discharged the duties of my office according to the best of my ability, in strict compliance with the oath administered to me. I consider the argument of our counsel unanswered and unanswerable. The verdict is not the verdict of the jury. I am not guilty of the charge.

[Pg 698]

The Court then sentenced the defendants to pay a fine of \$25 each, and the costs of the prosecution.^[175]

The following petition was presented in the Senate by Mr. Sargent, the present (1882) United States Minister to Germany, and in the House by Mr. Loughridge, of Iowa:

Forty-third Congress, First Session, Senate, Mis. Doc. No. 39. A petition of Susan B. Anthony praying for the remission of a fine imposed upon her by the United States Court for the Northern District of New York, for illegal voting. January 22, 1874. Referred to the Committee on the Judiciary and ordered to be printed.

To the Congress of the United States:

The petition of Susan B. Anthony, of the city of Rochester, in the county of Monroe, and State of New York, respectfully represents: That, prior to the late presidential election, your petitioner applied to the Board of Registry in the Eighth Ward of the city of Rochester, in which city she had resided for more than twenty-five years, to have her name placed upon the register of voters; and the Board of Registry, after consideration of the subject, decided that your petitioner was entitled to have her name placed upon the register, and placed it there accordingly. On the day of election your petitioner, in common with hundreds of other American citizens, her neighbors, whose names had also been registered as voters, offered to the inspectors of election her ballots for electors of President and Vice-President, and for members of Congress, which were received and deposited in the ballot-box by the inspectors. For this act of your petitioner an indictment was found against her by the grand jury, at the sitting of the District Court of the United States for the Northern District of New York, at Albany, charging your petitioner, under the nineteenth section of the act of Congress of May 31, 1870, entitled "An act to enforce the rights of citizens of the United States to vote in the several States of this Union, and for other purposes," with having "knowingly voted without having a lawful right to vote."

To that indictment your petitioner pleaded not guilty, and the trial of the issue thus joined took place at the Circuit Court in Canandaigua, in the county of Ontario, before the Honorable Ward Hunt, one of the Justices of the Supreme Court of the United States, on the 18th day of June last. Upon that trial the facts of voting by your petitioner, and that she was a woman, were not denied; nor was it claimed on the part of the Government than your petitioner lacked any of the qualifications of a voter, unless disqualified by reason of her sex. It was shown on behalf of your petitioner, on the trial, that before voting she called upon a respectable lawyer and asked his opinion whether she had a right to vote, and he advised her that she had such right, and the lawyer was examined as a witness in her behalf, and testified that he gave her such advice, and that he gave it in good faith, believing that she had such right. It also appeared that when she offered to vote, the question whether, as a woman, she had a right to vote, was raised by the inspectors, and considered by them in her presence, and they decided that she had a right to vote, and received her vote accordingly.

[Pg 699]

It was shown on the part of the Government that, on the examination of your petitioner before the commissioner on whose warrant she was arrested, your petitioner stated that she should have voted if allowed to vote, without reference to the advice of the attorney whose opinion she asked; that she was not induced to vote by that opinion; that she had before determined to offer her vote, and had no doubt about her right to vote. At the close of the testimony, your petitioner's counsel proceeded to address the jury, and stated that he desired to present for consideration three propositions, two of law, and one of fact: 1. That your petitioner had a lawful right to vote. 2. That whether she had a right to vote or not, if she honestly believed that she had that right, and voted in good faith in that belief, she was guilty of no crime. 3. That when your petitioner gave her vote she gave it in good faith, believing that it was her right to do so.

That the two first propositions presented questions for the court to decide, and the last question for the jury. When your petitioner's counsel had proceeded thus far, the judge suggested that the counsel had better discuss, in the first place, the questions of law, which the counsel proceeded to do; and, having discussed the two legal questions at length, asked then to say a few words to the jury on the question of fact. The judge then said to the counsel that he thought that had better be left until the views of the court upon the legal questions should be made known.

The district attorney thereupon addressed the court at length upon the legal questions, and at the close of his argument the judge delivered an opinion adverse to the positions of your petitioner's counsel upon both of the legal questions presented, holding that your petitioner was not entitled to vote; and that if she voted in good faith in the belief in fact that she had a right to vote, it would constitute no defense; the ground of the decision on the last point being that your petitioner was bound to know that by the law she was not a legal voter, and that even if she voted in good faith in the contrary belief, it constituted no defense to the crime with which she was charged.

The decision of the judge upon those questions was read from a written document, and at the close

of the reading the judge said that the decision of those questions disposed of the case and left no question of fact for the jury, and that he should therefore direct the jury to find a verdict of guilty. The judge then said to the jury that the decision of the court had disposed of all there was in the case, and that he directed them to find a verdict of guilty; and he instructed the clerk to enter such a verdict.

At this time, before any entry had been made by the clerk, your petitioner's counsel asked the judge to submit the case to the jury, and to give to the jury the following several instructions. [See page 680.]

The judge declined to submit the case to the jury upon any question whatever, and directed them to render a verdict of guilty against your petitioner. Your petitioner's counsel excepted to the decision of the judge upon the legal questions, and to his direction to the jury to find a verdict of guilty, insisting that it was a direction which no court had a right to give in any criminal case.

[Pg 700]

The judge then instructed the clerk to take the verdict, and the clerk said, "Gentlemen of the jury, hearken to your verdict as the court hath recorded it. You say you find the defendant guilty of the offense charged; so say you all." No response whatever was made by the jury, either by word or sign. They had not consulted together in their seats or otherwise. Neither of them had spoken a word, nor had they been asked whether they had or had not agreed upon a verdict. Your petitioner's counsel then asked that the clerk be requested to poll the jury. The judge said, "That can not be allowed. Gentlemen of the jury, you are discharged;" and the jurors left the box. No juror spoke a word during the trial, from the time when they were empaneled to the time of their discharge. After denying a motion for a new trial, the judge proceeded upon the conviction thus obtained to pass sentence upon your petitioner, imposing upon her a fine of \$100 and the costs of the prosecution.

Your petitioner respectfully submits that, in these proceedings, she has been denied the rights guaranteed by the Constitution to all persons accused of crime, the right of trial by jury, and the right to have the assistance of counsel for their defense. It is a mockery to call her trial a trial by jury; and unless the assistance of counsel may be limited to the argument of legal questions, without the privilege of saying a word to the jury upon the question of the guilt or innocence in fact of the party charged, or the privilege of ascertaining from the jury whether they do or do not agree to the verdict pronounced by the court in their name, she has been denied the assistance of counsel for her defense.

Your petitioner also respectfully insists that the decision of the judge that good faith on the part of your petitioner in offering her vote did not constitute a defense, was not only a violation of the deepest and most sacred principle of the criminal law, that no one can be guilty of crime unless a criminal intent exists; but was also a palpable violation of the statute under which the conviction was had; not on the ground that good faith could, in this, or in any case, justify a criminal act, but on the ground that bad faith in voting was an indispensable ingredient in the offense with which your petitioner was charged. Any other interpretation strikes the word "knowingly" out of the statute, the word which alone describes the essence of the offense. The statute means, as your petitioner is advised, and humbly submits, a knowledge in fact, not a knowledge falsely imputed by law to a party not possessing it in fact, as the judge in this case has held. Crimes can not, either in law or in morals, be established by judicial falsehood. If there be any crime in the case, your petitioner humbly insists it is to be found in such an adjudication.

To the decision of the judge upon the question of the right of your petitioner to vote, she makes no complaint. It was a question properly belonging to the court to decide, was fully and fairly submitted to the judge, and of his decision, whether right or wrong, your petitioner is well aware she can not here complain. But in regard to her conviction of crime, which she insists, for the reasons above given, was in violation of the principles of the common law, of common morality, of the statute under which she was charged, and of the Constitution—a crime of which she was as innocent as the judge by whom she was convicted—she respectfully asks, inasmuch as the law has provided no means of reviewing the decisions of the judge, or of correcting his errors, that the fine imposed upon your petitioner be remitted, as an expression of the sense of this high tribunal that her conviction was unjust.

[Pg 701]

SUSAN B. ANTHONY.

Dated January 12, 1874.

In the Senate of the United States, June 20, 1874, Mr. Edmunds submitted the following report:

The Committee on the Judiciary, to whom was referred the bill (S. 391) to enable Susan B. Anthony to pay a fine imposed upon her by the District Court for the Northern District of New York, and a petition praying for the remission of said fine, report:

That they are not satisfied that the action of the Court was such as represented in the petition, and that, if it were so, the Senate could not legally take any action in the premises, and move that the Committee be discharged from the further consideration of the petition, and that the bill be postponed indefinitely.

Mr. Carpenter asked, and obtained, leave of the Senate to present the following as the views of the minority:

The Committee on the Judiciary, to whom was referred the memorial of SUSAN B. ANTHONY, praying to be relieved from a certain judgment, rendered against her by the Circuit Court of the United States for the Northern District of New York:

.

The majority of the Committee have determined that inasmuch as the relief prayed for by the memorial can not be granted, the Committee will ask to be discharged from its further consideration, and will not express any opinion as to the correctness or incorrectness of the course

pursued on the trial of Miss Anthony.

The House of Lords in England or the Senate of the United States may engage in any investigation looking to legislation, although, as an incident to, or a result of, such investigation, it may appear that some officer who is impeachable has been guilty of conduct for which he might be impeached. Then, surely, in a case like this, where there is neither suggestion nor suspicion of corrupt conduct on the part of the estimable judge before whom the trial was conducted, it can not be improper for a committee of the Senate to inquire whether, in the trial of a citizen for alleged violation of the laws of the United States, a precedent dangerous to the liberties of every citizen has been set. Indeed, the injurious effect of every judicial departure from sound principle is in proportion to the eminence and purity of the judge by whom it is committed. The outrages perpetrated by Scroggs and Jeffreys in the administration of criminal justice were grievous upon the individuals unjustly or illegally convicted, but do no harm as precedents. A vicious precedent, set by an infamous judge, is harmless; while a similar violation of the law by a pure and upright magistrate is attended by far-reaching and detrimental consequences.

[Pg 702]

It is fashionable, we know, just now to heap contumely upon women who demand to be allowed to enjoy their civil political rights. Ridicule is the chief weapon employed against them, and is freely applied to all who advocate their cause. Gentlemen who would blush to be thought negligent in the offices of frivolous gallantry lack the manhood to accord to women their substantial rights. And, strange to say, ladies dwelling in luxurious ease join with the fops of society to cast contempt upon the earnest aspirations of woman for the possession of her just rights. We have acted upon the doctrines of the Declaration of Independence, so far as to make all men equal before the law; but women, our mothers, our wives, our sisters, and our daughters, we condemn to inequality—many to servitude. But the cry of women, who, in poverty and want, are driven from the employments of honest industry to indulgence in vice and to the haunts of shame, is rising on every hand, and appeals to the heart with as much power as the wailings of a slave beneath the lash of his master.

The wrongs of Martin Koszta in a foreign land touched the heart of the nation. But the denial of her rights to Miss Susan B. Anthony in a court of the Union is thought to be unworthy the attention of the American Senate. To those who are indifferent whether a woman be deprived of or be permitted to enjoy even the rights which are secured to her by the Constitution, it may be suggested that a bad precedent set in the trial of a woman who has presumed to express her choice as to those who should make laws for her, laws by which her rights are to be affected and her property be taxed, may stand in the way of some man's rights hereafter. It may yet happen, in the revolutions of time, that some one of the majority of your committee may be subjected to an unjust and false accusation, which must be submitted to the judgment of twelve men in the jury-box or of one man on the bench; twelve men fresh from the people and warmed with the instinctive sympathies of humanity, or one man, separated from the people by his station and by the habits of a life passed in seclusion and study. A jury-trial must be the same whether a man or woman be arraigned. And the subject under consideration is important even to men who are regardless of the rights of women.

I shall, therefore, proceed to inquire, as I think the committee ought to have done, whether the memorialist has been deprived, as she alleges, of the right of trial by jury secured to her by the Constitution of the United States. The memorialist claims that the court erred in its ruling, and in taking the case from the jury and directing a verdict against her; and also in refusing to have the jury polled in regard to their verdict; and she prays that her fine may be remitted by act of Congress.

The first question is, whether in a criminal trial, plea not guilty, the jury have a right to render a general verdict involving questions of law as well as fact, under instructions by the court upon matters of law; or whether, when the testimony is not conflicting, the court may take the case from the jury and direct a verdict of guilty to be entered.

It is the practice in civil causes for the court, if there is no conflict in the evidence, to direct a verdict for the plaintiff or for the defendant, because in such case the court may set aside a verdict and grant a new trial in favor of plaintiff or defendant. It would, therefore, be a barren form to require the jury to deliberate and find a verdict in a case where if the verdict was not one way, the court would set it aside and order a new trial, and so on, until a verdict should be found that was satisfactory to the court. So in practice it is usual for the court to direct the jury to acquit the prisoner in a criminal case; because, if the jury find against the prisoner, the court may set the verdict aside and order a new trial, and continue to do so until a verdict of acquittal shall be rendered; though it is doubtful whether, even in a civil cause, the court could refuse to let the jury be polled, or could enter a verdict for the jury to which they did not agree. The court could direct the jury what to do, and set aside the verdict if they did otherwise; but it is not admitted that, even in a civil cause, the court could enter a verdict against the wishes of the jury.

[Pg 703]

But at the common law and in the Federal courts it is certain that where the jury render a verdict of acquittal, even against the evidence and the instructions of the court on propositions of law, the court can not set aside the verdict and order another trial. From this it follows that the court can not take from the jury this power of acquittal in a criminal case, by directing and compelling a verdict against the prisoner, and refusing to have the jury polled. But the importance of this question requires its examination not only in the light of reason, but of authority. The Constitution of the United States provides:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and a public trial by an impartial jury of the State and district wherein the crime shall have been committed, etc.

The Constitution does not define or regulate the trial by jury, but secures it as it was then known to the common law. This is a proposition so well settled by judicial determination that I shall spend no time upon it beyond citing the following authorities: *Norval vs. Rice*, 2 Wis., 22; *May vs. R. R. Co.*, 3 Wis., 219; *Byers & Davis vs. Com.*, 42 Penn. St., 89; *United States vs. Lorenzo Dow*, Taney Decis., 35; *Lamb et al. vs. Lane*, 4 Ohio Stat., 167.

Therefore, if it can be shown that, at the time the Constitution was adopted, it was well settled that

the jury in a criminal cause might find a general verdict, including both law and fact, then this right is secured to juries in the Federal courts by the Constitution itself; and not even an act of Congress could take it away. What the law was at that time, is mere matter of historical inquiry, wholly different from another question, which is so often mistaken for it, whether juries ought to possess the right.

What, then, was the law upon this subject when the Constitution was adopted? Mr. Hargrave, in one of his annotations upon Lord Coke's first Institute, declares that, inasmuch as the jury may, as often as they think fit, find a general verdict, it was unquestionable that they might so far decide upon the law as well as fact, such a verdict necessarily involving both.

In this opinion, says Mr. Hargrave, I have the authority of Littleton himself, who writes, "that if the inquest will take upon them the knowledge of the law upon the matter, they may give their verdict generally."

In *People vs. Crowell*, 3 Johnson's Cases, 336, Chief-Justice Kent reviewed all the preceding authorities with great care, and discussed the philosophy of the doctrine under consideration, with the ability which characterizes his most celebrated opinions; and his decision in this case stands to this day as one of the landmarks upon this subject. After reciting the authorities, he says:

[Pg 704]

To meet and resist directly this stream of authority is impossible. But while the power of the jury is admitted, it is denied that they can rightfully or lawfully exercise it without compromising their consciences, and that they are bound implicitly in all cases to receive the law from the court. The law must, however, have intended, in granting this power to a jury, to grant them a lawful and rightful power, or it would have provided a remedy against the undue exercise of it. The true criterion of a legal power is its capacity to produce a definitive effect, liable to neither censure nor review. And the verdict of not guilty in a criminal case is, in every respect, absolute and final. The jury are not liable to punishment, nor the verdict to control. No attainder lies, nor can a new trial be awarded. The exercise of this power in the jury has been sanctioned and upheld in constant activity from the earliest ages. It was made a question by Bracton (fol. 119, a. b.), who was to sit in judgment and decide upon points of law on appeals in capital cases. It could not be the king, he says, for then he would be both prosecutor and judge; nor his justices, for they represented him. He thinks, therefore, the *curia* and *pares* were to be judges in all cases of life and limb, or disherison of heir, where the crown was the prosecutor. And, indeed, it is probable that in the earliest stages of the English juridical history the jury, instead of deciding causes under the direction of the judge, decided all causes without the assistance of the judge. (Barrington on the Statutes, 18, 26, 311.)

He then proceeds to review the trial of Lilburn for high treason in 1549; Bushell's case, Vaughan, 135, and Sir T. Jones, 113; Algernon Sidney's case, 3 State Trials, 817; Tuchin's case, 5 State Trials, 542, and other cases. Again, he says:

To deny to the jury the right of judging of the intent and tendency of the act, is to take away the substance, and with it the value and security of this mode of trial. It is to transfer the exclusive cognizance of crimes from the jury to the court, and to give the judge the absolute control of the press. There is nothing peculiar in the law of libels to withdraw it from the jurisdiction of the jury. The twelve judges in their opinion in the House of Lords (April, 1792), admitted that the general criminal law of England was the law of libel. And by the general criminal law of England, the office of the jury is judicial. "They only are the judges," as Lord Somers observes (Essay on the Power and Duty of Grand Juries, p. 7), "from whose sentence the indicted are to expect life or death. Upon their integrity and understanding the lives of all that are brought into judgment do ultimately depend. From their verdict there lies no appeal. They resolve both law and fact, and this has always been their practice."

And, after referring to the case of Franklin, and other cases holding a contrary doctrine, he denounces them as innovations, and adding that the subject underwent a patient investigation and severe scrutiny upon principle and precedent in Parliament, says:

And a bill declaratory of the right of the jury to give a general verdict upon the whole matter put in issue, without being required or directed to find the defendant guilty merely on the proof of publication and the truth of the innuendoes, was at length agreed to, and passed with uncommon unanimity. It is entitled "An act to remove doubts respecting the functions of juries in cases of libel"; and, although I admit that a declaratory statute is not to be received as conclusive evidence of the common law, yet it must be considered as a very respectable authority in the case, and especially as the circumstances attending the passage of this bill reflect the highest honor on the moderation, the good sense, and the free and independent spirit of the British Parliament.

And again he says: The result, from this view, is, to my mind, a firm conviction that this court is not bound by the decisions of Lord Raymond and his successors. By withdrawing from the jury the consideration of the essence of the charge, they render their function nugatory and contemptible. Those opinions are repugnant to the more ancient authorities which had given to the jury the power, and with it the right, to judge of the law and the fact, when they were blended by the issue, and which rendered their decisions, in criminal cases, final and conclusive. The English bar steadily resisted those decisions as usurpations on the rights of the jury. Some of the judges treated the doctrine as erroneous, and the Parliament at last declared it an innovation by restoring the trial by jury, in cases of libel, to that ancient vigor and independence by which it had grown so precious to the nation as the guardian of liberty and life, against the power of the court, the vindictive persecution of the prosecutor, and the oppression of the government.

[Pg 705]

This celebrated opinion may safely be relied upon as a correct statement of the law as it stood when it was delivered in 1804. But still more conclusive authority remains to be considered. The seditious act of 1798, after defining what should be a criminal libel, and declaring that the defendant might give the truth of the matter in evidence, provides as follows:

And the jury who shall try the cause shall have a right to determine the law and the fact, under the direction of the court, as in other cases. (1 Stat. at L., 507.)

The language of this act, "as in other cases," recognizes the right here contended for. In the celebrated Callender trial, in 1800, which was a prosecution under this statute, Mr. Justice Chase, whose general bearing was so unfriendly to the defendant as to secure his impeachment by the House of Representatives, admitted this right of the jury. He said:

We all know that juries have the right to decide the law as well as the fact. (Wharton's State Trials, 710.) And again he says:

I admit that the jury are to compare the statute with the facts proved, and then to decide whether the acts done are prohibited by the law, and whether they amount to the offense described in the indictment. (*Ib.*, p. 713.)

Though, with seeming want of logic, he held that the jury could not decide whether the statute was constitutional or not. But the full admission that the jury were judges of the law as well as the fact, shows the general understanding upon this subject, though the judge may have erred in applying the principle in the case before him. In Fries's case, who was tried for treason, 1799-1800, the jury were instructed by Judge Peters as follows:

It is the duty of the court to declare the law; though both facts and law, which, I fear, are too plain to admit a reasonable doubt, are subject to your consideration. (Wharton's State Trials, 587.)

And, in the second trial of Fries, Judge Chase instructed the jury as follows:

It is the duty of the court in this case, and in all criminal cases, to state to the jury their opinion of the law arising on the facts; but the jury are to decide in the present, and in all criminal cases, both the law and the facts, on their consideration of the whole case. (2 Chase's Trial, Appendix 1.)

In the answer of Judge Chase to articles of impeachment against him, he says:

He well knows that it is the right of juries, in criminal cases, to give a general verdict of acquittal, which can not be set aside on account of its being contrary to law, and that hence results the power of juries to decide on the law as well as on the facts in all criminal cases. This power he holds to be a sacred part of our legal privileges, which he has never attempted, and never will attempt to abridge or obstruct. (1 Chase's Trial, pp. 5, 34, 35.)

[Pg 706]

In *Georgia vs. Brailsford*, 3 Dallas, 4, in 1794, Chief-Justice Jay charged the jury as follows:

It may not be amiss here, gentlemen, to remind you of the good old rule, that on questions of fact it is the province of the jury, on questions of law it is the province of the court, to decide. But it must be observed that by the same law which recognizes this reasonable distribution of jurisdiction, you have, nevertheless, a right to take upon yourselves to judge of both, and to determine the law as well as the fact in controversy. On this, and on every other occasion, however, we have no doubt you will pay that respect which is due to the opinion of the court; for as, on the one hand, it is presumed that juries are the best judges of facts, it is, on the other hand, presumable that the court are the best judges of law. But still both objects are lawfully within your power of decision.

This charge was delivered in a jury trial, at the bar of the Supreme Court, and expressed the unanimous opinion of the judges of that court, and that, too, in a civil cause. The decision in *Georgia vs. Brailsford* has never been expressly overruled by that court; although the practice in civil causes is for the court to direct a verdict where there is no conflict in regard to the testimony. In *Beavans vs. The United States*, 13 Wall, 56, which was an action *ex contractu*, on a receiver's bond, the court says:

The objection that the jury was instructed to find for the plaintiffs the amount claimed by the papers given in evidence (*viz*, the official settlements), with interest thereon, is entirely without merit. There was no evidence to impeach the accounts stated, or to show set-off, release, or payment. The instruction was, therefore, in accordance with the legal effect of the evidence, and there were no disputed facts upon which the jury could pass.

An act of Congress declares that the papers of official settlement shall be *prima facie* evidence of the condition of the accounts. No testimony was offered in this case to impeach that statement. There was, therefore, no fact in issue; and the instruction of the court to find a verdict for the plaintiff was, in substance, ruling upon matters of law only. And the Supreme Court, in their opinion, recognize, and merely recognize, the practice which now obtains universally in the trial of civil causes. And, although it is inconsistent with *Georgia vs. Brailsford*, and substantially overrules it, it does not impair the value of the decision in that case, as showing the understanding of the profession and the courts about the time of the adoption of the Constitution.

In *United States vs. Wilson* (1 Bald., 108), the jury were instructed as follows:

We have thus stated to you the law of this case under the solemn duties and obligations imposed on us, under the clear conviction that in doing so we have presented to you the true test by which you will apply the evidence to the case; but you will distinctly understand that you are the judges both of the law and the fact in a criminal case, and are not bound by the opinion of the court. You may judge for yourselves; and if you should feel it your duty to differ from us, you must find your verdict accordingly. At the same time, it is our duty to say that it is in perfect accordance with the spirit of our legal institutions that the courts should decide questions of law, and the juries of facts. The nature of the tribunals naturally leads to this division of powers; and it is better, for the sake of public justice, that it should be so. When the law is settled by a court there is more certainty than when done by a jury. It will be better known and more respected in public opinion. But if you are prepared to say that the law is

In *United States vs. Porter* (1 Bald., 108), the doctrine was stated more guardedly, as follows:

In repeating what was said on a former occasion to another jury, that you have the power to decide on the law as well as the facts of this case, and are not bound to find according to our opinion of the law, we feel ourselves constrained to make some explanations not then deemed necessary, but now called for from the course of the defense.

You may find a general verdict of guilty or not guilty as you think proper, or may find the facts specially, and leave the guilt or innocence of the prisoner to the judgment of the court. If your verdict acquits the prisoner, we can not grant a new trial, however much we may differ with you as to the law which governs the case; and, in this respect, a jury are the judges of law if they choose to become so.

In Farmer's trial before the Supreme Court of the State of New Hampshire in 1821, the Chief-Justice, speaking for the whole court, told the jury that they were the judges both of the law and the fact; that

It was the duty of the court to give them proper instructions and to aid them in forming a correct opinion as to the law applicable to the case. But if, contrary to his intentions, any expression should escape him which might seem to indicate any opinion as to the facts, they must disregard it; their verdict ought to be according to their own opinion as to the prisoner's guilt or innocence. (See *Farmer's Trial*, p. 68.)

In the trial of William S. Smith for misdemeanor, in the Circuit Court of the United States for the State of New York, in July, 1806, the jury were instructed as follows:

You have heard much said upon the right of a jury to judge of the law as well as the fact. Be assured that on this occasion there is not the least desire to abridge those rights. I am an advocate for the independence of the jury. It is the basis of civil liberty; and in this country, I trust, will ever be a sacred bulwark against oppression and encroachment upon political freedom. The law is now settled that this right appertains to a jury in all criminal cases.

On the trial of John Hodges for high treason, before the Circuit Court of the United States for the District of Maryland, in 1815, the Court charged the jury as follows:

The court said they were bound to declare the law whenever they were called upon, in civil or criminal cases. In the latter, however, it was also their duty to inform the jury that they were not obliged to take their direction as to the law. (*Hodge's Trial*, p. 20.)

The elementary writers declare the same principle. Blackstone, 4 Comm., 361, says:

And such public or open verdict may be either general (guilty or not guilty) or special, setting forth all the circumstances of the case, and praying the judgment of the court, whether, for instance, on the facts stated, it be murder, manslaughter, or no crime at all. This is where they doubt the matter of the law, and therefore choose to leave it to the determination of the court; though they have an unquestionable right of determining upon all the circumstances and finding a general verdict, if they think proper so to hazard a breach of their oaths; and, if their verdict be notoriously wrong, they may be punished and the verdict set aside by attain at the suit of the King, but not at the suit of the prisoner. But the practice heretofore in use of fining, imprisoning, or otherwise punishing jurors, merely at the discretion of the court, for finding their verdict contrary to the direction of the Judge, was arbitrary, unconstitutional, and illegal, and is treated as such by Sir Thomas Smith two hundred years ago, who accounted "such doings to be very violent, tyrannical, and contrary to the liberty and custom of the realm of England." For, as Sir Matthew Hale well observes, it would be a most unhappy case for the Judge himself if the prisoner's fate depended upon his directions; unhappy also for the prisoner, for, if the Judge's opinion must rule the verdict, the trial by jury would be useless. Yet, in many instances where contrary to evidence the jury have found the prisoner guilty, their verdict hath been mercifully set aside and a new trial granted by the court of King's Bench; for in such case, as hath been said, it can not be set right by attain. But there hath been yet no instance of granting a new trial where the prisoner was acquitted upon the first.

In Wilson's Lectures, Vol. II., p. 72, the same doctrine is declared and illustrated; and he says:

The jury must do their duty and their whole duty. They must decide the law as well as the fact. This doctrine is peculiarly applicable to criminal cases, and from them, indeed, derives its peculiar importance.

In Forsyth's Jury Trials, after an examination of the subject, it is said, p. 265:

It can not therefore be denied that, in all criminal cases, the jury do virtually possess the power of deciding questions of law as well as of fact.

The authorities quoted from conclusively show that at the time the Constitution was adopted, and for nearly a quarter of a century afterward, juries were understood and declared to possess the right to pass upon questions of law as well as fact in all criminal cases; and this is all that need be shown to bring this right within the protection of the Constitution.

The first case it is believed in which the contrary doctrine received favor in any American court was in the case of *United States vs. Battiste*, 2 Sum., 240, decided in 1835. Mr. Justice Story, in that case, said:

My opinion is that the jury are no more judges of the law in a criminal case upon the plea of not guilty than they are in every civil case tried upon the general issue. In each of these cases their verdict, when general, is necessarily compounded of law and of fact, and includes both. In each

they must necessarily determine the law as well as the fact. In each they have the physical power to disregard the law as laid down to them by the court. But I deny that in any case, civil or criminal, they have the moral right to decide the law according to their own notions or pleasure.

In *Commonwealth vs. Porter*, 10 Met., decided in 1845, the Supreme Court of Massachusetts followed the decision in *Battiste's case*, and held that the jury are under a moral obligation to decide the case as instructed by the court, and the court sum up the subject as follows:

On the whole subject, the views of the court may be summarily expressed in the following propositions: That in all criminal cases it is competent for the jury, if they see fit, to decide upon all questions of fact embraced in the issue, and to refer the law arising thereon to the court in the form of a special verdict. But it is optional with the jury thus to return a special verdict or not, and it is within their legitimate province and power to return a general verdict if they see fit. In thus rendering a general verdict, the jury must necessarily pass upon the whole issue, compounded of the law and of the fact, and they may thus incidentally pass on questions of law.

The opinion in this case was delivered by Chief-Justice Shaw, and is rather a discussion of what is a convenient distribution of powers between the court and jury than an examination into the actual state of the law; and he neither cites nor refers to a single authority from the beginning to the end of the opinion. Again, the conclusions arrived at by the opinion admit the power of the jury to decide questions of law; and that, in cases where the jury acquit the defendant, there is no power to reverse or even to review the finding of the jury. And this opinion holds that the defendant, in all criminal cases, is entitled to address the jury upon the questions of law as well as of fact involved in the case. To maintain that the defendant has the right to address the jury upon matters which the jury have no right to determine, and yet that the jury possess the power—the ultimate and final power—to decide matters of law, and are nevertheless under moral obligation never to exercise the power, are palpable inconsistencies.

[Pg 709]

The Supreme Court of Vermont in *State vs. Croteau*, 23 Ver., 14, in a very able opinion, review these two cases and other subsequent decisions which follow their doctrine, and, after an able and critical examination of all the English and American cases, repudiate this new doctrine, and declare that in criminal prosecutions it is the ancient, common-law right of the jury in favor of the prisoner to determine the whole matter in issue—the law as well as the fact.

There are some American cases holding a contrary doctrine, but the current of American as well as of English authorities is overwhelmingly in favor of the proposition that juries in criminal causes are judges of the law as well as of the facts.^[176]

In late years there has been considerable discussion, and some contrariety of judicial opinion, in regard to the moral right of juries to find a general verdict of not guilty against the instructions of the court on matters of law. This subject, however, need not be further discussed, because it is believed that no reported case can be found denying to juries the power of determining the law as well as the fact in all criminal cases. The utmost extent to which any case goes is, that the jury, in deciding upon the law, are morally bound to adopt the opinion expressed by the court; but every case admits their power to do otherwise if they see fit. But admitting the existence of the distinction between the legal power and the moral right of juries, still the decision of the court on the trial of *Miss Anthony* was erroneous, because the court did not instruct the jury in regard to the law, and then leave the jury to perform their duty in the premises. On the contrary, the court took the case from the jury altogether and directed their verdict; thus denying to the jury not only the moral right, but even the power of rendering a verdict of not guilty; and refused the request of counsel to have the jury polled in regard to their verdict. No precedent has been shown for this proceeding, and it is believed none exists. It is altogether a departure from, and a most dangerous innovation upon, the well-settled method of jury-trial in criminal cases. Such a doctrine renders the trial by jury a farce. The memorialist had no jury-trial within the meaning of the Constitution, and her conviction was therefore erroneous.

But it may be said that the ruling of the court was correct in point of law, and, had the court submitted the case to the jury, it would have been the duty of the jury to find the memorialist guilty; therefore she is not aggrieved by the judgment which the court pronounced. Should this reasoning be adopted, it would follow that the memorialist had been tried by the court and by Congress; but it would still be true that she had been denied trial by a jury which the Constitution secures to her.

[Pg 710]

It is not safe thus to trifle with the rights of citizens. The trial by jury—the judgment of one's peers—is the shield of real innocence imperiled by legal presumptions. A Judge would charge a jury that a child who had stolen bread to escape starvation had committed the crime of larceny, but all the Judges in Christendom could not induce a jury to convict in such a case. It is the humane policy of our law, that, before any citizen shall suffer punishment, he shall be condemned by the verdict of his peers, who may be expected to judge as they would be judged. To sustain the judgment in this case, is to strike a fatal blow at this sacred right.

But the question remains, What relief can be granted? I concur with the majority of the Committee that Congress can not remit the judgment; that would be to exercise the pardoning power. Congress can not grant a new trial; that would be an exercise of judicial power. There is no Court of the Government which has jurisdiction to review the case. In *Commonwealth vs. Austin*, 5 Gray, 226, Chief-Justice Shaw says:

Now, when a new statute is passed, and a question of law is raised by counsel, it must first come before the court, charged by law with the conduct and superintendence of a jury trial; and, in any well-ordered system of jurisprudence, provision is made that it be re-examinable by the court of last resort. When this question is definitively adjudged by the tribunal of last resort—the principles on which it is adjudged being immutable, and the rule of law adjudged in any one case being equally applicable to every other case presenting the same facts—the decision is necessarily conclusive of the law. I do not say how and after what consideration it maybe considered as definitively decided. In the first instance it may be misunderstood or feebly

presented. It may have been misapprehended by the judges, and not considered in all its bearings, or they may have wanted time and means for a careful and thorough investigation, and may therefore consent and desire to reconsider it one or more times. But I only say that, when thus definitively adjudged, the decision must be deemed conclusive and stand as a rule of law.

Unfortunately the United States has no "well-ordered system of jurisprudence." A citizen may be tried, condemned, and put to death by the erroneous judgment of a single inferior judge, and no court can grant him relief or a new trial. If a citizen have a cause involving the title to his farm, if it exceed two thousand dollars in value, he may bring his cause to the Supreme Court; but if it involves his liberty or his life, he can not. While we permit this blemish to exist on our judicial system, it behooves us to watch carefully the judgments inferior courts may render; and it is doubly important that we should see to it that twelve jurors shall concur with the Judge before a citizen shall be hanged, incarcerated, or otherwise punished.

I concur with the majority of the Committee that Congress can not grant the precise relief prayed for in the memorial; but I deem it to be the duty of Congress to declare its disapproval of the doctrine asserted and the course pursued in the trial of Miss Anthony; and all the more for the reason that no judicial court has jurisdiction to review the proceedings therein.

[Pg 711]

I need not disclaim all purpose to question the motives of the learned Judge before whom this trial was conducted. The best of judges may commit the gravest of errors amid the hurry and confusion of a *nisi prius* term; and the wrong Miss Anthony has suffered ought to be charged to the vicious system which denies to those convicted of offenses against the laws of the United States a hearing before the court of last resort—a defect it is equally within the power and the duty of Congress speedily to remedy.

MATT H. CARPENTER.

Mr. Tremaine, from the House Judiciary Committee, reported adversely on the prayer of Miss Anthony's Petition, and Benjamin F. Butler favorably.

Forty-third Congress, 1st Session, House of Representatives, Report No. 608, Susan B. Anthony, May 25, 1874, recommitted to the Committee on the Judiciary and ordered to be printed.

Mr. B. F. BUTLER, from the Committee on the Judiciary, submitted the following Report to accompany bill H. R. 3492:

The Committee on the Judiciary, to whom was referred the memorial of Susan B. Anthony, of the city of Rochester, in the State of New York, praying that a fine alleged to have been unjustly imposed on the petitioner by a judgment of the Circuit Court of the United States for the Northern District of New York, may be remitted, having considered the prayer of the petitioner and the statement of facts set forth in the memorial, respectfully beg leave to report:

.

Are these positions of the petitioner well founded? By necessary division there arise two questions: First, has Congress any power, or is there any precedent for entertaining such petition for such purpose? And, secondly, are the acts and order of the judge in accordance with the law of the land, and not in derogation of the right of the citizen to trial by jury at common law as guaranteed by the Constitution, as known and practiced in the courts of the United States? If the first should be answered in the negative, of course the committee and the House would be spared the discussion of the second.

It seems to your committee that there are two very noted and historical cases which may form the precedents for this application, and favorable action thereon by Congress—in the proceeding concerning the fines imposed by the courts on Matthew Lyon and General Jackson.

Lyon was fined by a United States judge for a seditious libel. He petitioned for a remission of fine upon the ground that the law was unconstitutional under which he was convicted. That petition was very fully considered, and, in 1820, a report was presented to the Senate by Mr. Barbour, of Virginia, which, after elaborating the considerations, concludes thus:

In this case, therefore, the committee think the Government is under a moral obligation to indemnify the petitioner.

In this claim of Lyon, after remaining before Congress until 1840, a bill, upon a favorable report of the Committee on the Judiciary, was passed by the House, restoring the fine with interest, by a vote of 124 to 15. This case, however, is subject to the criticism, that in it Congress undertook to do justice to a citizen suffering from an unconstitutional law which it had enacted, and thereby distinguishes it from the present application: but the case of General Jackson, so familiar to all that its facts need not be recited, covers that point. There was the remitting of a fine imposed by a judge in excess of his authority in acting without warrant of law.

[Pg 712]

Assuming, therefore, that this application is properly before us, we come to the second question of whether, by the proceedings in court, the legal rights of the petitioner have been infringed, from which she has suffered. It would not seem to be germane to this question to inquire whether or not the petitioner had the legal right to vote, because that was a question of law fully within the competency of the judge to decide, and his decision did not necessarily work a hardship to the defendant, even if mistaken in judgment. Or, in other words, it was a rightful execution of a power intrusted to him by law, from which there was no appeal to this or any other jurisdiction.

We come, therefore, to the great question in this case: whether the judge erred in withdrawing the case from the jury. Upon this question it would seem that the judge himself vacillated in the trial, because he permitted evidence to be gone into on both sides as a question of fact, tending to show whether the petitioner did or did not vote, knowing that she had no right so to do; but afterward

withdrew the consideration of that evidence, upon the fact of intention or guilty knowledge, wholly from the jury, and ordered a verdict to be entered up upon his own decision, without allowing the question either to be argued or submitted to the jury, or the jury to pass upon it.

There certainly can be no graver question affecting the rights of citizens than this. The whole theory of trial by jury at common law consists in the fundamental maxim that before any conviction can be had for a crime it must be passed upon by twelve good and lawful men, the peers of the accused; and the very oath prescribed to jurors by the common law most distinctly guaranteed this right to the accused: "You shall well and truly try and true deliverance make, between the King and the prisoner at the bar, according to your evidence;" while at the common law the oath prescribed in civil cases gave a right to a judge to direct the jury in the matter of law, and to direct the verdict one way or the other, as he saw fit, the oath being substantially as follows: "You shall well and truly try the issue between party and party according to the law and the evidence given you."

Whatever changes may have been made in the practice of the States since the time of the earlier amendments to the Constitution, certain it is that at that time, after a jury had been impaneled, there was no way that the accused could be put in jeopardy of life or limb without his cause being submitted to twelve men, and their unanimous verdict passing upon the fact of his guilt or innocence. And this right your committee deem is not one lightly to be sacrificed. Burke once said that the whole English Constitution and machinery of government—not quoting words—were only to put into a jury-box twelve honest men. What advantage could it be to an accused to put twelve honest men into the jury-box, if the judge, without asking for their opinion, or without their intervention, can order a verdict of guilty to be entered up against the accused?

[Pg 713]

Nothing, therefore, can be of more consequence to the citizen in troublous times to protect him against the exercise of usurped or other power for oppression, than the intervention of the judgment of his peers upon the question whether he has been guilty of a crime, or alleged offense against the Government. And in the judgment of your committee, we can not too scrupulously guard, in the interest of the liberty of the citizen, this great and almost invaluable right. The friends of liberty under the common-law system have stood for it and stood by it, strenuously and assiduously, as the palladium of their liberties and the impenetrable shield of the people from oppression. By the order of the judge the defendant was deprived of this right, and if, in this case of minor consequence so far as regards the punishment inflicted, this can be done, so in the trial for murder or treason a judge may order a verdict of the jury without allowing them to pass upon the fact. It has been sometimes said "Can this be done?" We are clearly of the opinion that it can not and ought not to be done. It is sometimes said as a triumphant argument in favor of the exercise of this power, "Has not the judge the power to order a verdict of acquittal?" The answer to that, as a matter of law, is "No; he can only direct the jury that upon the facts and matter of law he believes the case can not be maintained, but that it is for the jury to say whether they will follow that direction;" and his remedy is to set aside that verdict, and that power has always been exercised at common law in favor of the prisoner, but he can not set aside the verdict of not guilty. Sometimes, in the darker hours of English jurisprudence, the judges fined the jury when they were not the obedient instruments of their will but persisted in finding the defendants in state prosecutions not guilty when the judge thought they ought to have been found guilty; but neither Jeffreys nor Scroggs ever dared to set aside a verdict of not guilty.

Your committee have been led by the great consequence of this precedent more carefully and at length to give an examination to this question to which its importance would not otherwise have entitled it. But your committee do not find it necessary to impute any intent of wrong to the learned judge who tried this case; but the effect of his error was to deprive this petitioner of a great and beneficent right, guaranteed to her as strongly as any other by the Constitution of her country, to have the question of her guilt passed upon by her peers, which error has had the same effect upon her rights as an intentional assumption of power would have had, and may have hereafter, in bad times, wherein corrupt judges, wielding instruments of power, shield themselves by precedents set by good judges in good times.

Therefore, because the fine has been imposed by a court of the United States for an offense triable by jury, without the same being submitted to the jury, and because the court assumed to itself the right to enter a verdict without submitting the case to the jury, and in order that the judgment of the House of Representatives, if it concur with the judgment of the committee, may, in the most signal and impressive form, mark its determination to sustain in its integrity the common-law right of trial by jury, your committee recommend that the prayer of the petitioner be granted, and to this end report the following bill, with the recommendation that it do pass.

[Pg 714]

The Inspectors were counseled to refuse to pay their fines, and take the consequences.

HOUSE OF REPRESENTATIVES, Washington, Feb. 22, 1874.

MY DEAR MISS ANTHONY:—In regard to the Inspectors of Election, I would not, if I were they, pay, but allow any process to be served; and I have no doubt the President will remit the fine if they are pressed too far.

I am yours truly,

BENJAMIN F. BUTLER.

On Miss Anthony's return home, February 26, 1874, she found the three Inspectors lodged in jail. She at once called on Judge Selden, and after consultation with him as to what could be done for their protection, telegrams were sent to influential friends in Washington, to which the following reply was received:

WASHINGTON, D. C., March 2, 1874—12 noon.

TO MISS SUSAN B. ANTHONY:—I laid the case of the Inspectors before the President to-day. He kindly orders their pardon. Papers are being prepared.

A. A. SARGENT.

An Associated Press dispatch, dated Washington, March 2, 1874, said:

At the written request of Senator Sargent, the President to-day directed the Attorney-General to prepare the necessary papers to remit the fine and imprisonment of Hall, Marsh, and others, the Rochester Election Inspectors, who were tried and convicted in June, 1873, of registering Susan B. Anthony and other women, and receiving their votes.

The Rochester *Evening Express* of Feb. 26, 1874, said:

TYRANNY IN ROCHESTER.—The arrest and imprisonment in our city jail of the Election Inspectors who received the votes of Susan B. Anthony and other ladies, at the polls of the Eighth Ward, some months ago, is a petty but malicious act of tyranny, of which the officers who are responsible for it will yet be ashamed. It should be known to the public that these young men received Miss Anthony's vote by the advice of the best legal talent that could be procured. The ladies themselves took oath that they were citizens of the United States and entitled to vote.... The Court, however, fined these inspectors \$25 and costs, for an offense which at the worst is merely technical, and now, nearly nine months after conviction, in default of payment, they are seized and shut up in jail, away from their families and their business, and subjected to all the inconvenience to say nothing of the odium of such an incarceration. This is an outrage which ought not to be tolerated in this country, and we shall be disappointed if public sentiment does not yet rebuke, in thunder-tones, the authorities who have perpetrated it. Miss Anthony is willing to fight her own battles and take the consequences, but she naturally feels indignant that others should suffer in this matter through no fault of their own....

[Pg 715]

The Rochester *Democrat and Chronicle* of March 26th, said:

AN OUTRAGE.—.... We regard this action on the part of District Attorney Crowley as an outrage, in that these young men, who, at the worst, are but accessories in the violation of law, are made to feel its terrors, while the chief criminal is allowed to defy the law with impunity. No effort has been made to satisfy the judgment of the court against Miss Anthony. She contemns the law which adjudged her guilty, and its duly appointed administrators are either too timid or too negligent of duty to endeavor to enforce it.... It is doubtful whether they had the right to refuse those votes. In any event their offense is venial as compared with hers. It does not look well for the District Attorney thus to proceed against the lesser offenders, while the chief offender snaps her fingers at the law, and dares its ministers to make her a martyr.... We write in no spirit of vindictiveness, nor even in one of antagonism toward Miss Anthony; but in the name of justice we are called upon to protest against the unseemly proceeding which persecutes those excellent young men and hesitates to attack this woman, who stands as a representative of what she regards a great reform, and in its advocacy shrinks not from any of the terrors the law may have in store for her. Mr. District Attorney, it is your duty to arrest Miss Anthony; to cross swords with an antagonist worthy of your steel. Your present action looks ignoble, and is unworthy of you or of the office you fill.

More than a week elapsed before the arrival of President Grant's pardon papers, and during that time hundreds of the people of Rochester visited the "boys" in jail, and the best of dinners were furnished them daily by the fourteen women voters of the Eighth Ward.

VIRGINIA L. MINOR'S PETITION

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, DECEMBER TERM, 1872.

St. Louis County, ss.: Virginia L. Minor and Francis Minor, her husband, Plaintiffs, vs. Reese Happersett, Defendant.

The plaintiff, Virginia L. Minor (with whom is joined her husband, Francis Minor, as required by the law of Missouri), states, that under the Constitution and law of Missouri, all persons wishing to vote at any election, must previously have been registered in the manner pointed out by law, this being a condition precedent to the exercise of the elective franchise.

That on the fifteenth day of October, 1872 (one of the days fixed by law for the registration of voters), and long prior thereto, she was a native-born, free white citizen of the United States, and of the State of Missouri, and on the day last mentioned she was over the age of twenty-one years.

That on said day, the plaintiff was a resident of the thirteenth election district of the city and county of St. Louis, in the State of Missouri, and had been so residing in said county and election district, for the entire period of twelve months and more, immediately preceding said fifteenth day of October, 1872, and for more than twenty years had been and is a tax-paying, law-abiding citizen of the county and State aforesaid.

[Pg 716]

That on said last mentioned day, the defendant, having been duly and legally appointed Registrar for said election district, and having accepted the said office of Registrar and entered upon the discharge of the duties thereof at the office of registration, to wit: No. 2004 Market Street, in said city and county of St. Louis, it became and was then and there his duty to register all citizens, resident in said district as aforesaid, entitled to the elective franchise, who might apply to him for that purpose.

The plaintiff further states, that wishing to exercise her privilege as a citizen of the United States, and vote for Electors for President and Vice-President of the United States, and for a Representative in Congress, and for other officers, at the General Election held in November, 1872: While said defendant was so acting as Registrar, on said 15th day of October, 1872, she appeared before him, at his office aforesaid, and then and there offered to take and subscribe the oath to support the Constitution of the United States and of the State of Missouri, as required by the registration law of said State, approved March 10, 1871, and respectfully applied to him to be registered as a lawful voter, which said defendant then and there refused to do.

The plaintiff further states, that the defendant, well knowing that she, as a citizen of the United

States and of the State of Missouri, resident as aforesaid, was then and there entitled to all the privileges and immunities of citizenship, chief among which is the elective franchise, and as such, was entitled to be registered, in order to exercise said privilege: yet, unlawfully intending, contriving, and designing to deprive the plaintiff of said franchise or privilege, then and there knowingly, willfully, maliciously, and corruptly refused to place her name upon the list of registered voters, whereby she was deprived of her right to vote.

Defendant stated to plaintiff, that she was not entitled to be registered, or to vote, because she was not a "male" citizen, but a woman! That by the Constitution of Missouri, Art. II., Sec. 18, and by the aforesaid registration law of said State, approved March 10, 1871, it is provided and declared, that only "male citizens" of the United States, etc., are entitled or permitted to vote.

But the plaintiff protests against such decision, and she declares and maintains that said provisions of the Constitution and registration law of Missouri aforesaid, are in conflict with, and repugnant to the Constitution of the United States, which is paramount to State authority; and that they are especially in conflict with the following articles and clauses of said Constitution of the United States, to wit:

Art. I. Sec. 9.—Which declares that no Bill of Attainder shall be passed.

Art. I. Sec. 10.—No State shall pass any Bill of Attainder, or grant any title of nobility.

Art. IV. Sec. 2.—The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

Art. IV. Sec. 4.—The United States shall guarantee to every State a republican form of government.

Art. VI.—This Constitution and the laws of the United States which shall be made in pursuance thereof, shall be the supreme law of the land, anything in the Constitutions or laws of any State to the contrary notwithstanding.

[Pg 717]

AMENDMENTS.

Art. V.—No person shall be ... deprived of life, liberty, or property without due process of law.

Art. IX.—The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

Art. XIV. Sec. 1.—All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States. Nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction, the equal protection of the laws.

The plaintiff states, that by reason of the wrongful act of the defendant as aforesaid, she has been damaged in the sum of ten thousand dollars, for which she prays judgment.

JOHN M. KRUM,
FRANCIS MINOR,
JOHN B. HENDERSON, } *Att'ys for Plffs.*

Demurrer. In the Circuit Court of St. Louis County: Virginia L. Minor and Francis Minor, her husband, Plaintiffs, vs. Reese Happersett.

The defendant, Reese Happersett, demurs to the petition of plaintiffs, and for cause of demurrer defendant states that said petition does not state facts sufficient to constitute a cause of action, for the following reasons:

1. Because said Virginia L. Minor, plaintiff, had no right to vote at the general election held in November, 1872, in said petition referred to.
2. Because said Virginia L. Minor had no right to be registered for voting by said defendant, at the time and in the manner in said petition alleged.
3. Because it was the duty of the defendant to refuse to place said Virginia L. Minor's name upon the list of registered voters in said petition referred to.

All of which appears by said petition.

SMITH P. GALT, *Atty for Deft.*

The defense, in substance, being based upon the Constitution of Missouri, which provides (Art. II., Sec. 18) that "every male citizen of the United States, etc., ... shall be entitled to vote"; and also upon the registration law of said State, approved March 10, 1871, which is as follows:

An act to provide for a uniform registration of voters, the appointment of judges of elections, and repealing all former acts relating thereto.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SECTION 1.—Every male citizen of the United States, and every person of foreign birth who may have declared his intention to become a citizen of the United States, according to law, not less than one year nor more than five years before he offers to vote, who is over the age of twenty-one years, who has resided in this State one year next preceding his registration as a voter, and during the last sixty days of that period shall have resided in the county, city, or town where he seeks registration as a voter, who is not convicted of bribery, perjury, or other infamous crime,

nor directly or indirectly interested in any bet or wager depending upon the result of the election for which such registration is made, nor serving at the time of such registration in the regular army or navy of the United States, shall be entitled to vote at such elections for all officers, State, county, or municipal, made elective by the people, or any other election held in pursuance of the laws of this State; but he shall not vote elsewhere than in the election district where his name is registered, except as provided in the twenty-first section of the second article of the Constitution.

SEC. 2.—The several clerks of the County Courts in this State shall provide a suitable registration book for each election district in their several counties, which shall have written or printed therein the following oath: "We the undersigned, do solemnly swear or affirm that we will support the Constitution of the United States and of the State of Missouri."

[Pg 718]

SEC. 3.—On or before the 9th day of March, 1871, the several County Courts in this State shall appoint some competent person to act as Registrar in each election district in their respective counties, who shall have the qualifications of an elector in his election district, and who shall hold his office until the general election in 1872, and until his successor is elected and qualified. Said Registrar shall have authority to administer all oaths which may be necessary in the registration of voters.

SEC. 4.—Any person having the qualification of a voter as prescribed in the first section of this act, and who shall take and subscribe the oath required of voters by the second section of this act, and who applies for registration at the time and in the manner prescribed by law, and any naturalized citizen who shall subscribe to a written statement, under oath, before the Registrar, that he is naturalized according to the laws of the United States and of this State, and has resided in this State, according to the first section of this act, and that his naturalization papers or evidence of his citizenship have been lost or destroyed, or that the same are not accessible to him, and shall state where he was naturalized, shall be accepted by the registering officer, and duly registered as a qualified voter.

It is claimed, therefore, that the defendant was justified in refusing to register the plaintiff on account of her sex. The plaintiff, however, denies the validity of this clause of the Missouri Constitution, and the registration act based thereon, and contends that they are in violation of, and repugnant to, the Constitution of the United States, and particularly to those articles and clauses thereof which she has specified in her petition.

It is admitted, by the pleadings, that the plaintiff is a native-born, free white citizen of the United States and of the State of Missouri; that the defendant is a Registrar, qualified and acting as such; that the plaintiff, in proper time and in proper form made application to him to be registered, and that the defendant refused to register the plaintiff solely for the reason that she is a female (and that she possesses the qualifications of an elector, in all respects, except as to the matter of sex, as before stated).

The question is thus broadly presented of a conflict between the Constitution of the State of Missouri and that of the United States, as contemplated by the twenty-fifth section of the judiciary act of 1789, and the supplemental act of February 5, 1867.

ASSIGNMENT OF ERRORS.—And now comes Virginia L. Minor, the plaintiff in error in the above entitled cause, by her attorneys, John B. Henderson, John M. Krum, and Francis Minor, and says that in the records and proceedings in the above entitled cause, in said Supreme Court of the State of Missouri, there is manifest error in this, to wit:

1st. Because the said Supreme Court erred in affirming the judgment of the St. Louis Circuit Court—thereby, in effect, sustaining the demurrer filed in said Circuit Court by the defendant to the petition of the plaintiff.

2d. Because the said Supreme Court erred in its judgment affirming the judgment of the St. Louis Circuit Court—thereby, in effect, declaring that the plaintiff in error was not entitled to vote at the election mentioned in the record.

3. Because the said Supreme Court of Missouri erred in affirming the judgment of the St. Louis Circuit Court—thereby, in effect, declaring that the Constitution and laws of Missouri, before recited, do not conflict with the Constitution of the United States.

STATEMENT.—This was an action, brought by the plaintiff, against the defendant, a registering officer, for refusing to register her as a lawful voter.

The defendant demurred to the petition, the defense, in substance, being based upon the Constitution of Missouri, which provides (Art 2, Sec. 18) that "every male citizen of the United States, etc., ... shall be entitled to vote";—and also upon the registration law of said State, approved March 10, 1871, to the same effect; and it was claimed, therefore, that the defendant was justified in refusing to register the plaintiff on account of her sex.

[Pg 719]

The plaintiff, however, denied the validity of this clause of the Missouri Constitution, and the registration act based thereon, and contended that they are in violation of, and repugnant to, the Constitution of the United States, and particularly to those articles and clauses thereof which she had specified in her petition.

It was admitted, by the pleadings, that the plaintiff was a native-born, free, white citizen of the United States, and of the State of Missouri; that the defendant was a Registrar, qualified and acting as such; that the plaintiff, in proper time, and in proper form, made application to him to be registered, and that the defendant refused to register the plaintiff solely for the reason that she was a female (and that she possessed the qualifications of an elector, in all respects, except as to the matter of sex, as before stated). The question was thus broadly presented of a conflict between the Constitution of the State of Missouri and that of the United States, as contemplated by the 25th section of the Judiciary act of 1789, and 5th February, 1867.

ARGUMENT AND BRIEF.—We think the chief difficulty in this case is one of fact rather than of law. The practice is against the plaintiff. The States, with one exception, which we shall notice hereafter more in detail, have uniformly claimed and exercised the right to act, as to the matter of suffrage, just as they pleased—to limit or extend it, as they saw proper. And this is the popular idea on the subject. Men accept it as a matter of fact, and take for granted it must be right. So in the days of African slavery, thousands believed it to be right—even a Divine institution. But this belief has passed away; and, in like manner, this doctrine of the right of the States to exercise unlimited and absolute control over the elective franchise of citizens of the United States, must and will give way to a truer and better understanding of the subject. The plaintiff's case is simply one of the means by which this end will ultimately be reached.

We claim, and presume it will not be disputed, that the elective franchise is a privilege of citizenship within the meaning of the Constitution of the United States. In order to get a clearer idea of the true meaning of this term citizenship, it may be well to recur for a moment to its first introduction and use in American law.

Before the colonists asserted their independence they were politically bound to the sovereign of Great Britain, by what is termed in English law, "allegiance"; and those from whom this allegiance was due were termed "subjects." But when these "bands," as they are termed in the Declaration of Independence, were dissolved, the political relation became changed, and we no longer hear in the United States the term "subject" and "allegiance," except the latter, which is used to express the paramount duty of our citizens to our own government. The term citizen was substituted for that of "subject." But this was not a mere change of name; the men who framed the Constitution of the United States had all been "subjects" of the English king, and they well knew the radical change wrought by the revolution.

[Pg 720]

In the new political sovereignty thus created, the feudal idea of dependence gave way to that of independence, and the people became their own sovereigns or rulers in the government of their own creation. Of this body politic, represented by the Constitution of the United States, all persons born or naturalized therein and subject to the jurisdiction thereof, are members; without distinction as to political rights or privileges, except that the head or chief of the new government must be native-born—and this exception the more strongly proves the rule. It is to this Constitution, therefore, we must look for the limitations, if any, that may be placed upon the political rights of the people or citizens of the United States. A limitation not found there, or authorized by that instrument, can not be legally exercised by any lesser or inferior jurisdiction.

But the subject of suffrage (or the qualifications of electors, as the Constitution terms it) is simply remitted to the States by the Constitution, to be regulated by them; not to limit or restrict the right of suffrage, but to carry the same fully into effect. It is impossible to believe that anything more than this was intended. In the first place, it would be inconsistent and at variance with the idea of the supremacy of the Federal government; and, next, if the absolute, ultimate, and unconditional control of the matter had been intended to be given to the States, it would have been so expressed. It would not have been left to doubt or implication. In so important a matter as suffrage, the chief of all political rights or privileges, by which, indeed, life, liberty, and all others are guarded and maintained, and without which they would be held completely at the mercy of others; we repeat, it is impossible to conceive that this was intended to be left wholly and entirely at the discretion of the States.

A right so important must not be the subject of implication.^[177] Some positive warrant or authority must be shown for it, and in the case at bar we challenge its production. There is another view of the subject that is important to be considered. There can be no division of citizenship, either of its rights or its duties. There can be no half-way citizenship. Woman, as a citizen of the United States, is entitled to all the benefits of that position, and liable to all its obligations, or to none. Only citizens are permitted to pre-empt land, obtain passports, etc., all of which woman can do; and, on the other hand, she is taxed (without her "consent") in further recognition of her citizenship; and yet, as to this chief privilege of all, she is forbidden to exercise it. We call upon the State to show its warrant for so doing—for inflicting upon the plaintiff and the class to which she belongs, the bar of perpetual disfranchisement, where no crime or offense is alleged or pretended, and without "due process of law."

We charge it as a "bill of attainder" of the most odious and oppressive character. The State can no more deprive a citizen of the United States of one privilege than of another, except by the "law of the land." There is no security for freedom if this be denied. To use the language of Mr. Madison, such a course "violates the vital principle of free government, that those who are to be bound by laws, ought to have a voice in making them." (Madison Papers, vol. 3—appendix, p. 12.)

[Pg 721]

It is sometimes said this is one of the "reserved rights" of the States. But this can not be, for the simple reason that, as to the "privileges and immunities" of federal citizenship, they had no existence prior to the adoption of the Federal Constitution; how then could they be reserved?

As Mr. Justice Story says: "The States can exercise no powers whatsoever, which exclusively spring out of the existence of the National Government, which the Constitution does not delegate to them.... No State can say that it has reserved what it never possessed." (Commentaries, §§ 624-627.)

We say, then, that the States may regulate, but they have no right to prohibit the franchise to citizens of the United States. They may prescribe the qualifications of the electors. They may require that they shall be of a certain age, be of sane mind, be free from crime, etc., because these are conditions for the good of the whole, and to which all citizens, sooner or later, may attain. But to single out a class of citizens and say to them, "Notwithstanding you possess all these qualifications, you shall never vote, or take part in your government," what is it but a bill of attainder?

To show that the mere regulation of this matter of suffrage was left to the States for the purpose we have indicated, and not to their absolute and ultimate control, we will now quote the language of one of the framers of the Constitution, to whom, indeed, has been applied the epithet of "Father of the Constitution"—James Madison; and this, too, in reply to questions by Mr. Monroe, who sought

an explanation on these very points. We quote from the debates in the Virginia convention upon the adoption of the Federal Constitution:

Mr. MONROE wished that the honorable gentleman who had been in the Federal Convention would give information respecting the clause concerning elections. He wished to know why Congress had an ultimate control over the time, place, and manner of elections of Representatives, and the time and manner of that of Senators, and also why there was an exception as to the place of electing Senators.

Mr. MADISON: Mr. Chairman, the reason of the exception was, that if Congress could fix the place of choosing the Senators, it might compel the State Legislatures to elect them in a different place from that of their usual sessions, which would produce some inconvenience, and was not necessary for the object of regulating the elections. But it was necessary to give the General Government a control over the time and manner of choosing the Senators, to prevent its own dissolution.

With respect to the other point, it was thought that the regulation of time, place, and manner of electing the Representatives should be uniform throughout the continent. Some States might regulate the elections on the principles of equality, and others might regulate them otherwise. This diversity would be obviously unjust. Elections are regulated now unequally in some States, particularly South Carolina, with respect to Charleston, which is represented by thirty members.

Should the people of any State by any means be deprived of the right of suffrage, it was judged proper that it should be remedied by the General Government.

It was found impossible to fix the time, place, and manner of the election of Representatives in the Constitution. It was found necessary to leave the regulation of these, in the first place, to the State Government, as being best acquainted with the situation of the people, subject to the control of the General Government, in order to enable it to produce uniformity, and prevent its own dissolution. And, considering the State Governments and General Government as distinct bodies, acting in different and independent capacities for the people, it was thought the particular regulations should be submitted to the former and the general regulations to the latter. Were they exclusively under the control of the State Governments, the General Government might easily be dissolved. But if they be regulated properly by the State Legislature, the Congressional control will very properly never be exercised. The power appears to me satisfactory, and as unlikely to be abused as any part of the Constitution. (Elliot's Debates, vol. 2, pages 276-7.)

[Pg 722]

It seems to us that nothing can be clearer or plainer than this, coming to us, as it does, with all the weight and authority of Mr. Madison himself. But it may be asked: If this be so, why was not the question sooner raised? We answer, at that very time, and for nearly twenty years afterward, women did vote, unquestioned and undisputed, in one of the States (New Jersey). The men who framed the Constitution were then living—some of them in this very State; yet we hear no mention of its being unconstitutional, no objection made to it whatever.

It is true that subsequently this provision was omitted (about 1807) in the revision of the State Constitution (as we think, very unjustly), but the fact remains of the unquestioned exercise of this privilege by women at the very time the Federal Constitution was adopted, and for years afterward. This fact is worth a thousand theories. Again, we think that one of the causes of the popular error on this subject arises from forgetting or overlooking the dual nature of our citizenship.

We are citizens of a State, as well as of the United States. This is alluded to in several of the early cases, and its importance is clearly pointed out. We quote, first, from *Talbut vs. Jansen*, 3 Dallas, Sup. Ct. Rep., 153 (1795), in which Mr. Justice Patterson says: "The act of the Legislature of Virginia does not apply. Ballard was a citizen of Virginia, and also of the United States. If the Legislature of Virginia pass an act specifying the causes of expatriation and prescribing the manner in which it is to be effected by the citizens of that State, what can be its operation on the citizens of the United States?"

If the act of Virginia affects Ballard's citizenship so far as respects that State, can it touch his citizenship so far as regards the United States? Allegiance to a particular State is one thing; allegiance to the United States is another. Will it be said that the renunciation of allegiance to the former implies or draws after it a renunciation of allegiance to the latter? The sovereignties are different; the allegiance is different; the right, too, may be different. Our situation being new, unavoidably creates new and intricate questions. We have sovereignties moving within a sovereignty.

Judge Cabell, also of the Supreme Court of Appeals of Virginia, alludes to it briefly in the case of *Murray vs. McCarty*, 2 Munford, 398. He says: "But although the Constitution of the United States has wisely given to the citizens of each State the privileges of a citizen of any other State, yet it clearly recognizes the distinction between the character of a citizen of the United States and a citizen of any individual State, and also of citizens of different States," etc. Or, if a still further and later authority be desired, we have it in the language of Chief-Justice Taney, who says, in the *Dred Scott* case:

In discussing this question we must not confound the rights of citizenship, which a State may confer within its own limits, and the rights of citizenship as a member of the Union. It does not by any means follow, because he has all the rights and privileges of a citizen of a State, that he must be a citizen of the United States.... But if he rank as a citizen of the State to which he belongs, within the meaning of the Constitution of the United States, then, whenever he goes into another State, the Constitution clothes him as to the rights of person, with all the privileges and immunities which belong to citizens of the State. And if persons of the African race are citizens of a State, and of the United States, they would be entitled to all of these privileges and immunities in every State, and the State could not restrict them; for they would hold these privileges and immunities under the paramount authority of the Federal Government, and its

[Pg 723]

courts would be bound to maintain and enforce them, the Constitution and laws of the State to the contrary notwithstanding. And if the States could limit or restrict them, or place the party in an inferior grade, this clause of the Constitution would be unmeaning, and could have no operation, and would give no rights to the citizen when in another State. He would have none but what the State itself chose to allow him. This is evidently not the construction or meaning of the clause in question. It guarantees rights to the citizen, and the State can not withhold them. (*Dred Scott vs. Sanford*, 19 Howard's Rep., pp. 405 and 422.)

Now, substitute in the above, for "persons of the African race," women, who are "citizens of the State and of the United States," and you have the key to the whole position. We will now consider the clauses of the Constitution before recited, somewhat in detail:

As to "bills of attainder," "due process of law," etc. "No State shall pass any bill of attainder," etc. A bill of attainder is a legislative act which inflicts punishment without a judicial trial. If the punishment be less than death, the act is termed a bill of pains and penalties. Within the meaning of the Constitution, bills of attainder include bills of pains and penalties. In these cases the legislative body, in addition to its legitimate functions, exercises the powers and office of judge; it assumes, in the language of the text-book, judicial magistracy; it pronounces upon the guilt of the party, without any of the forms or safeguards of trial; it determines the sufficiency of the proofs produced, whether conformable to the rules of evidence or otherwise, and it fixes the degree of punishment in accordance with its own notions of the enormity of the offense. These bills are generally directed against the individuals by name, but they may be directed against a whole class.

The theory upon which our political institutions rest, is, that all men have certain inalienable rights—that among these are life, liberty, and the pursuit of happiness; and that, in the pursuit of happiness, all avocations, all honors, all positions are alike open to every one, and that, in the protection of these rights, all are equal before the law. Any deprivation or suspension of any of these rights, for past conduct, is punishment, and can be in no otherwise defined.

Punishment not being therefore restricted, as contended by counsel, to the deprivation of life, liberty, or property, but also embracing deprivation or suspension of political or civil rights, and the disabilities prescribed by the provisions of the Missouri Constitution being in effect punishment, we proceed to consider whether there is any inhibition in the Constitution of the United States against their enforcement.—(*Cummings vs. The State of Missouri*, 4 Wallace, 351-323, and *ex parte Garland*—same volume.)

We are aware that the Supreme Court of Missouri, in the case of *Blair vs. Ridgley*, hold a different view, but we submit that the cases differ in a most material point, to wit: In the *Blair* case he was merely required to take the oath taken by all voters; and, by refusing to do so, he virtually disfranchised himself. In this case, however, the disfranchisement of the plaintiff is arbitrary and insurmountable; and we further submit, that the arguments in this case present it in a different, and, we think, a broader view than was taken in the *Blair* case. But to show that we are not unsupported by authority in this matter, we will now quote from a New York case, very similar to the *Blair* case, where the elector was required, but refused to take the oath, etc.

[Pg 724]

MILLER, J.: This case involves the constitutional validity of that portion of the act to provide for a convention to revise and amend the Constitution of this State, which excludes from the privilege of voting all who refuse to take the test oath prescribed by the act in question.

I think that the oath in question was unconstitutional and invalid, for the reasons which I will proceed to state. The first subdivision of the tenth section of the first article of the Constitution of the United States provides, that "no State shall pass any bill of attainder, *ex post facto* law, or laws impairing the obligations of contracts, or grant any title of nobility." The provision of the act which is to be considered declares, that no person shall vote at the election for delegates to said convention who will not, if duly challenged, take and subscribe an oath that he has not done certain acts mentioned therein, and inflicts the penalty of political disfranchisement without any preliminary examination or trial, for a refusal to take said oath.

By this enactment the citizen is deprived, upon declining to conform to its mandate, of a right guaranteed to him by the Constitution and laws of the land, and one of the most inestimable and invaluable privileges of a free government. There can be no doubt, I think, that to deprive a citizen of the privileges of exercising the elective franchise, for any conduct of which he has previously been guilty, is to inflict a punishment for the act done.

It imposes upon him a severe penalty, which interferes with his privileges as a citizen, affects his respectability and standing in the community, degrades him in the estimation of his fellow-men, and reduces him below the level of those who constitute the great body of the people of which the Government is composed. It moreover inflicts a penalty which, by the laws of this State, is a part of the punishment inflicted for a felony, and which follows conviction for such a crime. It is one of the peculiar characteristics of our free institutions, that every citizen is permitted to enjoy certain rights and privileges, which place him upon an equality with his neighbors. Any law which takes away or abridges these rights, or suspends their exercise, is not only an infringement upon their enjoyment, but an actual punishment. That such is the practical effect of the test oath required by the act in question, can admit of no doubt, in my judgment. It arbitrarily and summarily, and without any of the forms of law, punishes for an offense created by the law itself. In the formation of our National Constitution, its framers designed to prevent and guard against the exercise of the power of the Legislature, by usurping judicial functions, and for the punishment of alleged offenses in advance of trial, for offenses unknown to the law, and by bill of attainder and *ex post facto* enactments, etc.—(*Green vs. Shumway*, 36 Howard's Practice Rep., pp. 7, 8.)

On the same subject, we will next quote from a decision by the Supreme Court of Nevada:

LEWIS, C. J.—The form of the law by which an individual is deprived of a constitutional right is immaterial. The test of its constitutionality is, whether it operates to deprive any person of a

right guaranteed or given to him by the Constitution. If it does, it is a nullity, whatever may be its form. Surely a law which deprives a person of a right, by requiring him to take an oath which he can not take, is no less objectionable than one depriving him of such right in direct terms.

To make the enjoyment of a right depend upon an impossible condition, or upon the doing of that which can not legally be done, is equivalent to an absolute denial of the right under any condition. The effect, and not the language of the law, in such case, must determine its constitutionality. It would not be doubted for a moment that a law expressly denying the elective franchise to any person upon whom the Constitution confers it would be unconstitutional. Why, then, is a law less objectionable which, although not expressly and directly, yet no less certainly denies the right, etc.—(Davies vs. McKeeby, 5 Nevada Rep. 7,371.)

We quote next from a Tennessee case:

The elective franchise is a right which the law protects and enforces as jealously as it does property in chattels or lands. It matters not by what name it is designated—the right to vote, the elective franchise, or the privilege of the elective franchise—the person who, under the Constitution and laws of the State is entitled to it, has a property in it, which the law maintains and vindicates as vigorously as it does any right of any kind which men may have and enjoy.

The rules of law which guard against deprivation or injury, the rights of persons in corporeal properties, are alike and equally applicable to the elective franchise, and alike and equally guard persons invested with it against deprivation of or injury to it. Persons invested with it can not be deprived of it otherwise than by "due process of law." See

The State vs. Staten, 6 Caldwell's Rep., p. 243. See also Rison vs. Farr, 25 Ark. Rep., p. 173; Winehamer vs. People, 13 N. Y., 378; State vs. Symonds, 57 Maine, 150, 511; Huber vs. Riley, 53 Penn., 112; Cooley's Constitutional Limitations.

We conclude this list of references with Mr. Webster's celebrated definition in the Dartmouth College case (4 Wheaton, 581):

By the law of the land is most clearly intended the general law; a law which hears before it condemns, which proceeds upon inquiry, and renders judgment only after trial. The meaning is, that every citizen shall hold his life, liberty, property, and immunities, under the protection of the general rules which govern society. Everything which may pass under the form of an enactment is not, therefore, to be considered the law of the land. If this were so, acts of attainder, bills of pains and penalties, acts of confiscation, acts reversing judgments, and acts directly transferring one man's estate to another, legislative judgments, decrees and forfeiture, in all possible forms, would be the law of the land.

Such a strange construction would render constitutional provisions of the highest importance completely inoperative and void. It would tend directly to establish the union of all powers in the Legislature. There would be no general permanent law for courts to administer, or for men to live under. The administration of justice would be an empty form—an idle ceremony. Judges would sit to execute legislative judgments and decrees; not to declare the law, or to administer the justice of the country.

That the elective franchise is a privilege of citizenship, we have the authority of Judge Washington, for he says:

What are the privileges and immunities of citizens in the several States? We feel no hesitation in confining these expressions to those privileges and immunities which are in their nature fundamental; which belong of right to the citizens of all free governments; and which have, at all times, been enjoyed by the citizens of the several States which compose this Union, from the time of their becoming free, independent, and sovereign. What those fundamental principles are, it would perhaps be more tedious than difficult to enumerate.

They may, however, be all comprehended under the following general heads: Protection by the Government, the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety, subject, nevertheless, to such restraints as the Government may justly prescribe for the general good of the whole; the right of a citizen of one State to pass through, or to reside in any other State for purposes of trade, agriculture, professional pursuits, or otherwise; to claim the benefit of the writ of *habeas corpus*; to institute and maintain actions of every kind in the courts of the State; to take, hold, and dispose of property, either real or personal; and an exemption from higher taxes or imposition than are paid by the citizens of the other State, may be mentioned as some of the particular privileges and immunities of citizens, which are clearly embraced by the general description of privileges deemed to be fundamental; to which may be added, the elective franchise, as regulated and established by the laws or Constitution of the State in which it is to be exercised (Corfield vs. Corryell, 4 Wash. C.C., 380). Cited and approved in Dunham vs. Lamphere, 3 Gray, 276 (Mass.); Bennett vs. Boggs, Baldwin Rep., 72.

A proper construction of Art. 1, Sec. 2, of the Constitution of the United States will further demonstrate the proposition we are endeavoring to uphold. That section is as follows:

ARTICLE 1, Section 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications for electors of the most numerous branch of the State Legislature.

This section consists of two clauses, but in neither is there a word as to the sex of the elector. He, or she, must be one of the people, or "citizens," as they are designated in the Constitution, that is all.—(Story's Comms. § 579.)

The "people" are to elect. This clause fixes the class of voters; the other clause is in subordination to that, and merely provides, that as touching qualifications, there shall be one and the same standard

for the Federal and for the State elector. Both are mentioned and neither is or can be excluded by the other.

The right to vote is very different from the qualification necessary in a voter. A person may have the right to vote, and yet not possess the necessary qualifications for exercising it. In this case, the right to vote is derived from the Federal Constitution, which designates the class of persons who may exercise it, and provides that the Federal elector shall conform to the regulations of the State, so far as time, place, and manner of exercising it are concerned. But it is clear that under this authority the State has no right to lay down an arbitrary and impossible rule. As before stated by the Chief-Justice of Nevada: "To make the enjoyment of a right depend upon an impossible condition, is equivalent to an absolute denial of it under any condition."

In conclusion, we will consider, as briefly as possible, the points made by the Supreme Court of Missouri. We quote from the opinion:

The question presented then is, whether there is a conflict between the Constitution of the United States and the Constitution and laws of the State of Missouri on this subject. That the different States of the Union had a right, previous to the adoption of what is known as the XIV. Amendment to the Constitution of the United States, to limit the right to vote at election by their constitutions and laws to the male sex, I think can not at this day be questioned.

Undoubtedly the practice in the different States, as we have before said, is against the claim made by the plaintiff, although, as we shall show, in the early days of the Republic this practice was by no means universal. But when the Court states that the right of the States to do this can not be questioned, it assumes the very point in controversy, and it fails to notice the distinction between "the rights of citizenship which a State may confer within its own limits, and the rights of citizenship as a member of the Union." (Chief-Justice Taney in *Scott vs. Sandford*, 19 Howard, 405.)

[Pg 727]

"The difference," says Judge Cooley (Story on Constitution, section 1937), "is in a high degree important." And while it may be true that the voter himself rarely, if ever, thinks of any difference between his vote for State and for Federal officers, yet, in law, there is a wide distinction.

In the one case he exercises the franchise under one jurisdiction or sovereignty, and in the other under a totally different one. In voting for Federal officers he exercises the freeman's right to take part in the government of his own creation, and he does this in contemplation of law, in his character or capacity of a citizen of the United States, and his right so to vote legally depends upon such status or character. Clearly, then, the right of a citizen of the United States to vote for Federal officers can only be exercised under the authority or sovereignty of the United States, not under some other authority or sovereignty, and consequently the citizen of the United States could not justly have been deprived of such right by the State, even before the adoption of the XIV. Amendment.

But whatever doubt there may have been as to this, we hold that the adoption of the XIV. Amendment put an end to it and placed the matter beyond controversy. The history of that Amendment shows that it was designed as a limitation on the powers of the States, in many important particulars, and its language is clear and unmistakable. "No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States." Of course all the citizens of the United States are by this protected in the enjoyment of their privileges and immunities. Among the privileges, that of voting is the highest and greatest. To an American citizen there can be none greater or more highly to be prized; and the preservation of this privilege to the citizens of the United States respectively is, by this Amendment, placed under the immediate supervision and care of the Government of the United States, who are thus charged with its fulfillment and guaranty.

By ratifying this Amendment the several States have relinquished and quit-claimed, so to speak, to the United States, all claim or right, on their part, to "make or enforce any law which shall abridge the privileges and immunities of citizens of the United States." The State of Missouri, therefore, is estopped from longer claiming this right to limit the franchise to "males," as a State prerogative; and the Supreme Court of Missouri should have so declared, and its failure to do so is error; because, by retaining that word in the State Constitution and laws, not this plaintiff only, but large numbers of other citizens of the United States are "abridged" in the exercise of their "privileges and immunities as citizens of the United States," by being deprived of their right or privilege to vote for United States officers, as claimed by the plaintiff in her petition. Not only this, but we say further, that the ratification of this amendment was, in intendment of law, a solemn agreement, on the part of the States, that all existing legislation inconsistent therewith should be repealed, or considered as repealed, and that none of like character should take place in the future. The State of Missouri has acted upon this idea in part, and its subsequent legislation, on the subject of the ballot, has been as follows: The ratification of the XV. Amendment (which we do not consider as having any direct bearing on the point now being considered, inasmuch as this Amendment is merely prohibitory—not conferring any right, but treating the ballot in the hands of the negro as an existing fact, and forbidding his deprivation thereof). Next, amending the State Constitution and registration law, by simply omitting the word "white" from the clause "white male citizens."

[Pg 728]

This constitutes the entire legislation of the State of Missouri on this subject since the adoption of the XIV. Amendment, and this omission of the word "white" was designed to make the State Constitution conform to the Amendment, so far as the negro was concerned, leaving the women citizens of the United States still under the ban of "involuntary servitude," in plain violation of the Amendment.

So that, while the negro votes to-day in Missouri, there is not a syllable of affirmative legislation by the State conferring the right upon him. Whence, then, does he derive it? There is but one reply. The XIV. Amendment conferred upon the negro race in this country citizenship of the United States, and the ballot followed as an incident to that condition. Or, to use the more forcible language of this Court, in the *Slaughter-house cases* (16 Wall., 71), "the negro having, by the XIV. Amendment, been declared a citizen of the United States, is thus made a voter in every State of the Union." If this be

true of the negro citizen of the United States, it is equally true of the woman citizen. And we invoke the interposition of of this Court to effect, by its decree, that which the Supreme Court of Missouri should have done, and declare that this objectionable word must be omitted, or considered as omitted from the Constitution and registration law of said State.

It can not be pretended that the Constitution of the United States makes, or permits to be made, any distinction between its citizens in their rights and privileges; that the negro has a right which is denied to the woman. The discrimination, therefore, made and continued by the State of Missouri, of which we complain, is an unjustifiable act of arbitrary power, not of right, and can be designated by no other term.

We proceed with our quotation from the opinion:

In this changed state of affairs, it was thought by those who originated and adopted this Amendment, that it was absolutely necessary that these emancipated people should have the elective franchise, in order to enable them to protect themselves against unfriendly legislation, in which they could take no part; that unless these people had the right to vote, and thus protect themselves against oppression, their freedom from slavery would be a mockery, and their condition but little improved. It was to remedy this that the XIV. Amendment to the Constitution was adopted. It was to compel the former slave States to give these freedmen the right of suffrage, and to give them all of the rights of other citizens of the respective States, and thus make them equal with other citizens before the law.

It would be impossible for us to give any better reason for woman's need of the ballot than the court has here given for that of the negro, except that woman's condition is even more helpless than his—"unless these people had the right to vote, and thus protect themselves against oppression, their freedom from slavery would be a mockery." How an American judge, with the claim of an American citizen before him, for the protection, which, as he truly says, this ballot alone can give, could see its lawfulness and justice in the one case, and not in the other, passes our comprehension.

We again quote from the opinion:

It was only intended to give the freedmen the same rights that were secured to all other classes of citizens in the State, and that if the other male inhabitants of the State over the age of twenty-one years enjoyed the right of suffrage, so should the males among the freedmen over the age of twenty-one years enjoy the same right; it was not intended that females, or persons under the age of twenty-one years, should have the right of suffrage conferred on them.

In reply to this, we might content ourselves with saying that it is mere assertion, and can hardly be dignified as argument; but we answer, that if the XIV. Amendment does not secure the ballot to woman, neither does it to the negro; for it does not in terms confer the ballot upon any one. As we have already shown, it is the altered condition of citizenship that secures to the negro this right; but this plaintiff might well reply, I was born to that condition, and yet am denied its privileges.

We quote again, and finally, from the opinion:

This is not only shown by the history of the times when the Amendment was adopted, and the circumstances which produced it, but by reference to the second section of said Amendment, it will be seen that the right to restrict the right of suffrage to the male inhabitants by a State is clearly recognized. If "the right to vote, etc., is denied to any of the male inhabitants of such State, being twenty-one years of age," etc., is the language used. This clearly recognizes the right, and seems to anticipate the exercise of the right on the part of the States, to restrict the right of suffrage to the male inhabitants.

We doubt if an instance can be found of a more complete misconception of the meaning and intention of the law. So far from its being a recognition of the right of the States to restrict the right to suffrage of males, it has an exactly opposite meaning. It was intended as a punishment on the States if they did this thing. It is no more a justification or authorization of the act than is the law punishing larceny an authority for stealing! Its object was to punish the States as such, which, but for this provision, could not have been done by diminishing their representation accordingly; and it was designed as a still further security for the rights of the colored population. But, even if it could be held to recognize a right on the part of the State to disfranchise any one, it would only extend to "males," not to females. They, as "citizens of the United States," are embraced in, and protected by, the broad language of the Amendment; a right that is fundamental, can not be taken away by implication. But more than this, the XIV. Amendment was an addition to the organic law of a great nation, intended to enlarge the area of human freedom, and secure more firmly individual rights. It is absurd to impute to the law-makers a design at the same time to restrict those rights.

Although the point is not alluded to by the Supreme Court of Missouri, yet, as we desire to meet every possible objection, we think this a proper place to notice an argument sometimes put forward, based upon the XV. Amendment. It is of the nature of what is termed in law a negative pregnant, or, the familiar maxim of "the expression of one thing is the exclusion of another." As this Amendment says, that the right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude, it is claimed by some that it may be abridged on other grounds. But, aside from the well-known history of this Amendment, as shown by the debates in Congress, of which this court will take notice when necessary, and which show that the sole object and purpose of this Amendment was to still further protect the negro race, the IX. Amendment to the Constitution effectually puts an end to the application of this principle by declaring that the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people. And Mr. Justice Story, in his Commentary says, § 1905:

This clause was manifestly introduced to prevent any perverse or ingenious misapplication of the well-known maxim, that an affirmative in particular cases implies a negative in all others; and, *e converso*, that a negative in particular cases implies an affirmative in all others. The maxim, rightly understood, is perfectly sound and safe; but it has often been forced from its

natural meaning into the support of the most dangerous political heresies. The Amendment was undoubtedly suggested by the reasoning of the Federalist on the subject of a general bill of rights and trial by jury. Federalist No. 83-84.

We ask the court to consider what it is to be disfranchised; not this plaintiff only, but an entire class of people, utterly deprived of all voice in the government under which they live! We say it is to her, and to them, a Despotism, and not a Republic. What matters it that the tyranny be of many instead of one? Society shudders at the thought of putting a fraudulent ballot into the ballot-box! What is the difference between putting a fraudulent ballot in, and keeping a lawful ballot out? Her disfranchised condition is a badge of servitude. [Mr. Justice Bradley in the Grant parish case.] Take one illustration, evidenced by a recent decision of the Supreme Court of Missouri, in *Clark vs. The National Bank of the State of Missouri*, 47 Mo. Rep., 1. We use our own words, but we state it correctly; that a married woman can not, by the law of Missouri, own a dollar's worth of personal property, except by the consent of another! it makes no difference that that other is her husband. This, it is true, is a State law, a matter exclusively of State legislation; but we mention it to show how utterly helpless and powerless her condition is without the ballot.

Either we must give up the principles announced in the Declaration of Independence, that governments derive their just powers from the consent of the governed; and are formed by the people to protect their rights, not to withhold them; or we must acknowledge the truth contended for by the plaintiff, that citizenship carries with it every incident to every citizen alike. It can not be disputed, that upon this principle of absolute political equality, our Government is founded. So thought the Hon. Luther Martin, of Maryland, one of the most distinguished lawyers of his day, and a member of the convention that framed our Constitution. We quote his own words. (Elliott's Debates, Vol. 4.)

This, sir, is the substance of the arguments, if arguments they may be called, which were used in favor of inequality of suffrage. Those who advocated the equality of suffrage, took the matter up on the original principles of government; they urged that all men considered in a state of nature, before any government is formed, are equally free and independent, no one having any right or authority to exercise power over another, and this, without any regard to difference in personal strength, understanding, or wealth. That when such individuals enter into government, they have each a right to an equal voice in its first formation, and afterward have each a right to an equal vote in every matter which relates to their government; that if it could be done conveniently, they have a right to exercise it in person; when it can not be done in person but for convenience, representatives are appointed to act for them; every person has a right to an equal vote in choosing that representative who is entrusted to do for the whole, that which the whole, if they could assemble, might do in person, and in the transacting of which each would have an equal voice. That if we were to admit, because a man was more wise, more strong, or more wealthy, he should be entitled to more votes than another, it would be inconsistent with the freedom and liberty of that other, and would reduce him to slavery. Suppose, for instance, ten individuals in a state of nature about to enter into government, nine of whom are equally wise, equally strong, and equally wealthy, the tenth is ten times as wise, ten times as strong, or ten times as rich; if for this reason he is to have ten votes for each vote of either of the others, the nine might as well have no vote at all; since, though the whole nine might assent to a measure, yet the vote of the tenth would countervail and set aside all their votes.

[Pg 731]

If this tenth approved of what they wished to adopt, it would be well, but if he disapproved, he could prevent it, and in the same manner he could carry into execution any measure he wished, contrary to the opinion of all the others, he having ten votes, and the others all together but nine. It is evident that on these principles the nine would have no will or discretion of their own, but must be totally dependent on the will and discretion of the tenth; to him they would be as absolutely slaves as any negro is to his master; if he did not attempt to carry into execution any measure injurious to the other nine, it could only be said that they had a good master; they would not be the less slaves, because they would be totally dependent on the will of another, and not on their own will. They might not feel their chains, but they would notwithstanding wear them, and whenever their master pleased he might draw them so tight as to gall them to the bone. Hence it was urged the inequality of representation, or giving to one man more votes than another on account of his wealth, etc., was altogether inconsistent with the principles of liberty, and in the same proportion as it should be adopted in favor of one or more, in that proportion are the others enslaved.

These are the words, not lightly uttered, nor to be by us lightly considered, of one of the framers of the Constitution; and in complete accord with this principle of entire equality of individual right, see how those men who had fought through the War of Independence did their work. Upon what broad and comprehensive foundations it is laid. Examine the Constitution, the work of their hands. Do we find any recognition of inequality of rights? Not a syllable. On the contrary, every safeguard is thrown around them; "no State shall pass any bill of attainder," or "grant any title of nobility." So, too, when it comes to the practical recognition of these rights at the ballot-box, all are included. "The House of Representatives shall be composed of members chosen every second year by the people of the several States," not by a part—not by the "males"—but simply by "the people of the several States." The same "people" who ordain and establish that Constitution as the supreme law of the land, they are to do the voting, they are to elect. There is not one word as to sex. The elector, male or female, must be one of the people or citizens, that is all. But when these electors come to exercise this right or privilege, then the matter of qualification arises, the age of the elector, the time, place, and manner of the exercise of the right, are to be considered, and the convention, instead of laying down a uniform rule or standard for all the States, which would have produced change and confusion, thought it best to leave this feature of it as it already stood in the several States. But the right itself is secured to the people of the United States, and in its very nature can not be derived from any other authority.

We deem it proper, in this connection, to refer to the well-known fact that women voted in one of the States (New Jersey) down to the year 1807, when they were unjustly deprived of the right, by an act of the Legislature of that State. We say unjustly, because no Legislature can deprive a citizen of

[Pg 732]

a constitutional right, and the matter has slumbered ever since. The Constitution of New Jersey, adopted in 1776, used the term "inhabitants" in describing electors, and under this Constitution women were recognized as voters, as well as men. In conformity with this constitutional provision the statute law was so worded as to read "he or she," in speaking of electors thus affording a contemporaneous and legislative attestation of the truth of our statement. This law of 1776 could not, of course, be the source of authority to any one for voting under a sovereignty not then in existence, not created until 1789, thirteen years afterward. Therefore, when the elector, male or female, in New Jersey, voted for Federal officers in 1789, it was done by virtue of his or her status of citizenship, under the new and paramount sovereignty, and not under the law of 1776; and so it has continued ever since, the elector voting for United States officers by virtue of his citizenship of the United States, and for State officers as a citizen of the State. We believe, then, we are justified in the statement that white women in New Jersey voted, under State authority, for the members of the Constitutional Convention of 1787. That they next voted, under like authority, for the ratification of the newly framed Constitution of the United States; and then, that Constitution having been adopted, as newly-created citizens of the newly-created sovereignty, the white women of New Jersey voted at the five succeeding Presidential elections—for Washington, for Adams, and for Jefferson. The contest in 1800 was bitter beyond all precedent, and we are told that all the women of the State entitled to vote did so. We refer to the Constitution and laws of New Jersey; to a work entitled *The Historical Magazine*, published in Boston in 1857, Vol. I., p. 361; to the *National Intelligencer*, Washington, October 3, 1857; to *Notes and Queries*, Vol. VIII., p. 171, August, 1853.

But apart from these considerations, which we deem amply sufficient to sustain our position, an examination into the nature and character of the right itself will further show that it is one of which the citizen can not justly be deprived, save for cause.

The first amendment to the Constitution declares that Congress shall make no law abridging freedom of speech or of the press, thus incorporating into the organic law of this country absolute freedom of thought or opinion. We presume it will not be doubted that the States are equally bound with Congress by this prohibition, not only because, as Chief-Justice Taney says, "the Constitution of the United States, and every article and clause in it, is a part of the law of every State in the Union, and is the paramount law" (*Prigg vs. The Comm.*, 16 Peters R., 628), but because, in the very nature of things, freedom of speech or of thought can not be divided. It is a personal attribute, and once secured is forever secured. To vote is but one form or method of expressing this freedom of speech. Speech is a declaration of thought. A vote is the expression of the will, preference, or choice. Suffrage is one definition of the word, while the verb is defined, to choose by suffrage, to elect, to express or signify the mind, will, or preference, either *viva voce*, or by ballot. We claim then that the right to vote, or express one's wish at the polls, is embraced in the spirit, if not the letter, of the First Amendment, and every citizen is entitled to the protection it affords. It is the merest mockery to say to this plaintiff, you may write, print, publish, or speak your thoughts upon every occasion, except at the polls. There your lips shall be sealed. It is impossible that this can be American law!

[Pg 733]

Again, it is the opinion of some that suffrage is somehow lodged in the government, whence it is dispensed, or conferred upon the citizen, thus completely reversing the actual fact. Suffrage is never conferred by government upon the citizen. He holds it by a higher title. In this country government is the source of power, not of rights. These are vested in the individual—are personal and inalienable. Society can only acquire the authority to regulate these rights, or declare them forfeited, for cause. The time, place, and manner of their exercise are under governmental control, but their origin and source are in the individual himself.

I shall, therefore, says a writer on government, assume it as an incontrovertible position, as a first principle, that the right of private opinion, which is, in fact, no other than the right of private judgment upon any subject presented to the mind, is a sacred right, with which society can, on no pretense, authoritatively interfere, without a violation of the first principles of the law of nature. (*Chipman on Government*, chap. 5.)

Other liberties, says Erskine, are held under governments, but the liberty of opinion keeps governments themselves in due subjection to their duties. (*Speech in defense of Thomas Paine*.)

But this clause of the Missouri law further violates the XIII. Amendment, which declares that neither slavery nor involuntary servitude shall exist in the United States, except for crime, etc. This Amendment is a copy of the 6th clause of the famous Ordinance of 1787, which secured freedom for the Northwest Territory, and has now become the organic law for the entire Union. This Ordinance was drawn by the Hon. Nathan Dane, of Massachusetts.^[178]

We say that this Missouri law violates this amendment, inasmuch as it places the plaintiff in a disfranchised condition, which is none other than a condition of servitude—of "involuntary servitude," because, although a citizen in the fullest acceptance of the term—a member of this body politic—one of the "people"—she has never consented to this law; has never been permitted to express either consent or dissent, nor given any opportunity to express her opinion thereon, in the manner pointed out by law, while at the same time she is taxed, and her property taken to pay the very men who sat in judgment upon and condemned her!

Finally—Such is the nature of this privilege—so individual—so purely personal is its character, that its indefinite extension detracts not in the slightest degree from those who already enjoy it, and by an affirmation of the plaintiff's claim all womanhood would be elevated into that condition of self-respect that perfect freedom alone can give.

RESUME—(MINOR VS. HAPPERSETT, 21 WALLACE REP., P. 164.)

1st. As a citizen of the United States, the plaintiff is entitled to any and all the "privileges and immunities" that belong to such position however defined; and as are held, exercised, and enjoyed by other citizens of the United States.

2d. The elective franchise is a "privilege" of citizenship, in the highest sense of the word. It is the privilege preservative of all rights and privileges; and especially of the right of the citizen to

[Pg 734]

participate in his or her government.

3d. The denial or abridgment of this privilege, if it exist at all, must be sought only in the fundamental charter of government—the Constitution of the United States. If not found there, no inferior power or jurisdiction can legally claim the right to exercise it.

4th. But the Constitution of the United States, so far from recognizing or permitting any denial or abridgment of the privileges of its citizens, expressly declares that "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States."

5th. It follows that the provisions of the Missouri Constitution and registry law before recited, are in conflict with and must yield to the paramount authority of the Constitution of the United States.

A few words more and we have done. The plaintiff has sought, by this action, for the establishment of a great principle of fundamental right, applicable not only to herself, but to the class to which she belongs; for the principles here laid down (as in the Dred Scott case) extend far beyond the limits of the particular suit, and embrace the rights of millions of others, who are thus represented through her. She has a right, therefore, to be heard for her cause; and in making this plea, she seeks only to give expression to those principles upon which, as upon a rock, our Government is founded.

It is impossible that that can be a Republican government in which one half the citizens thereof are forever disfranchised. A citizen disfranchised is a citizen attainted; and this, too, in face of the fact, that you look in vain in the great charter of government, the Constitution of the United States, for any warrant or authority for such discrimination. To that instrument she appeals for protection.

SUPREME COURT OF THE UNITED STATES. No. 182.—October Term, 1874. Virginia L. Minor and Francis Minor, her husband, Plaintiffs in Error, vs. Reese Happersett. In error to the Supreme Court of the State of Missouri.

Mr. Chief Justice Waite delivered the opinion of the court. (March 29. 1875.)

The question is presented in this case, whether, since the adoption of the XIV. Amendment, a woman, who is a citizen of the United States and of the State of Missouri, is a voter in that State, notwithstanding the provision of the Constitution and laws of the State, which confine the right of suffrage to men alone. We might perhaps decide the case upon other grounds, but this question is fairly made. From the opinion, we find that it was the only one decided in the court below, and it is the only one which has been argued here. The case was undoubtedly brought to this court for the sole purpose of having that question decided by us, and, in view of the evident propriety there is of having it settled, so far as it can be by such a decision, we have concluded to waive all other considerations and proceed at once to its determination.

It is contended that the provisions of the Constitution and laws of the State of Missouri, which confine the right of suffrage and registration therefor to men, are in violation of the Constitution of the United States, and therefore void. The argument is, that as a woman, born or naturalized in the United States and subject to the jurisdiction thereof, is a citizen of the United States and of the State in which she resides, she has the right of suffrage as one of the privileges and immunities of her citizenship, which the State can not by its laws or constitution abridge.

[Pg 735]

There is no doubt that women may be citizens. They are persons, and, by the XIV. Amendment, "all persons born or naturalized in the United States and subject to the jurisdiction thereof" are expressly declared to be "citizens of the United States and of the State wherein they reside" But, in our opinion, it did not need this Amendment to give them that position. Before its adoption, the Constitution of the United States did not in terms prescribe who should be citizens of the United States or of the several States, yet there were necessarily such citizens without such provision. There can not be a nation without a people. The very idea of a political community, such as a nation is, implies an association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. He owes it allegiance, and is entitled to its protection. Allegiance and protection are in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance.

For convenience, it has been found necessary to give a name to this membership. The object is to designate by a title the person and the relation he bears to the nation. For this purpose the words "subject," "inhabitant," and "citizen" have been used, and the choice between them is sometimes made to depend upon the form of the government. Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterward adopted in the articles of confederation and in the Constitution of the United States. When used in this sense, it is understood as conveying the idea of membership of a nation, and nothing more.

To determine, then, who were citizens of the United States before the adoption of the Amendment, it is necessary to ascertain what persons originally associated themselves together to form the nation, and what were afterward admitted to membership. Looking at the Constitution itself, we find that it was ordained and established by "the people of the United States" (Preamble, 1 Stat., 10), and then, going further back, we find that these were the people of the several States that had before dissolved the political bands which connected them with Great Britain and assumed a separate and equal station among the powers of the earth (Dec. of Ind., 1 Stat., 1), and that had by articles of confederation and perpetual union, in which they took the name of "the United States of America," entered into a firm league of friendship with each other for their common defense, the security of their liberties and their mutual and general welfare, binding themselves to assist each other against all force offered to or attack made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever (Art. Confed., sec. 3, 1 Stat. 4).

[Pg 736]

Whoever then was one of the people of either of these States when the Constitution of the United

States was adopted, became *ipso facto* a citizen—a member of the nation created by its adoption. He was one of the persons associating together to form the nation, and was, consequently, one of its original citizens. As to this there has never been a doubt. Disputes have arisen as to whether or not certain persons or certain classes of persons were part of the people at the time, but never as to their citizenship if they were.

Additions might always be made to the citizenship of the United States in two ways—first by birth and second by naturalization. This is apparent from the Constitution itself, for it provides (Art. 2, Sec. 1) that "no person except a natural born citizen, or a citizen of the United States at the time of the adoption of the Constitution, shall be eligible to the office of President," and (Art. 1, Sec. 8) that Congress shall have power "to establish a uniform rule of naturalization." Thus, new citizens may be born or they may be created by naturalization.

The Constitution does not in words say who shall be natural-born citizens. Resort must be had elsewhere to ascertain that. At common law, with the nomenclature of which the framers of the Constitution were familiar, it was never doubted that all children born in a country of parents who were its citizens became themselves upon their birth citizens also. These were natives, or natural-born citizens as distinguished from aliens or foreigners. Some authorities go further and include as citizens children born within the jurisdiction, without reference to the citizenship of their parents. As to this class there have been doubts, but never as to the first. For the purposes of this case it is not necessary to solve these doubts. It is sufficient for everything we have now to consider, that all children born of citizen parents within the jurisdiction are themselves citizens. The words "all children" are certainly as comprehensive when used in this connection as "all persons," and if females are included in the last, they must be in the first. That they are included in the last is not denied. In fact, the whole argument of the plaintiffs proceeds upon that idea.

Under the power to adopt a uniform system of naturalization, Congress as early as 1790 provided "that any alien, being a free white person," might be admitted as a citizen of the United States, and that the children of such persons so naturalized, dwelling within the United States, being under twenty-one years of age at the time of such naturalization, should also be considered citizens of the United States, and that the children of citizens of the United States that might be born beyond the sea, or out of the limits of the United States, should be considered as natural-born citizens (1 Stat. 103). These provisions thus enacted have, in substance, been retained in all the naturalization laws adopted since. In 1855, however, the last provision was somewhat extended, and all persons theretofore born or thereafter to be born out of the limits of the jurisdiction of the United States, whose fathers were, or should be at the time of their birth, citizens of the United States, were declared to be citizens also (10 Stat. 604).

[Pg 737]

As early as 1804 it was enacted by Congress that when any alien, who had declared his intention to become a citizen in the manner provided by law, died before he was actually naturalized, his widow and children should be considered as citizens of the United States, and entitled to all rights and privileges as such upon taking the necessary oath (2 Stat., 293); and in 1855 it was further provided that any woman who might lawfully be naturalized under the existing laws, married, or who should be married to a citizen of the United States, should be deemed and taken to be a citizen (10 Stat., 604). From this it is apparent, that, from the commencement of the legislation upon this subject, alien women and alien minors could be made citizens by naturalization; and we think it will not be contended that this would have been done if it had not been supposed that native women and native minors were already citizens by birth.

But if more is necessary to show that women have always been considered as citizens the same as men, abundant proof is to be found in the legislative and judicial history of the country. Thus, by the Constitution, the judicial power of the United States is made to extend to controversies between citizens of different States. Under this it has been uniformly held, that the citizenship necessary to give the courts of the United States jurisdiction of a cause must be affirmatively shown on the record. Its existence as a fact may be put in issue and tried. If found not to exist, the case must be dismissed. Notwithstanding this, the records of the courts are full of cases in which the jurisdiction depends upon the citizenship of women, and not one can be found, we think, in which objection was made on that account. Certainly none can be found in which it has been held that women could not sue or be sued in the courts of the United States. Again, at the time of the adoption of the Constitution, in many of the States (and in some probably now) aliens could not inherit or transmit inheritance. There are a multitude of cases to be found in which the question has been presented whether a woman was or was not an alien, and as such capable or incapable of inheritance, but in no one has it been insisted that she was not a citizen because she was a woman. On the contrary, her right to citizenship has been in all cases assumed. The only question has been whether, in the particular case under consideration, she had availed herself of the right.

In the legislative department of the Government similar proof will be found. Thus, in the pre-emption laws (5 Stat., 455, sec. 10), a widow, "being a citizen of the United States," is allowed to make settlement on the public lands and purchase upon the terms specified, and women, "being citizens of the United States," are permitted to avail themselves of the benefit of the homestead law (12 Stat., 392).

Other proof of like character might be found, but certainly more can not be necessary to establish the fact that sex has never been made one of the elements of citizenship in the United States. In this respect men have never had an advantage over women. The same laws precisely apply to both. The XIV. Amendment did not affect the citizenship of women any more than it did of men. In this particular, therefore, the rights of Mrs. Minor do not depend upon the Amendment. She has always been a citizen from her birth, and entitled to all the privileges and immunities of citizenship. The Amendment prohibited the State, of which she is a citizen, from abridging any of her privileges and immunities as a citizen of the United States, but it did not confer citizenship on her; that she had before its adoption.

[Pg 738]

If the right of suffrage is one of the necessary privileges of a citizen of the United States, then the Constitution and laws of Missouri confining it to men are in violation of the Constitution of the United States as amended, and consequently void. The direct question is, therefore, presented

whether all citizens are necessarily voters (p. 170, Wallace).

The Constitution does not define the privileges and immunities of citizens. For that definition we must look elsewhere. In this case we need not determine what they are, but only whether suffrage is necessarily one of them.

It certainly is nowhere made so in express terms. The United States has no voters in the States of its own creation. The elective officers of the United States are all elected directly or indirectly by State voters. The members of the House of Representatives are to be chosen by the people of the States, and the electors in each State must have the qualifications requisite for electors of the most numerous branch of the State Legislature (art. 1, sec. 2, Const.) Senators are to be chosen by the Legislatures of the States, and, necessarily, the members of the Legislature required to make the choice are elected by the voters of the State (art. 1, sec. 3). Each State must appoint, in such manner as the Legislature thereof may direct, the electors to elect the President and Vice-President (art. 2, sec. 2). The times, places, and manner of holding elections for Senators and Representatives are to be prescribed in each State by the Legislature thereof; but Congress may at any time by law make or alter such regulations, except as to the place of choosing Senators (art. 1, sec. 4). It is not necessary to inquire whether this power of supervision thus given to Congress is sufficient to authorize any interference with the State laws prescribing the qualifications of voters, for no such interference has ever been attempted. The power of the State in this particular is certainly supreme until Congress acts.

The Amendment did not add to the privileges and immunities of a citizen. It simply furnished an additional guaranty for the protection of such as he already had. No new voters were necessarily made by it. Indirectly it may have had that effect, because it may have increased the number of citizens entitled to suffrage under the Constitution and laws of the States, but it operates for this purpose, if at all, through the States and the State laws, and not directly upon the citizen.

It is clear, therefore, we think, that the Constitution has not added the right of suffrage to the privileges and immunities of citizenship as they existed at the time it was adopted. This makes it proper to inquire whether suffrage was co-extensive with the citizenship of the States at the time of its adoption. If it was, then it may with force be argued that suffrage was one of the rights which belonged to citizenship, and in the enjoyment of which every citizen must be protected. But if it was not, the contrary may with propriety be assumed.

[Pg 739]

When the Constitution of the United States was adopted, all the several States, with the exception of Rhode Island, had constitutions of their own. Rhode Island continued to act under its charter from the Crown. Upon an examination of those constitutions, we find that in no State were all citizens permitted to vote. Each State determined for itself who should have that power.

Thus, in New Hampshire, "every male inhabitant of each town and parish, with town privileges and places unincorporated in the State, of twenty-one years of age and upwards, excepting paupers and persons excused from paying taxes at their own request," were its voters; in Massachusetts, "every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the Commonwealth of the annual income of three pounds, or any estate of the value of sixty pounds"; in Rhode Island, "such as are admitted free of the company and society" of the colony; in Connecticut, such persons as had "maturity in years, quiet and peaceful behavior, a civil conversation, and forty shillings freehold or forty pounds personal estate," if so certified by the selectmen; in New York, "every male inhabitant of full age, who shall have personally resided within one of the counties of the State for six months immediately preceding the day of election, ... if during the time aforesaid he shall have been a freeholder, possessing a freehold of the value of twenty pounds within the country, or have rented a tenement therein of the yearly value of forty shillings, and been rated and actually paid taxes to the State"; in New Jersey, all inhabitants ... of full age, who are worth fifty pounds proclamation money, clear estate in the same, and have resided in the county in which they claim a vote for twelve months immediately preceding the election"; in Pennsylvania, "every freeman at the age of twenty-one years, having resided in the State two years next before the election, and within that time paid a State or county tax which shall have been assessed at least six months before the election"; in Delaware and Virginia, "as exercised by law at present"; in Maryland, "all freeman above twenty-one years of age, having a freehold of fifty acres of land in the county in which they offer to vote and residing therein, and all freemen having property in the State above the value of thirty pounds current money, and having resided in the county in which they offer to vote one whole year next preceding the election"; in North Carolina, for Senators, "all freemen of the age of twenty-one years, who have been inhabitants of any one county within the State twelve months immediately preceding the day of election, and possessed of a freehold within the same county of fifty acres of land for six months next before and at the day of election," and for members of the House of Commons, "all freemen of the age of twenty-one years, who have been inhabitants in any one county within the State twelve months immediately preceding the day of any election, and shall have paid public taxes"; in South Carolina, "every free white man of the age of twenty-one years, being a citizen of the State, and having resided therein two years previous to the day of election, and who hath a freehold of fifty acres of land, or a town lot of which he hath been legally seized and possessed at least six months before such election, or (not having such freehold or town lot), hath been a resident within the election district in which he offers to give his vote six months before said election, and hath paid a tax the preceding year of three shillings sterling toward the support of the Government"; and, in Georgia, such "citizens and inhabitants of the State as shall have attained to the age of twenty-one years, and shall have paid tax for the year next preceding the election, and shall have resided six months within the county."

In this condition of the law in respect to suffrage in the several States, it can not for a moment be doubted that, if it had been intended to make all citizens of the United States voters, the framers of the Constitution would not have left it to implication. So important a change in the condition of citizenship as it actually existed, if intended, would have been expressly declared.

But if further proof is necessary to show that no such change was intended, it can easily be found

both in and out of the Constitution. By article 4, section 2, it is provided that "the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States." If suffrage is necessarily a part of citizenship, then the citizens of each State must be entitled to vote in the several States precisely as their citizens are. This is more than asserting that they may change their residence and become citizens of the State and thus be voters. It goes to the extent of insisting that, while retaining their original citizenship, they may vote in any State. This, we think, has never been claimed. And again, by the very terms of the Amendment we have been considering (the XIV).

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the Members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in the Rebellion or other crimes, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

Why this, if it was not in the power of the Legislature to deny the right of suffrage to some male inhabitants? And if suffrage was necessarily one of the absolute rights of citizenship, why confine the operation of the limitation to male inhabitants? Women and children are, as we have seen, "persons." They are counted in the enumeration upon which the apportionment is to be made; but if they were necessarily voters because of their citizenship unless clearly excluded, why inflict the penalty for the exclusion of males alone? Clearly, no such form of words would have been selected to express the idea here indicated if suffrage was the absolute right of all citizens.

And still again, after the adoption of the XIV. Amendment, it was deemed necessary to adopt a XV., as follows: "The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude." The XIV. Amendment had already provided that no State should make or enforce any law which should abridge the privileges or immunities of citizens of the United States. If suffrage was one of these privileges or immunities, why amend the Constitution to prevent its being denied on account of race, etc.? Nothing is more evident than that the greater must include the less; and if all were already protected, why go through with the form of amending the Constitution to protect a part?

It is true that the United States guarantees to every State a republican form of government (art. 4, sec. 4). It is also true that no State can pass a bill of attainder (art. 1, section 10), and that no person can be deprived of life, liberty, or property, without due process of law (Amendment V). All these several provisions of the Constitution must be construed in connection with the other parts of the instrument, and in the light of the surrounding circumstances.

The guaranty is of a republican form of government. No particular government is designated as republican, neither is the exact form to be guaranteed, in any manner especially designated. Here, as in other parts of the instrument, we are compelled to resort elsewhere to ascertain what was intended. The guaranty necessarily implies a duty on the part of the States themselves to provide such a government. All the States had governments when the Constitution was adopted. In all, the people participated to some extent through their representatives elected in the manner specially provided. These governments the Constitution did not change. They were accepted precisely as they were, and it is therefore to be presumed that they were such as it was the duty of the States to provide. Thus, we have unmistakable evidence of what was republican in form, within the meaning of that term as employed in the Constitution. As has been seen, all the citizens of the States were not invested with the right of suffrage. In all, save perhaps New Jersey, this right was only bestowed upon men, and not upon all of them. Under these circumstances, it is certainly now too late to contend that a Government is not republican within the meaning of this guaranty in the Constitution because women are not made voters.

The same maybe said of the other provisions just quoted. Women were excluded from suffrage in nearly all the States by the express provision of their constitutions and laws. If that had been equivalent to a bill of attainder, certainly its abrogation would not have been left to implication. Nothing less than express language would have been employed to effect so radical a change. So also of the Amendment which declares that no person shall be deprived of life, liberty, or property, without due process of law; adopted as it was as early as 1791. If suffrage was intended to be included within its obligations, language better adapted to express that intent would most certainly have been employed. The right of suffrage, when granted, will be protected. He who has it can only be deprived of it by due process of law; but, in order to claim protection, he must first show that he has the right. But we have already sufficiently considered the proof found upon the inside of the Constitution. That upon the outside is equally effective.

The Constitution was submitted to the States for adoption in 1787, and was ratified by nine States in 1788, and, finally, by the thirteen original States in 1790. "Vermont was the first new State admitted to the Union, and it came in under a Constitution which conferred the right of suffrage only upon men of the full age of twenty-one years, having resided in the State for the space of one whole year next before the election, and who were of quiet and peaceable behavior. This was in 1791. The next year (1792) Kentucky followed, with a Constitution confining the right of suffrage to free male citizens of the age of twenty-one years, who had resided in the State two years, or, in the county in which they offered to vote, one year next before the election. Then followed Tennessee in 1796, with voters of freemen of the age of twenty-one years and upward, possessing a freehold in the county wherein they may vote, and being inhabitants of the State or freemen being inhabitants of any one county in the State six months immediately preceding the day of election. But we need not particularize further. No new State has ever been admitted to the Union which has conferred the right of suffrage upon women, and this has never been considered a valid objection to her admission. On the contrary, as is claimed in the argument, the right of suffrage was withdrawn from women as early as 1807 in the State of New Jersey, without any attempt to obtain the interference of the United States to prevent it. Since then the governments of the insurgent States have been

reorganized under a requirement that, before their Representatives could be admitted to seats in Congress, they must have adopted new Constitutions, republican in form. In no one of these Constitutions was suffrage conferred upon women, and yet the States have all been restored to their original position as States in the Union.

Besides this, citizenship has not in all cases been made a condition precedent to the enjoyment of the right of suffrage. Thus, in Missouri, persons of foreign birth, who have declared their intention to become citizens of the United States, may under certain circumstances vote. The same provision is to be found in the Constitutions of Alabama, Arkansas, Florida, Georgia, Indiana, Kansas, Minnesota, and Texas.

Certainly if the courts can consider any question settled, this is one. For near ninety years the people have acted upon the idea that the Constitution, when it conferred citizenship, did not necessarily confer the right of suffrage. If uniform practice long continued can settle the construction of so important an instrument as the Constitution of the United States confessedly is, most certainly it has been done here. Our province is to decide what the law is, not to declare what it should be.

We have given this case the careful consideration its importance demands. If the law is wrong it ought to be changed, but the power for that is not with us. The arguments addressed to us bearing upon such a view of the subject may perhaps be sufficient to induce those having the power to make the alteration, but they ought not to be permitted to influence our judgment in determining the present rights of the parties now litigating before us. No argument as to woman's need of suffrage can be considered. We can only act upon her rights as they exist. It is not for us to look at the hardship of withholding. Our duty is at an end, if we find it is within the power of a State to withhold.

Being unanimously of the opinion that the Constitution of the United States does not confer the right of suffrage upon any one, and that the Constitutions and laws of the several States which commit that important trust to men alone are not necessarily void, we affirm the judgment of the court below.

Soon after the decision on Mrs. Minor's case, Mrs. Gage, in a convention at Washington, ably reviewed Judge Waite's opinion, showing that the United States has eight classes of voters. She said:

Chief justice Waite, in rendering the opinion of the Supreme Court of the United States, in the *Minor vs. Happersett* case, which was an appeal from the Supreme Court of Missouri, on the question of woman's right to vote under the provisions of the XIV. Amendment, decided against this right. The court maintained that the United States Constitution does not confer the right of suffrage on any person, and that the matter is regulated by State Constitutions, and that when provision is made in them extending the right of suffrage to men only, such provisions are binding. It also declared that the United States had no voters in the States of its own creation. But this assertion was false upon the very face of it.

[Pg 743]

1st. Every enfranchised male slave had the ballot secured him under United States law—a law which annulled all State provisions against color. At the time of ratification of the last amendments, the State of New York possessed a property qualification of \$250. The moment these amendments were ratified, that law became dead on the statute book. The New York Legislature did not repeal it. The United States repealed this property prohibition, by creating a class of United States voters out of colored men. So here is one class of United States voters, and a clear mistake on the part of Chief-Justice Waite and the Supreme Court. But the United States has often exercised its power over the ballot more directly than through constitutional amendments; for,

2d. Every Southern man disfranchised because of having taken part in the war, and who has since been granted amnesty, has again been made a voter through United States law; all such men then became United States voters. Here is a second class of United States voters, and a second mistake of Chief Justice Waite and the Supreme Court. It may be answered that the revolted States were in the condition of Territories at the time of this disfranchisement, and therefore under direct control of the National Government. Admitting this, we still know that general amnesty was granted after reconstruction; after State forms of government had again been organized, the nation exercised its power over the ballot by restoring thousands of men to their political rights—to citizenship. And from the general law of amnesty for the rank and file, the leaders in the rebellion were again and again, by special Acts of Congress, re-endowed with the ballot. No amendment was submitted or expected. The authority of Congress thus to restore to these men the use of the ballot was unquestioned.

3d. The naturalized foreigner secures his right to vote under United States law, and can not vote unless he first becomes an United States citizen, or announces his intention of so becoming. In Missouri, Nebraska, and some other States, the declaration of such intention permits him to vote. This is a State regulation, but the fact of his United States citizenship must in some form first exist. In the naturalized man is a third class of United States voters. With one and the same hand he at the same moment picks up his naturalization papers and his ballot. It matters not what the State law may be, the foreigner secures his vote under United States law. And here is a third class of United States voters and a third mistake of Chief-Justice Waite and the Supreme Court.

4th. The Thirty-ninth or Fortieth Congress took a step farther than this, passing a law that all foreigners who had served in, and been honorably discharged from the army, should possess the right to vote, even though they had not previously filed intention of naturalization, thus again proving that Congress itself, without an amendment to the Constitution, or the authorization of States, possessed power over the ballot. If it has this power of securing the use of the ballot to foreigners who have never intimated a desire to become citizens, it surely can enfranchise its own native-born citizens irrespective of sex. The denial of the ballot to all women by the Supreme Court, in the person of Virginia L. Minor, under the pretense that the United States possesses no voters in

[Pg 744]

the States of its own creation is thus shown to be a false assumption. But this is not all.

5th and 6th. And oldest of all these classes of United States voters are those men who vote for members of the House of Representatives, and for Presidential Electors in the several States.

NATIONAL CONSTITUTION.—ARTICLE 1, Section 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

ARTICLE 2, Section 1, Clause 2. Each State shall appoint in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in Congress.... Clause 3. The Congress may determine the time of choosing the electors and the day on which they shall give their votes; which day shall be the same throughout the United States.

The United States by these articles guarantees: 1st. To every person who has a right under State action to vote for the most numerous branch of his State Legislature, the United States right to vote at a peaceable election for members of Congress. 2d. The United States directs the appointment of Presidential Electors, and declares that Congress may not only determine the time of choosing such electors, but shall also fix the day upon which such votes shall be given. The United States secures the right, merely leaving the States to prescribe the qualifications of voters. This is all, with one exception that woman asks; she demands that her right shall be recognized and secured by the United States, which shall then prohibit the States from prescribing qualifications not within the reach of all citizens.

A 7th class of United States voters are those men who having been deprived of citizenship through civil offenses against the power and majesty of the United States are afterward pardoned, or "restored to citizenship."

Still an 8th class over whom the United States exercises its authority are deserters from the army—military criminals. An act of Congress of March 3, 1865, imposed forfeiture of citizenship and its rights, as an additional penalty for the crime of desertion. In accordance with this act, the President issued a proclamation the eleventh of that same month, declaring that all deserters who failed to report themselves to a Provost Marshal within sixty days thereafter should be deemed to have forfeited their rights of citizenship, and should be declared forever incapable of holding any office of interest or profit under the United States. This act was passed previous to the submission of the XIV. Amendment.

Thus at the time of Chief-Justice Waite's decision asserting National want of power over the ballot, and declaring the United States possessed no voters of its own creation in the States (where else would it have them?), the country already possessed eight classes of voters, or persons whose right to the ballot was in some form under the control or sanction of the United States. The black man, the amnestied man, the naturalized man, the foreigner honorably discharged from the Union army, voters for the lower House of Congress, voters for Presidential electors, pardoned civil and military criminals. Further research may bring still other classes to light.

Thus when woman claims that her right to the use of the ballot shall be secured by the United States, she has eight distinguished precedents in favor of her demand for National protection. No more inconsistent assertion was ever made than that the United States possesses no control over the suffrage. While by Circuit Court decisions, Supreme Court decisions, and decisions of courts of lesser degree, theoretically denying its control over the suffrage, the United States in many ways besides those mentioned, practically acknowledges its possession of this right. In the case of Miss Anthony and the fourteen other women of Rochester, N. Y., who voted in 1872, the great State of New York took no action at all in the matter; it was the General Government which thrust itself forward and took up the question. If the United States has no control over the suffrage then Miss Anthony's trial was a clear interference of the United States with the rights of States. And so great was this interference, it is believed the judge appointed to try her case left Washington with his verdict in his pocket already written.

[Pg 745]

Let none of my audience forget the various great trials of woman's right to vote under the XIV. Amendment, especially that of Mrs. Virginia L. Minor, who prosecuted the Inspector of Election in St. Louis for refusing to receive her vote, and whose case, coming finally for adjudication to the Supreme Court of the United States, decision was rendered against her on the plea that the ballot was under control of the respective States, and that the United States has no voters in the States of its own creation; which I have shown to be an ignorant, imbecile, and false plea. Neither let them forget that of Susan B. Anthony, decided against her on the ground that she was a woman at the time she voted. If States have the sole control of the suffrage, there was interference in the rights of the State of New York by her trial; and if United States citizens of any class have a right to be protected in the use of the ballot, then the United States very flagrantly and tyrannously interfered in Miss Anthony's individual right as a citizen of the United States.

In the near future these trials of women under the XIV. Amendment will be looked upon as the great State trials of the world; trials on which a republic, founded upon the acknowledged rights of all persons to self-government, through its courts decided against the right of one half of its citizens on the ground that sex was a barrier and a crime.

Then let us look at the territory of Wyoming. Much has of late been said in regard to women not making use of the ballot there. I care little about that statement one way or the other, as long as her right to vote is not interfered with. It will be time to require all women to vote when we have such a law for men; until then let each voter refrain from voting at his or her own option; it is not the vital question. But there is a point connected with woman's voting in Wyoming that is well worthy of our consideration. That is, the interference of the United States with the concomitants of this right. For a time the women of Wyoming sat upon juries, and the fact was heralded over the country that thieves, gamblers, murderers fled the territory rather than fall into the hands of these women

jurors. The first conviction for a murder in that territory, not committed in self-defense, came from a mixed jury.

But of late we have ceased hearing of women jurors. And why? Because that sacred right has been interfered with by the United States. The Marshal of the Territory, an officer appointed by the United States Government, has absolutely refused to place the names of women on the jury lists. Consequently the women of Wyoming are denied the exercise of this right by United States power. Whether the Marshal has been ordered by the National Government to omit the names of women, we do not know, and it does not signify. The duty of the United States is none the less clear; the Territories are in an especial way the wards of the nation, and should be protected in all territorial rights. The Territory of Wyoming having secured to women the exercise of their right to vote, it is the duty of the General Government to protect them in the exercise of all concomitant rights, of which the jury is one.

[Pg 746]

This deprivation of jury rights in Wyoming is not only an United States interference with woman's political rights, but also an interference with her industrial rights. It is a well-known fact that some women earned their first independent dollar by sitting in the jury box. And whatever interferes with woman's industrial rights helps to send her down to those depths where want of bread has forced so many women: into the gutters of shame. This is a question of morality as well as of industrial and political rights. Every infringement of a person's political rights, touches a hundred other rights adversely. Let me show you one good that has come to woman through her ballot in Wyoming. The payment of men and women teachers has been equalized by direct statute, for political power always benefits the parties holding it.

Let us look at a few other ways in which the United States has touched the rights of women where protection has been secured her by legislation outside of itself. One instance that has come to my knowledge since I have been in your city, is in the case of pensions for colored women. The United States not only secured the ballot to the black male citizen outside of State authority, but it has touched the family relation with its powerful hand. It has assumed that the woman with whom a colored soldier was living at the time of his death was his wife, notwithstanding he may have lived for many years in recognized married relations with another woman, and become the father of children by her during this period. In one case coming under the cognizance of our Washington lawyer, Mrs. Lockwood, a pension was, by United States authority, thus granted to a woman living with such colored soldier at the time of his death, although she had no other claim upon it. This soldier, during the period of slavery, had been married in his master's house to another woman by a regularly ordained clergyman, and by that wife had become the father of five or six children. This woman was his lawful widow, according to State and church law. These children were his lawful children, according to State and church law, but the United States stepped in, and made this married woman an outcast, and left her children in the world with the brand of illegitimacy. The women of the Territories of Wyoming and Utah are not secure in their political rights, because the women of the Nation have none. Scarcely a session of Congress but some politician introduces a bill to disfranchise the women of these Territories.

In regard to the religious aspects of this Utah question. I care for it only so far as it touches woman's political rights, although I do know that woman's political wrongs and her religious wrongs have been very closely intermingled in the past. I recall a Papal Bull of Urban II., in the 12th century, which compelled priests to discard their wives, making of thousands of women in England, wives who were not wed; of children, offspring who had no recognized fathers. We of the National Woman Suffrage Association have nothing to do with the religious rights of women in Utah, except in so far as they intermingle with and touch woman's political rights. But the Utah question, which now comes up again, is not simply a religious question. The Government is continuously striving to destroy the political rights of the women of this Territory. Its Governor is a United States officer, and in his last report to the Secretary of the Interior, he so far transcended the duties of his office as to suggest the disfranchisement of Utah women. Almost every session of Congress sees some bill of similar import introduced.

[Pg 747]

The General Government did not confer this right, did not secure even the exercise of it. The territorial Legislature, the same as in Wyoming, secured to women the exercise of the right of suffrage; the United States, according to its own theory, has no authority to interfere with this right, because, according to that theory, it has nothing at all to do with the suffrage question. Yet it proposes to disfranchise those women as a punishment for their religious belief; it proposes to make social outcasts of them, as it has already done with the wives of some of its black soldier voters.

Looking back through history we find no act of the Romish Church more vile than that which compelled its priests to disown their wives and legitimate children—none which so utterly demoralized society, and destroyed its tens of thousands of women. And although, as a body of reformers, I again say we do not touch religion except where it, and politics together, infringe upon the rights of women, I do not hesitate to say for myself individually, that I have no faith in any form of religion, be it what it may, Christian, Mohammedan, Buddhist, that receives revelation only through some man; or farther than that, I will say, I have no faith in any form of religion that does not place man and woman on an exact equality of religious rights. Two forms of religion of the present day which have risen through woman, or as revelations to her, namely the Shaker and the Spiritual, do give us equality of religious rights, for man and woman. But I call your attention to the inconsistency of United States laws, and their especial injustice to women by interference with those rights secured them by State or Territorial laws, as in case of the colored soldier's wife; as in case the assumption that the United States had a right to prohibit the exercise of the suffrage by a woman in New York, although New York itself did not interfere; as in case of the virtual prohibition by the United States of jury rights to the women of Wyoming; as in case of the presumptuous suggestion of the Governor of Utah that its women should be disfranchised; as in case of such bills so often introduced in Congress.

I know something of the opinion of the women of the Nation, and I know they intend to be recognized as citizens secured in the exercise of all the powers and rights of citizens. If this security has not come under the XIV. Amendment, it must come under a XVI., for woman intends to possess

[Pg 748]

"equal personal rights and equal political privileges with all other citizens." She asks for nothing outside the power of the United States, she asks for nothing outside the duty of the United States to secure. Politicians may as well look this fact squarely in the face and become wise after the wisdom of the world, for in just so far as they ignore and forget the women of the country, in just so far will they themselves be ignored and forgotten by future generations.

The following review of this important case is from the January number, 1876, of the *Central Law Journal*, St. Louis, Missouri:

WOMAN SUFFRAGE IN ITS LEGAL ASPECT—A REVIEW OF THE CASE OF MINOR vs. HAPPERSETT, 21 WALLACE, U. S. REPORTS.

As a rule, respect should undoubtedly be paid to judicial decisions. When the court of last resort has considered and passed upon a question of law, especially if it be one involving a consideration of constitutional power, as well as of private right, it is eminently proper that its conclusion should not be disturbed, unless for reasons of the gravest import. But cases present themselves at times, in which criticism is not only justified, but is demanded; and it is only through its aid that the ultimate truth of any question can be reached and its principles be correctly established. Nor can courts of justice take exception to such criticism, since the reports abound with evidences of the fact that there is no judicial immunity from error; and we believe that if the glamour of supposed legal impeccability, that shrouds the judiciary in the eyes of many, could be removed, a public service would be accomplished. In the case under consideration an important question of constitutional law was involved, the construction of which affected not only the plaintiff therein, but the entire class of persons to which she belonged, while the decision extends it still further, and makes it applicable to every citizen of the United States. Thus, while the particular case may be ended, the entire community has an interest in the conclusion announced. It is not our purpose to consider the subject of suffrage as an abstract right; with this aspect of it we have nothing to do in this article. We shall treat it solely as a legal right. Under a government of law, indeed, there are, properly speaking, no abstract rights. All rights, of person or of property, are legal rights, and it shall be our purpose to show that the right of Federal suffrage is recognized in the Constitution of the United States, and certainly no one will deny its practical exercise during nearly ninety years. An inspection of the Opinion will show that the whole matter was summed up in the question, whether suffrage is a right or privilege appertaining to citizenship of the United States, for if it be, then the plaintiff's suit was rightly brought. The opinion, which was delivered by the Chief Justice, states the matter as follows:

It is contended that the provisions of the Constitution and laws of the State of Missouri, which confine the right of suffrage and registration therefor to men, are in violation of the Constitution of the United States, and therefore void. The argument is, that as a woman, born or naturalized in the United States and subject to the jurisdiction thereof, is a citizen of the United States and of the State in which she resides, she has the right of suffrage, as one of the privileges and immunities of her citizenship, which the State can not by its laws or Constitution abridge.

And on page 170:

If the right of suffrage is one of the necessary privileges of a citizen of the United States, then the Constitution and laws of Missouri confining it to men are in violation of the Constitution of the United States, as amended, and consequently void. The direct question is therefore presented, whether all citizens are necessarily voters. The Constitution does not define the privileges and immunities of citizens. For that definition we must look elsewhere. In this case we need not determine what they are, but only whether suffrage is necessarily one of them. It certainly is nowhere made so in express terms. The United States has no voters in the State, of its own creation. The elective officers of the United States are all elected directly or indirectly by State voters.

We had supposed that if there was any question that now, at least, might be regarded as finally settled, both by the late appeal to arms, and by the Constitutional Amendments, it was that of the subordination of State to National authority, over any and all subjects in which the rights and privileges of citizens of the United States are involved. If the amendments do not cover this ground, then they are worse than useless. And yet this decision is a blow at all that constitutes us a Nation. To declare that the United States has no voters—that its officers are all elected by State voters, is to completely reverse the order of things, and subordinate the citizens of the United States to State authority. It will be observed that this decision goes far beyond the ground hitherto and ordinarily claimed by the advocates of what are called "States' Rights."

It has usually been supposed that the States possessed the authority to regulate the exercise of the franchise by the Federal voter, but never before was the right itself denied as appurtenant to Federal citizenship. But now the franchise itself is declared to be non-existent—Federal officers are elected by State voters. The subject itself is wholly withdrawn from Federal supervision and control. Even the amendments can not confer authority over a matter that has no existence. If, then, the United States has no voters in the States, it can properly have nothing to do with the subject of elections. If the citizen of the United States has no right to vote except as a citizen of a State, his Federal citizenship is, of course, subordinated to his State citizenship. It logically follows that much of the recent legislation on this subject by Congress is destitute of authority. If members of the House of Representatives are elected by State voters, as here declared, there is no reason why the States may not, at their pleasure, recall their representatives, or refuse to elect them, as in 1860 the Southern States claimed it to be their right to do; and if a sufficient number can be united in such a movement, the Federal Government will be completely at their mercy. It may also well be doubted how far the Southern States are bound by legislation in which they had no part. Notwithstanding the provision of the XIV. Amendment, that neither the United States nor any State shall assume or pay any claim for the loss or emancipation of any slave; it (as held by the Supreme Court in two cases in 13th Wallace, Chief Justice Chase dissenting), contracts for the sale or hire of slaves effected before emancipation are valid, upon the ground that to take away the remedy for their

enforcement would be to impair their obligation, how much less can the owner of a slave be deprived of his property, which forms the subject-matter of that contract, without compensation? If his contract can not be impaired, surely the thing to which that contract relates can not be taken from him, except upon compensation. Chief Justice Chase was of the opinion that the above quoted provision of the XIV. Amendment could be sustained only upon the ground that the XIII. Amendment wiped out everything, contracts as well as slavery. Yet the Court held all such contracts to be valid. And see, in this connection, the case of *Wilkinson vs. Leland*, 2d Peters, 657. It is idle to say that these suppositions are visionary. What has happened once, may occur again. It can hardly be questioned that if in 1860 the seceding States could have pointed to a decision of the Supreme Court of the United States such as this, the whole face of affairs might have been different, and the "erring sisters" permitted to "go in peace"! The "lost cause" may not be "lost," after all.

But to resume: The Court tells us in its opinion in this case, that "there can not be a Nation without a people," but it seems there may be a Nation without voters! Now the people of the United States may not have a very profound knowledge of their institutions, but their intelligence certainly rises to the level of comprehending that a republican government can not be established or maintained without voters. It would be a manifest absurdity to say that in a government created by the people, they are not voters. Inasmuch, then, as it is admitted by the Court, if the right of suffrage be a privilege of the citizen of the United States, that the State Constitution and laws confining it to men are in violation of the Constitution of the United States and, consequently, void; as contended for by the plaintiff in this case, we have really only to examine this single point: Does the Constitution of the United States recognize the right of suffrage as belonging to its citizens?

Future generations will look with astonishment at the fact that such a question could be asked seriously. Not only was the subject debated in the convention that framed the instrument, but one of its ablest members, Alexander Hamilton, in the fifty-second number of the *Federalist*, says:

The definition of the right of suffrage is very justly regarded as a fundamental article of republican government. It was incumbent on the convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of the Congress, would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States, would have been improper for the same reason; and for the additional reason, that it would have rendered too dependent on the State Governments that branch of the Federal Government which ought to be dependent on the people alone. To have reduced the different qualifications in the different States to one uniform rule, would probably have been as dissatisfactory to some of the States as it would have been difficult to the convention. The provision made by the convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State; because it is conformable to the standard already established, or which may be established by the State itself. It will be safe to the United States; because, being fixed by the State Constitutions, it is not alterable by the State Governments, and it can not be feared that the people of the States will alter this part of their constitutions in such a manner as to abridge the rights secured to them by the Federal Constitution.

Again, in the XV. Amendment, suffrage is recognized as an existing right of Federal citizenship. It is not created by that Amendment. It was already existing. The language is:

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

A right must exist before it can be denied. There can be no denial of a thing that has no existence. If it should be said the XV. Amendment relates only to the negro, we reply that this would be no answer, even if true, which may be doubted; but the point we are now discussing is the statement of the Court that the United States has no voters in the States of its own creation, or in other words, that Federal suffrage does not exist; we have shown that this a mistake, it being recognized in the Constitution; and as the argument of the Court was based on its non-existence it consequently falls to the ground. This really disposes of the case, but we will notice other points. The Court says:

After the adoption of the XIV. Amendment, it was deemed necessary to have a XV: ... The XIV. Amendment had already provided that no State should make or enforce any law which should abridge the privileges or immunities of citizens of the United States. If suffrage was one of these privileges or immunities, why amend the Constitution to prevent its being denied on account of race, etc.? Nothing is more evident than that the greater must include the less, and if all were already protected, why go through with the form of amending the Constitution to protect a part?

It is sometimes perilous in argument to ask questions—we will answer the Court in its own words. In the Slaughter-house cases, the Court then said:

A few years' experience satisfied the thoughtful men who had been the authors of the other two amendments, that, notwithstanding the restraints of those articles on the States, and the laws passed under the additional powers granted to Congress, these were inadequate for the protection of life, liberty, and property, without which freedom to the slave was no boon. They were in all those States denied the right of suffrage. The laws were administered by the white man alone. It was urged that a race of men distinctively marked as was the negro, living in the midst of another and dominant race, could never be fully secured in their person and their property without the right of suffrage. Hence the XV. Amendment, which declares that the right of a citizen of the United States to vote shall not be denied or abridged by any State on account of race, color, or previous condition of servitude. The negro having, by the XIV. Amendment, been declared to be a citizen of the United States, is thus made a voter in every State of the Union. (16 Wallace, 71.)

For the present argument, it is immaterial whether this result is effected by the XIV., or XV. Amendment, or both. The point is, that the Supreme Court here declares the negro to be a voter in every State of the Union, by virtue of one or both amendments. He is made a voter (a Federal voter) by the law of the United States, and not by the State law. Being made a citizen of the United States,

he is thus made a voter in every State of the Union. This is the very gist of the matter. The whole principle is summed up in these few words. The franchise is an incident of the status, or condition of citizenship. Freedom alone was not enough. The XIII. Amendment made the negro free, but citizenship was additionally necessary before he became a voter. As soon as that was achieved, in that moment the franchise followed; to be enjoyed, in the same manner as by other citizens. If ever a suitor was entitled to rely with confidence upon judicial utterances of great principles of law, Mrs. Minor was thus entitled, in her case. She was a citizen of the United States by birth; admitted to be possessed of every qualification but that of sex. Her counsel appeared before this court and quoted its very language above given, and asked the court to be consistent with its own teachings. But no. There was no great and powerful party to back her demand, as in the case of the negro. She was merely a private individual, and the court contented itself with saying that the right of suffrage when granted would be protected! To which it may be replied, if women ever vote, they will protect themselves; but, if their right should subsequently be denied by the State, the Supreme Court, according to its own rulings in this case, could give no protection, since it declares the right to be wholly within the control of each State. But why should the court require the women citizens of the United States to produce a special grant of the right, when it required nothing of the kind from the negro? Are there two laws in this country, one for the negro, and another for woman? Does the Constitution of the United States recognize or permit class distinctions to be made between its citizens? Yet by this decision, the negro is placed above the woman. He is her superior. His position is above her. For our own part, we decline to accept any such construction of that instrument, knowing that the time will ultimately come when some claim similar to that of Mrs. Minor will meet with proper recognition. To make its inconsistency still greater, the court in this case declares that "allegiance and protection are reciprocal obligations. The very idea of a political community, such as a nation is, implies an association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. He owes it allegiance and is entitled to its protection," yet in this case that protection is denied. While the negro, then, is thus declared to be a voter, by reason of his citizenship, in every State of the Union, there is no law either of the State or of the Nation, which in terms or by words confers the ballot upon him. The XV. Amendment does not confer it, but treats it as a right already existing, and forbids its deprivation. Likewise the State law assumes its existence, and makes no change, except to conform to the new condition of the negro's citizenship. There is no change in the State laws, except the omission of a word—the word "white"—from the clause "white male citizens," in the State Constitution. But who ever heard of a right being conferred by omission? And yet this change of a single word by the State was an acknowledgment by it of the supremacy of Federal law touching this subject; and was designed to make the State law conform to the Federal law, which declares (XIV. Amendment) that "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States." This conformity extends, however, only so far as to embrace the negro citizen of the United States, leaving the far larger class of women citizens of the United States still under ban of disfranchisement, in plain violation of the amendment. Under these circumstances, in the case under consideration, the Supreme Court of the United States was asked to interpose its authority, and effect by its decree that which the State should have done, and declare that the word "male" must be dropped, as well as the word "white."

[Pg 752]

Had this been done, the State law in its entirety would have conformed to the paramount law of the United States, while as it is, it conforms only in part. We are told that slavery was abolished in Massachusetts, not by an enactment expressly adopted for the purpose, but by a decision of the Supreme Court in 1781, that its existence was inconsistent with the declaration in the Bill of Rights that "all men are born free and equal." (Bradford's History of Mass., 11, 227; Draper's Civil War, 1, 318; Story on Const., 11, p. 634, note.) So far, however, from interfering, as it was its plain duty to have done, to protect this class of United States citizens, the court has gone further than perhaps it intended, and possibly destroyed the rights of another class, for the decision, by declaring that the United States has no voters, virtually renders the XV. Amendment of no effect. There is nothing upon which it can operate. There being no voters, there is of course no "right to vote," to be "protected." So that every citizen of the United States is left completely at the mercy of the State.

[Pg 753]

We will now consider that clause of the Constitution of the United States in which, *as Hamilton said*, the right of suffrage is defined and established for the citizens of the United States; which, nevertheless, has most strangely been regarded as conferring upon the States authority to disfranchise them. Article 1, sec. 2. "The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature." The section, it will be seen, consists of two clauses, but there *is not a word as to the sex* of the elector. He or she must be one of the people, or citizens—that is all. The "People" elect. They vote in their respective States, of course; or, to use the words of Chief Justice Marshall, "when they act, they act in their States." (4 Wheaton, 403.) This first clause, then, fixes the class of persons to whom belong this right of suffrage—*Federal suffrage*—not State suffrage. It would be absurd in the Federal Constitution to undertake to deal with State suffrage, and it attempts nothing of the kind. The right of Federal suffrage, then, attaches or belongs to this class. The subsequent clause is subordinate to this, and relates not to the right, but to the exercise of it by the voter. In other words, it prescribes the qualifications of the elector, as to how he shall exercise the right; the time, place, and manner of voting, and the age at which the right shall be enjoyed. As to all these matters, which are included in the subject of "qualifications," instead of laying down a uniform rule, to be applicable all over the Union, the convention thought it best to adopt the regulations on this subject already in force in the several States. When the Federal elector, therefore, comes to vote for United States officers, he finds that he must simply conform to the regulations laid down by the State for State voters. But this confers upon the State no authority over the Federal elector's right of suffrage; far less does it give the State authority to deprive the Federal elector of this right, under pretense of laying down for its own citizens an arbitrary and impossible condition. In the nature of things, a republican government could not part with this right of suffrage. As Hamilton says, such right is justly regarded as a fundamental article in such government. To part with it, would be to part with its chiefest attribute of sovereignty, and nothing of the kind was done, or intended.

Except so far, then, as this decision makes it so, there is not a particle of authority vested in the States to deny this right of Federal suffrage to the citizen of the United States. The regulation of the

[Pg 754]

exercise of the franchise is within their control, as above stated, but the right itself is not theirs to give or to withhold. *The right to vote for Federal officers* is wholly distinct from the right to vote for State officers; but the fact of these two rights being blended in one and the same person, and being usually exercised at the same time, has given rise to the whole difficulty. In consequence of the fact of the election being conducted by State officers, the State providing all the machinery for voting, etc., we have become accustomed, from long habit, to associate in our minds the one franchise with the other, and thus confound rights that are wholly separate and distinct.

We notice, in conclusion, the remark of the court touching the non-assertion heretofore of this right by any one of the class now claiming to be entitled to it, and the intimation, or insinuation, that if the right really existed, it would have been claimed before, etc. It is true that Mrs. Minor's case is of "first impression," in the Supreme Court of the United States; but we fail to see that this fact has anything to do with the principle involved, or that there can be any such thing as a "limitation" of rights that are fundamental. If the right exists, and has a constitutional recognition, the time of its assertion has nothing to do with it. Only weak minds will be influenced by a fallacy like this. Because the women of a former day did not see and feel the necessity of making this claim, is no reason why those who do now see and feel that necessity should have that claim denied. "Time has no more connection with, nor influence upon principle, than principle has upon time. The wrong which began a thousand years ago, is as much a wrong as if it began to-day; and the right which originates to-day, is as much a right as if it had the sanction of a thousand years. Time, with respect to principles, is an eternal now. It has no operation upon them, it changes nothing of their nature and qualities." (Paine's Political Works, vol. 2, p. 328—Dissertation on Government.)

We are fully conscious that the subject upon which we have written is by no means exhausted; the point, especially in reference to bills of attainder, being wholly untouched. But the limits of a single article will not admit of a full discussion of the subject. Indeed, a treatise upon suffrage is one of the wants of the profession. We leave it, however, to the candid judgment of our readers, if we have not fully demonstrated the right of Federal suffrage to be a necessary privilege of a citizen of the United States, and, according to the court's own admission, such being the case, the plaintiff was entitled to the relief sought.

Thus closed woman's struggle for National protection of her civil and political rights under the XIV. Amendment. In the case of Myra Bradwell, which was commenced in September, 1869, two years before the others, Chief-Justice Chase, one of the best and wisest Judges that ever honored the American bench, dissented from the opinion of the Supreme Court: that the fact of United States citizenship did not secure to woman the right to practice law, and that a married woman rested under a special disability in regard to her civil rights, thus sustaining the action of Illinois in refusing to admit Mrs. Bradwell to the bar of that State.

[Pg 755]

The decision in the case of Mrs. Minor, that the political rights of women were wholly under the control of their respective States was still more emphatic and discouraging. Had Judge Chase lived, we have every reason to believe that in this case too, he would have dissented, and that his opinion would have had great weight in the general discussion. Although defeated at every point, woman's claim as a citizen of the United States to the Federal franchise is placed upon record in the highest court of the Nation, and there it will remain forever. As Milton so grandly says in *Paradise Lost*:

What though the field be lost?
All is not lost: th' unconquerable will
And courage never to submit or yield!

FOOTNOTES:

[164]The elections in New Hampshire were held in the spring in former years.

[165]An account of Mrs. Gardner's voting will be found in the Michigan chapter.

[166]WOMAN SUFFRAGE IN THE COURTS.—SHAKESPEARE REVIVED.

In the case of *Hamlet vs. Rex*, Shakespeare's reports, occurs the following:

SCENE—CHURCHYARD.—*Enter two clowns with spades.*

First Clown. Is she to be buried in Christian burial that wilfully seeks her own salvation?

Second Clown. I tell thee, she is; therefore make her grave straight. The crowner hath set on her and finds it Christian burial.

First Clown. How can that be, unless she drowned herself in her own defense?

Second Clown. Why, 'tis found so.

First Clown. It must be so, *se offendendo*; it can not be else. For here lies the point. If I drown myself wittingly, it argues an act; and an act has three branches—it is to act, to do, and to perform. Argal, she drowned herself wittingly.

Second Clown. Nay, but hear you good man, deliver.

First Clown. Give me leave. Here lies the water. Good. Here stands the man. Good. If the man goes to this water and drowns himself, it is nil he, will he, he goes. Mark you that. But if the water come to him and drown him, he drowns not himself. Argal, he that is not guilty of his own death shortens not his own life.

Second Clown. But is this law?

First Clown. Ay, marry is't, crowner quest law.

It hardly needed any better authority than the above to convince simple-minded people of the truth of the observation made by Blackstone that "law is the perfection of human reason." But if law is great, those who expound it are greater.

The woman suffrage trial came on. The judges endeavored to follow the arguments as far as possible, and to religiously earn their salaries by the attention given, if no more. The arguments were finally finished, and the women of the country waited expectantly to hear their legal status defined.

It took just one week for the united judicial wisdom of this District to consider this case in all its bearings, and then the decision came. It was about as follows:

SCENE—DISTRICT COURT-ROOM.—*Enter Judges with law books.*

First Judge. Women are voters but they can't vote. Voting is a privilege and not a natural right, and must be conferred; it has clearly been conferred by the supreme law of the land, therefore women can not vote. A little voting is a good thing, but too much voting is injurious to public interests, as is instanced in our large cities. If women vote, there would be more voting than at present, consequently women are not entitled to vote. The Constitution gives women the right to vote. The organic law of the district does not. The latter, of course, is void where it conflicts with the former, therefore can not women vote. Congress has clearly recognized woman's right to the ballot, wily or nily. But the ballot must come to the woman, not she to the ballot, or else the law is violated. Congress must go further, and point out to women how the ballot must come to her, or else will she not be given Christian reception at the polls who willfully seek to vote thereat. Therefore can not women vote.

Second Judge. Women are men, but men are not women. The former include the latter, but the latter won't be included. That is to say, the law regards men as women but not males as females. It is not every right which can be exercised, as society will not admit of it. The law, which is above society, says women shall vote, but society has not acceded, and hence this court can not interfere. Therefore, I concur that women can not vote.

Third Judge. I do not know but that the better way would have been for Congress to have done otherwise than it did. Why it did as it did is a question. But it did. It might have done more, or less, or both. It might have done otherwise. In either case it would have done so. And then it would have been. But as it is, it is perhaps as well as if it should have been. Therefore can not women vote.

Plaintiffs' Attorneys. But is this law?

The Three Judges. Verily is't the law of the Supreme Court of the District of Columbia.

This parody was written by J. W. Knowlton, son-in-law of Mr. Riddle.

[167]A report of this trial will be found in the California chapter.

[168]WHEREAS, Complaint has this day been made by — on oath before me, William C. Storrs, commissioner, charging that Susan B. Anthony, on or about the fifth day of November, 1872, at the city of Rochester, N. Y., at an election held in the eighth ward of the city of Rochester aforesaid, for a representative in the Congress of the United States, did then and there vote for representative in Congress in the United States, without having a lawful right to vote and in violation of Section 19 of an act of Congress approved May 31, 1870, entitled "An act to enforce the right of citizens of the United States to vote in the several States of this Union and for other purposes."

[169]The following ladies voted: Mrs. Hannah Anthony Mosher, Mrs. Mary S. Hebard, Mrs. Nancy M. Chapman, Mrs. Jane M. Cogswell, Mrs. Martha N. French, Mrs. Margaret Leyden, Mrs. Lottie Bolles Anthony, Mrs. Hannah Chatfield, Mrs. Susan M. Hough, Mrs. Sarah Truesdale, Mrs. Mary Pulver, Mrs. Rhoda De Garmo, Mrs. Guelma Anthony McLean, Miss Mary S. Anthony, Miss Ellen T. Baker. The following ladies registered but were not allowed to vote: Mrs. Amy Post, Mrs. Mary Fish Curtis, Mrs. Dr. Dutton, Mrs. Charlotte Wilbur Griffing, Mrs. Dr. Wheeler, Mrs. Allen, Mrs. Lathrop.

[170]Ex-President Fillmore, Hon. Charles Sedgwick, Hon. E. G. Lapham, David Wright, Esq., of Auburn.

[171]INDICTMENT AGAINST SUSAN B. ANTHONY—DISTRICT COURT OF THE UNITED STATES OF AMERICA, IN AND FOR THE NORTHERN DISTRICT OF NEW YORK.—At a stated session of the District Court of the United States of America, held in and for the Northern District of New York, at the City Hall, in the city of Albany, in the said Northern District of New York, on the third Tuesday of January, in the year of our Lord one thousand eight hundred and seventy-three, before the Honorable Nathan K. Hall, Judge of the said Court, assigned to keep the peace of the said United States of America, in and for the said District, and also to hear and determine divers Felonies, Misdemeanors and other offenses against the said United States of America, in the said District committed. Brace Millerd, James D. Wasson, Peter H. Bradt, James McGinty, Henry A. Davis, Loring W. Osborn, Thomas Whitbeck, John Mullen, Samuel G. Harris, Ralph Davis, Matthew Fanning, Abram Kimmey, Derrick B. Van Schoonhoven, Wilhelmus Van Natten, James Kenney, Adam Winne, James Goold, Samuel S. Fowler, Peter D. R. Johnson, Patrick Carroll, good and lawful men of the said District, then and there sworn and charged to inquire for the said United States of America, and the body of said District, do, upon their oaths, present, that Susan B. Anthony now or late of Rochester, in the county of Monroe, with force and arms, etc., to wit: at and in the first election district of the eighth ward of the city of

Rochester, in the county of Monroe, in said Northern District of New York, and within the jurisdiction of this Court, heretofore, to wit: on the fifth day of November, in the year of our Lord one thousand eight hundred and seventy-two, at an election duly held at and in the first election district of the said eighth ward of the city of Rochester, in said county and in said Northern District of New York, which said election was for Representatives in the Congress of the United States, to wit: a Representative in the Congress of the United States for the State of New York at large, and a Representative in the Congress of the United States for the twenty-ninth Congressional District of the State of New York, said first election district of said eighth ward of said city of Rochester, being then and there a part of said twenty-ninth Congressional District of the State of New York, did knowingly, wrongfully, and unlawfully vote for a Representative in the Congress of the United States for the State of New York at large, and for a Representative in the Congress of the United States for said twenty-ninth Congressional District, without a lawful right to vote in said election district (the said Susan B. Anthony being then and there a person of the female sex), as she, the said Susan B. Anthony then and there well knew, contrary to the form of the statute of the United States of America in such case made and provided, and against the peace of the United States of America and their dignity.

Second Count—And the jurors aforesaid upon their oaths aforesaid do further present that said Susan B. Anthony, now or late of Rochester, in the county of Monroe, with force and arms, etc., to wit: at and in the first election district of the eighth ward of the city of Rochester, in the county of Monroe, in said Northern District of New York, and within the jurisdiction of this Court, heretofore, to wit: on the fifth day of November, in the year of our Lord one thousand eight hundred and seventy-two, at an election duly held at and in the first election district of the said eighth ward, of said city of Rochester, in said county, and in said Northern District of New York, which said election was for Representatives in the Congress of the United States, to wit: a Representative in the Congress of the United States for the State of New York at large, and a Representative in the Congress of the United States for the twenty-ninth Congressional District of the State of New York, said first election district of said eighth ward, of said city of Rochester, being then and there a part of said twenty-ninth Congressional District of the State of New York, did knowingly, wrongfully and unlawfully vote for a candidate for Representative in the Congress of the United States for the State of New York at large, and for Representative in the Congress of the United States for said twenty-ninth Congressional District, without having a lawful right to vote in said election district (the said Susan B. Anthony being then and there a person of the female sex), as she, the said Susan B. Anthony then and there well knew, contrary to the form of the statute of the United States of America in such case made and provided, and against the peace of the United States of America and their dignity.

RICHARD CROWLEY,
Attorney of the United States for the Northern District of New York.

(Endorsed). Jan. 24, 1873.
Pleads not guilty.

RICHARD CROWLEY,
U. S. Attorney.

[172]See Appendix.

[173]See Appendix.

[174]Thousands of copies were published in pamphlet form, with the Court report of the trial, and circulated throughout the country.

[175]See Appendix.

[176]To the same effect see former decisions in Massachusetts: *Coffin vs. Coffin*, 4 Mass., 25; *Com. vs. Knapp*, 10 Pic., 496; and see also *State vs. Snow*, 18 Maine, 346; *Doss vs. Com.*, 1 Grattan, 557; *Peo. vs. McFall*, 1 Wheeler Crim. Rec., 108, note; *Holder vs. The State*, 5 Georgia, 443; *State vs. Allen*, 1 McCord, 525; *State vs. Jones*, 5 Alabama, 666; *Armstrong vs. The State*, 4 Blackford, 247; *Patterson vs. The State*, 2 English, 59.

[177]*Gibbons vs. Ogden*, 9th Wheaton, 221, Ch. J. Marshall. *Ogden vs. Saunder*, 12 Wheaton, 332, Ch. J. Marshall.

[178]More recent investigation shows that this clause was originated by Mr. Jefferson in 1784. See *The Nation* for May 4, 1882, and *authorities there referred to*. See Bancroft's "History of the United States." Vol. II, p. 115.

CHAPTER XXVI.

[Pg 756]

AMERICAN WOMAN SUFFRAGE ASSOCIATION.

Circular Letter—Cleveland Convention—Association Completed—Henry Ward Beecher, President—Convention in Steinway Hall, New York—George William Curtis Speaks—The First Annual Meeting held in Cleveland—Mrs. Tracy Cutler, President—Mass meeting in Steinway Hall, New York, 1871—State Action Recommended—Moses Coit Tyler Speaks—Mass Meetings in 1871 in Philadelphia, Washington, Baltimore, Pittsburgh—Memorial to Congress—Letters from William Lloyd Garrison and others—Hon. G. F. Hoar Advocates Woman Suffrage—Anniversary celebrated at St. Louis—Dr. Stone, of Michigan—Thomas Wentworth Higginson, President, 1872—Convention in Cooper Institute, New York—Two Hundred Young Women march in Meeting in Plymouth Church—Letters from Louise May Alcott and Elizabeth Stuart Phelps—

The Annual Meeting in Detroit—Julia Ward Howe, President—Letter from James T. Field—Mary F. Eastman Addresses the Convention. Bishop Gilbert Haven President for 1875—Convention Steinway Hall, New York—Hon. Charles Bradlaugh Speaks—Centennial Celebration, July 3d—Petition to Congress for a XVI. Amendment—Conventions in Indianapolis, Cincinnati, Washington, and Louisville.

It was during the summer of 1869 that the initiative steps in the formation of the American Woman Suffrage Association^[179] were taken, and the following letter circulated:

BOSTON, August 5, 1869.

Many friends of the cause of woman suffrage desire that its interests may be promoted by the assembling and action of a convention devised on a truly National and representative basis for the organization of an American Woman Suffrage Association.

Without depreciating the value of Associations already existing, it is yet deemed that an organization at once more comprehensive and more widely representative than any of these is urgently called for. In this view, the Executive Committee of the New England Woman Suffrage Association has appointed the undersigned a Committee of Correspondence to confer by letter with the friends of woman suffrage throughout the country on the subject of the proposed convention.

We ask to hear from you in reply, at your earliest convenience. Our present plan is that the authority of the convention shall be vested in delegates, to be chosen and accredited by the Woman Suffrage Associations existing, or about to be formed, in the several States of the Union. The number of delegates to be sent by each Association and the precise time of the meeting of the convention can be determined as soon as we shall have received such answers to our present application as shall assure us of an active and generous co-operation in the measure proposed, on the part of the addressed.

[Pg 757]

LUCY STONE, CAROLINE M. SEVERANCE,
T. W. HIGGINSON, JULIA WARD HOWE,
GEO. H. VIBBERT.

Soon after, the following call was issued:

The undersigned, being convinced of the necessity for an American Woman Suffrage Association, which shall embody the deliberate action of the State organizations, and shall carry with it their united weight, do hereby respectfully invite such organizations to be represented in a Delegate Convention, to be held at Cleveland, Ohio, November 24th and 25th, A.D., 1869.

The proposed basis of this Convention is as follows:

The delegates appointed by existing State organizations shall be admitted, provided their number does not exceed, in each case, that of the Congressional delegation of the State. Should it fall short of that number, additional delegates may be admitted from local organizations, or from no organization whatever, provided the applicants be actual residents of the States they represent. But no votes shall be counted in the Convention except of those actually admitted as delegates. (Signed)

John Neal, Maine; Nathaniel White, Armenia S. White, William T. Savage, New Hampshire; James Hutchinson, Jr., Vermont; William Lloyd Garrison, Lydia Maria Child, David Lee Child, George F. Hoar, Julia Ward Howe, Gilbert Haven, Caroline M. Severance, James Freeman Clarke, Abby Kelly Foster, Stephen S. Foster, Frank B. Sanborn, Phebe A. Hanaford, Massachusetts; Elizabeth B. Chase, T. W. Higginson, Rowland G. Hazard, Rhode Island; H. M. Rogers, Seth Rogers, Marianna Stanton, Connecticut; George William Curtis, Lydia Mott, Henry Ward Beecher, Frances D. Gage, Samuel J. May, Celia Burleigh, W. H. Burleigh, Aaron M. Powell, Anna C. Field, Gerrit Smith, E. S. Bunker, New York; Lucy Stone, Henry B. Blackwell, John Gage, Portia Gage, Antoinette B. Blackwell, A. J. Davis, Mary F. Davis, New Jersey; Mary Grew, Pennsylvania; Thomas Garret, Fielder Israel, Delaware; Hannah M. Tracy Cutler, A. J. Boyer, Margaret V. Longley, J. J. Belleville, Miriam M. Cole, S. Bolton, Ohio; Amanda Way, George W. Julian, Laura Giddings Julian, Lizzie M. Boynton, Indiana; Mary A. Livermore, C. B. Waite, Myra Bradwell, James B. Bradwell, Sharon Tyndale, J. P. Weston, Robert Collyer, Joseph Haven, Illinois; Moses Coit Tyler, James A. B. Stone, Mrs. H. L. Stone, Michigan; Lilie Peckham, Augusta J. Chapin, Wisconsin; Amelia Bloomer, Iowa; Mrs. S. B. Stearns, Minnesota; Charles Robinson, Mrs. C. I. H. Nichols, John Ekin, D.D., J. P. Root, Kansas; Mrs. W. T. Hazard, Isaac H. Sturgeon, Mrs. Beverly Allen, James E. Yeatman, Mary E. Beede, J. C. Orrick, Mrs. George D. Hall, Missouri; Guy W. Wines, Charles J. Woodbury, Tennessee; Mary Atkins Lynch, Louisiana; Elizabeth C. Wright, Texas; Grace Greenwood, Dist. Columbia; A. K. Safford, Arizona; J. A. Brewster, California; Hon. G. C. Jones, Dowagiac, Hon. William S. Farmer, Eau Claire, Hon. T. W. Ferry, of Grand Haven; Hon. S. H. Blackman, Paw Paw, Rev. J. Straub, Lansing, and S. H. Brigham, editor of the Lansing *Republican*, Michigan; Mrs. Austin Adams, and Edna T. Snell, of Dubuque, Miss Mattie E. Griffiths, Prof. and Mrs. Belle Mansfield, Mt. Pleasant, T. M. Mills, Ed. Des Moines *State Register*, Ex-Gov. and Mrs. B. F. Gue, and Hon. Mr. and Mrs. Pomeroy, Ft. Dodge, Iowa; Mrs. J. C. Burbank, Mrs. Smith (State Librarian), Rev. J. Marvin, and Capt. Russell Blakely, of St. Paul, Mrs. Elliott, of Minneapolis, Mr. and Mrs. A. Knight, of St. Peter, Minnesota; Rev. H. Eddy, pastor of the First Presbyterian Church of Milwaukee, Wisconsin; Mrs. E. O. G. Willard, of Chicago, Illinois.

[Pg 758]

The first American Woman Suffrage Convention assembled at Case Hall, Cleveland, O., on Wednesday morning, November 24th. The attendance from the city was very large; the vast hall being well filled, both floor and balcony. The Convention was called to order by Mrs. Lucy Stone. Twenty-one States were represented—eighteen by regularly accredited delegates; thus making it truly National. Great harmony pervaded all the deliberations of the Committees and the discussions of the Convention.

On motion of F. B. Sanborn, of Massachusetts, Judge J. B. Bradwell, of Chicago, was chosen temporary Chairman, and on motion of Mrs. Lucy Stone, Mrs. Mary F. Davis, of New Jersey, was elected temporary Secretary. Upon taking the chair, Judge Bradwell returned his thanks for the honor conferred upon him. It was unnecessary for him to speak at length in regard to the object of the meeting; it had been stated in the call read by Mrs. Stone. He said they were met for the formation of an American Woman Suffrage Association, which shall be represented in every State of this great Nation; and not only every State, but every city, town, and county from the Atlantic to the Pacific, and from the Gulf of Mexico to Canada. On motion of Mr. Sanborn a Committee on Credentials^[180] was appointed by the President. All State delegations were requested to report their names to the Committee, and also to fill any vacancies which might exist, if persons were present from their respective States.

Pending the report of the Committee on Credentials, Mrs. Lucy Stone presented letters from several persons^[181] who had been unable to attend the Convention, but desired to give expression to their sympathy with its object. In a few preliminary remarks she expressed the pleasure she felt at the sight of such a large and intelligent audience at the first session of the Convention, which many had supposed would be but merely a business meeting. It was an evidence of the increasing interest which is being felt upon the subject of woman suffrage. She alluded to the Convention held in this city sixteen years ago, and was glad to see several familiar faces which were present on that occasion. Mrs. H. M. Tracy Cutler, of Cleveland, delivered an eloquent appeal for women.

Judge Bradwell said that under the laws in some States the right of woman to a certain degree of citizenship is acknowledged. Foreign-born women may be naturalized, and even without the consent of their husbands. In all probability Vermont will soon confer upon woman the right of suffrage. In that State the women considerably outnumber the men, and if some of them should move to the West, they might say, "We voted and were citizens in Vermont, and, under the XIV. Amendment to the Constitution of the United States, we claim the right to vote here."

[Pg 759]

Mrs. C. G. Ames, of California, alluded to a case which occurred in San Francisco. A woman was informed that she might be protected through the courtesy of the consul, but that she had no claim to protection as a citizen of the Government.

The Committee on Credentials presented the names of delegates^[182] who were already present as entitled to seats in the Convention. Other names were added as they were reported to the Convention during the session.

There were also in attendance persons from Virginia, Mississippi, and Nebraska, who conferred with the Chairman of the Committee on credentials with reference to their admission to the body of delegates. They were all *bona fide* residents in the States they represented, but they seemed so undecided in reference to the question of woman suffrage, finding it hardly possible to tell whether they were for it or against it, that it was thought not best for them to propose themselves as self-constituted delegates. Near the close of the Convention, those from Nebraska and Virginia sought the Chairman of the Committee to say that if another convention were to be held, they could heartily and conscientiously take seats as delegates; for if they had any doubts as to the justice and utility of woman suffrage in the outset, they had been wholly removed by the arguments to which they had listened. Twenty-one States were thus represented in the Convention, making it truly National.

[Pg 760]

On motion of Mr. Blackwell, the President was authorized to appoint a committee,^[183] consisting of one from each State on the permanent organization of the Convention. Pending the announcement of the committee, Mrs. Julia Ward Howe, of Boston, delivered an address to the Convention, replete with the noblest wisdom and the soundest morality. Her utterance was both prophetic and hortatory. She cautioned women not to do injustice to others, while seeking justice for themselves; advised them that they must prepare for the new responsibilities they coveted; and that they would better learn to command, by learning well how to serve. She closed her grand and inspiring address with this sentence: "Oh! of all the names given to us to warn off the demon and invoke the angel, let us hold fast to this word—service!"

The Convention reassembled at two o'clock, the hall being filled in every part. Before proceeding to business, the President invited to seats upon the platform, Stephen S. Foster, Miss Susan B. Anthony, Rev. Antoinette Brown Blackwell, Andrew Jackson Davis, Mrs. Leland, of Wisconsin; Mr. and Mrs. John Gage, of Vineland, New Jersey, all of whom he designated as faithful veteran laborers in the good cause. He also invited all officers of Woman Suffrage Associations, members of the press and the clergy without distinction of sex or color.

The proceedings were opened with an impressive prayer by Rev. Antoinette Brown Blackwell, of New Jersey. The Committee on Permanent Organization reported the list of officers^[184] of the Convention, which was adopted. The announcement of the name of T. W. Higginson as President was received with loud applause. On taking the Chair, he spoke substantially as follows:

Ladies and Gentlemen and Fellow Citizens: I feel truly grateful to the members of this Convention for the honor they have done me by choosing me for this responsible position. I take it not as a personal compliment to myself, but as a graceful act of courtesy on the part of the West, which is so largely represented, to the East, which is but slightly represented—perhaps our California friends would rather hear us say from the great central Keystone States of the Nation, to the little border States on the Atlantic coast. It is eminently fit and proper that this Convention should select for its place of meeting the great State of Ohio, which takes the lead in the woman suffrage movement, as well as in other good things. It was the first to organize a State Woman Suffrage Association, and the first in which a committee of the Legislature recommended extending to woman the right of suffrage. It is befitting, then, that this Convention should desire Ohio as the stepping stone from which an American Suffrage Association shall rise into existence.

[Pg 761]



Lucy Stone

My own State is but a small one. At the commencement of the war it was hardly thought worth while to attempt to raise troops in Rhode Island, for if they should be able to muster a regiment it would be necessary to go out of the State to find room to drill. But regiments were raised and they stood side by side with those of Ohio during the great struggle, and your record is theirs. Rhode Island, too, stands shoulder to shoulder with Ohio in the cause of woman suffrage. The call for this Convention was signed by the representatives of twenty-five States; that for, the Woman's Rights Convention, in 1850, was signed by those of but six, yet Ohio and Rhode Island were two of that number. I do not blush at the smallness of my State, but I rejoice in its prominence in this movement. I am glad to claim her as the only State which stands as a unit in the Senate of the United States in favor of giving the ballot to woman. Messrs. Sprague and Anthony, the Senators from that State, agree upon this point, although if they ever agreed upon any other matter, I never heard of it.

Fellow-delegates and citizens, we have come together as supporters of a grand reformatory movement, and there is but one plain course for us to pursue. Some years ago I attended a meeting of progressive Friends, in Pennsylvania. The subject of Woman's Rights came up for discussion, and opinions were expressed pro and con, when suddenly there came striding up the aisle an awkward boy, half-witted and about half-drunk. He stepped to the platform, flung his cap to the floor, and said that he wanted to give his testimony. "I don't know much about this subject or any other, but my mother was a woman!" The boys in the galleries laughed, and the Quakers, sitting with their hats on their heads, looking as solemn as if the funeral of the whole human race was being held and they were the chief mourners, did not relax a muscle of their faces, but thought I to myself, "That overgrown boy, drunk or sober, has solved the whole question." Women may doubt and hesitate, uncertain whether they want to vote or not, but men have only one position to take—to withdraw their opposition, and leave it to the women to decide for themselves.

Many intelligent and respectable ladies fear a conspiracy against their freedom—imagining that at times of elections detachments of police would seize and rudely drag the weak, fainting sisters to the polls against their will. They seem to regard the matter in the same light as a boy who went to the theatre night after night, but invariably went to sleep. Upon being asked what he went for, he replied: "Why I've got to go because I've a season ticket." And so some women seem to think that the right of suffrage will be like the boy's season ticket, and they must vote whether they will or not. When we can not drive men to the polls, when there is no law to compel them to serve or save their country at the ballot-box, if they stay away from selfishness or indifference, it is not likely that we will be more successful with the women. No compulsion is intended. We will lay before woman the great responsibility that rests upon her, her sacred duty as a wife and mother, we will open up to her a career of the highest usefulness in the world, in which she may more perfectly than ever before fulfill the destiny for which she is created, and then she may individually accept the ballot or not, according to the dictates of her own conscience. All men can do is to take down the barriers and say to her: "Vote, if you please." It is to give more dignity and sacredness to woman; to enlarge and not limit her field of usefulness; but not to take her out of her appropriate sphere. It says to the wife: "Do all you can to save your sons and husbands at home, strew around them its most hallowed influences; but if you fail there, you have another chance at the ballot-box to abolish, by your votes, the liquor-sellers that are dragging them down to ruin."

I would earnestly recommend to this Convention the importance of efficient and perfect organization, and not only in this body, but throughout the country. In the judgment of those who called this meeting, the great movement for woman suffrage is too far advanced to be further prosecuted only by local and accidental organizations. In most of the States, State Associations are of but recent origin, and in many they do not exist at all. The efforts hitherto made were all well and useful in their way, but not enough to meet the demands of the present. It is the aim to establish this Association on a national representative basis, embracing all the States in the Union. We seek

this because we need it. The enterprise is too vast to be left to hasty or accidental organizations only. We want something solid and permanent. The Congress of the United States rests upon a narrower basis than does the organization at which we aim. That represents but half the people of the country while this is for all. It is eminently needful that we give the greatest care and deliberations to the work. We must have the counsel of various minds, laying aside local differences. We are of different habits and opinions, and do not think alike on all subjects. Upon many questions we "agree to differ," but on this great question we are, and must be, all united. Efficient organization will be a powerful aid in helping forward the grandest reform that was ever launched upon the human race. With this understanding I accept the position of President of this Convention, losing my own individuality as one of its members. In conclusion, I ask your patience with my shortcomings and your co-operation in conducting its proceedings.

Mrs. Cutler read a courteous communication from H. S. Stevens Esq., kindly offering to furnish carriages free to those members of the Convention who may wish to see the city, during their stay. Col. Higginson said that in the early days of woman suffrage, he had seen a rivalry among livery stable keepers to furnish carriages to take persons engaged in the movement out of town, and he regarded this offer as in singular contrast to that. On motion of Mrs. Lucy Stone, the Committee on Permanent Organization of the Convention was also charged with the duty of preparing a basis of organization, constitution, and by-laws for a National Woman Suffrage Association, and to report a list of officers for the same. The President invited all local Woman Suffrage organizations to make themselves known through their members present, and to participate in the deliberations of the Convention. The following resolution, offered by Mrs. Lucy Stone, was adopted.

[Pg 763]

Resolved, That the members of the Associated Press, now in session in this city, be invited to attend this Convention and take part in its proceedings, and that Mr. Boyer, Mr. F. B. Sanborn, and Mrs. Cole, of Dayton, be a Committee to convey the invitation to that body.

A telegram was received from GRACE GREENWOOD, as follows:

To T. W. HIGGINSON, *President of the Woman's Suffrage Convention*:

Kept at home by illness. God speed the cause.

GRACE GREENWOOD.

Brief speeches were made by Rev. Mrs. Hanaford, of Massachusetts; Mary F. Davis and Lucy Stone, of New Jersey; and Giles B. Stebbins, of Michigan, who introduced the following resolution, which was unanimously carried:

Resolved, That the National Labor Congress, representing five hundred thousand of the workingmen of our country, at its late session at Philadelphia, by recognizing the equal membership and rights of men and women, of white and colored alike, showed a spirit of broad and impartial justice worthy of all commendation, and we hail its action as a proof of the power of truth over prejudice and oppression, which must be of signal benefit to its members, in helping that self-respect, intelligence, and moral culture by which the fair claims of labor are to be gained and the weaker truly ennobled and elevated.

Mr. H. B. BLACKWELL presented the following:

CONSTITUTION OF THE AMERICAN WOMAN SUFFRAGE ASSOCIATION.

PREAMBLE: The undersigned, friends of woman suffrage, assembled in delegate Convention in Cleveland, Ohio, November 24th and 25th, 1869, in response to a call widely signed and after a public notice duly given, believing that a truly representative National organization is needed for the orderly and efficient prosecution of the suffrage movement in America, which shall embody the deliberate action of State and local organizations, and shall carry with it their united weight, do hereby form the American Woman Suffrage Association.

ARTICLE I.

NAME: This Association shall be known as the American Woman Suffrage Association.

ARTICLE II.

OBJECT: Its object shall be to concentrate the efforts of all the advocates of woman, suffrage in the United States for National purposes only, viz:

SEC. 1. To form auxiliary State Associations in every State where none such now exist, and to cooperate with those already existing, which shall declare themselves auxiliary before the first day of March next, the authority of the auxiliary Societies being recognized in their respective localities, and their plan being promoted by every means in our power.

SEC. 2. To hold an annual meeting of delegates for the transaction of business and the election of officers for the ensuing year; also, one or more national conventions for the advocacy of woman suffrage.

SEC. 3. To publish tracts, documents, and other matter for the supply of State and local societies and individuals at actual cost.

SEC. 4. To prepare and circulate petitions to State Legislatures, to Congress, or to constitutional conventions in behalf of the legal and political equality of woman; to employ lecturers and agents, and to take any measures the Executive Committee may think fit, to forward the objects of the Association.

[Pg 764]

ARTICLE III.—ORGANIZATION.

SEC. 1. The officers of this Association shall be a President, eight Vice-Presidents at Large,

Chairman of the Executive Committee, Foreign Corresponding Secretary, two Recording Secretaries, and a Treasurer, all of whom shall be *ex-officio* members of the Executive Committee from each State and Territory, and from the District of Columbia, as hereinafter provided.

SEC. 2. Every President of an auxiliary State society shall be *ex-officio* a vice-president of this Association.

SEC. 3. Every chairman of the Executive Committee of an auxiliary State society shall be *ex-officio* a member of the Executive Committee of this Association.

SEC. 4. In cases where no auxiliary State society exists, a suitable person may be selected by the annual meeting, by the Executive Committee, as Vice-President or member of the Executive Committee, to serve only until the organization of said State Association.

SEC. 5. The Executive Committee may fill all vacancies that may occur prior to the next annual meeting.

SEC. 6. All officers shall be elected annually at any annual meeting of delegates, on the basis of the Congressional representation of the respective States and Territories, except as above provided.

SEC. 7. No distinction on account of sex shall ever be made in the membership or in the selection of officers of this Society; but the general principle shall be that one half of the officers shall, as nearly as convenient, be men, and one half women.

SEC. 8. No money shall be paid by the Treasurer except under such restrictions as the Executive Committee may provide.

SEC. 9. Five members of the Executive Committee, when convened by the Chairman, after fifteen days written notice previously mailed to each of its members, shall constitute a quorum. But no action thus taken shall be final, until such proceedings shall have been ratified in writing by at least fifteen members of the Committee.

SEC. 10. The Chairman shall convene a meeting whenever requested to do so by five members of the Executive Committee.

ARTICLE IV.

This Association shall have a branch office in every State in connection with the office of the auxiliary State Society therein, and shall have a central office at such place as the Executive Committee may determine.

ARTICLE V.

This Constitution may be amended at any annual meeting, by a vote of three-fifths of the delegates present therein.

ARTICLE VI.

Any person may become a member of the American Woman Suffrage Association by signing the Constitution and paying the sum of \$1 annually, or life members by paying the sum of \$10, which membership shall entitle the individual to attend the business meetings of delegates and participate in their deliberations.

ARTICLE VII.

Honorary members may be appointed by the annual meeting or by the Executive Committee, in consideration of services rendered.

The officers of the Association were then appointed:

President—Henry Ward Beecher.

Vice Presidents at Large—T. W. Higginson, Mary A. Livermore, William Lloyd Garrison, Mrs. W. T. Hazard, George W. Curtis, Celia M. Burleigh, George W. Julian, Margaret V. Longley.

Chairman of Executive Committee—Lucy Stone.

Foreign Corresponding Secretary—Julia Ward Howe.

Corresponding Secretary—Myra Bradwell.

Recording Secretaries—Henry B. Blackwell, Amanda Way.

Treasurer—Frank B. Sanborn.

Vice-Presidents—Maine, Rev. Amory Battles; New Hampshire, Armenia S. White; Vermont, Hon. C. W. Willard; Massachusetts, Caroline M. Severance; Rhode Island, Rowland G. Hazard; Connecticut, Seth Rogers; New York, Oliver Johnson; New Jersey, Antoinette Brown Blackwell; Pennsylvania, Robert Purvis; Delaware, Mrs. Hanson Robinson; Ohio, Dr. H. M. Tracy Cutler; Indiana, Lizzie M. Boynton; Illinois, C. B. Waite; Wisconsin, Rev. H. Eddy; Michigan, Moses Coit Tyler; Minnesota, Mrs. A. Knight; Kansas, Hon. Charles Robinson; Iowa, Amelia Bloomer; Missouri, Hon. Isaac H. Sturgeon; Tennessee, Hon. Guy W. Wines; Florida, Alfred Purdie; Oregon, Mrs. General Rufus Saxton; California, Rev. Charles G. Ames; Virginia, Hon. J. C. Underwood; Washington Territory, Hon. Rufus Leighton; Arizona, Hon. A. K. P. Safford.

Executive Committee—Maine, Mrs. Oliver Dennett; New Hampshire, Hon. Nathaniel White;

Vermont, Mrs. James Hutchinson, Jr.; Massachusetts, Rev. Rowland Connor; Rhode Island, Elizabeth B. Chace; Connecticut, Rev. Olympia Brown; New York, Mrs. Theodore Tilton; New Jersey, Mary F. Davis; Pennsylvania, Mary Grew; Delaware, Dr. John Cameron; Ohio, Andrew J. Boyer; Indiana, Rev. Charles Marshall; Illinois, Hon. J. B. Bradwell; Wisconsin, Lillie Peckham; Michigan, Lucinda H. Stone; Minnesota, Abby J. Spaulding; Kansas, Mrs. C. I. H. Nichols; Iowa, Belle Mansfield; Missouri, Mrs. Francis Minor; Tennessee, Rev. Charles J. Woodbury; Florida, Mrs. Dr. Hawkes; California, Mrs. Mary E. Ames; Virginia, Hon. A. M. Fretz; District of Columbia, Grace Greenwood.

The addresses of the evening were made by Judge Bradwell and Mary A. Livermore, of Illinois; Miriam M. Cole, of Ohio; Lillie Peckham, of Wisconsin; Frank B. Sanborn, editor of the *Springfield, Mass., Republican*; and Dr. Lees, of Leeds, England. At the Thursday morning session the attendance was large, and the interest in the Convention seemed to be increasing. The forenoon was devoted to a consideration of the basis of the National organization, its constitution and by-laws. The discussions^[185] were earnest, temperate, in excellent spirit, every woman keeping within the five minutes' rule, and speaking to the point—a circumstance commented on pleasantly by the President. The articles of the Constitution and By-Laws were discussed *seriatim*, and adopted, and then the Constitution, as a whole, was adopted. A letter was presented by Mrs. Lucy Stone, from the proprietor of the Birch House, Water Street, offering to entertain a few delegates—free. She also read the following:

CLEVELAND, *November 25, 1869.*

To the Delegates of the Woman's National Convention:—The Faculty of the Homeopathic College hereby extend their most cordial invitation to your honorable body to visit the College. Conveyances for the same will be in readiness at any time desired. In this College, now in its twentieth annual session, woman, with the exception of one winter, has always been equal with man in privilege and honor, and here she shall always share an equal privilege and honor, so long as she is willing to conform to the same standard of culture.

Yours, most respectfully,

T. P. WILSON, *Dean.*

H. V. BIGGAR, *Registrar.*

Judge BRADWELL offered the following, which was adopted:

Resolved, That we urgently request all State and National Associations, formed for the purpose of aiding in giving suffrage to woman, to become auxiliary to, or co-operate with the American Woman's Suffrage Association, believing that by concert of action on the part of all Societies and Associations formed in the nation for this purpose, suffrage will sooner be extended to woman.

[Pg 766]

Able addresses were made during the afternoon by Rev. Charles Marshall, pastor of one of the Presbyterian churches of Indianapolis; Lizzie Boynton and Mrs. Swank, of Indiana; Lucy Stone, of New Jersey; Ex-Gov. Root, of Kansas; Mary E. Ames, of California; and Addie Ballou, of Minnesota. Rebecca Rickoff, of Cleveland, recited an original poem, "The Convict's Mother," with marked effect. During the entire session the hall was filled to its utmost limit. The Convention met for the closing session at an early hour. The hall was densely filled in every part, the man at the ticket-office having been literally inundated with "quarters." Mrs. Dr. Cutler occupied the chair. Mrs. STONE announced that she would go through the audience to get names of members of the Association, which any one could become on payment of a dollar.

Brief speeches were made by Mr. Bellville and Mr. Lamphear, of Ohio; Mr. Henry Blackwell, of New Jersey; and Rev. Rowland Connor, of Massachusetts, and then Mrs. Julia Ward Howe delivered a second address of remarkable power and unparalleled beauty. She spoke the day before as the prophet of the Convention—this evening, she spoke as its historian. Her address was faultless, peerless, perfect, and though read from a manuscript, moved the large audience deeply. Next followed Mrs. Celia Burleigh, of New York, a woman of rare grace and culture, with an address packed with thought and wisdom, uttered in the choicest language. Mrs. Caroline M. Severance, of Boston, succeeded her with another speech of like polish and impressiveness, and then the great congregation rose, and closed the interesting meetings of the two days with the singing of the grand old doxology, "Praise God from whom all blessings flow," after which the Convention adjourned *sine die*.

A Mass Convention for the advocacy of Woman Suffrage, under the auspices of the American Woman Suffrage Association, was held at Steinway Hall, New York City, May 11th and 12th, 1870. Upon each of those days three sessions were held, and at each session the attendance was numerous and enthusiastic. The Convention was presided over by Rev. Henry Ward Beecher. Upon the platform were seated many earnest, active supporters, and advocates of the cause.^[186]

The address of Rev. HENRY WARD BEECHER was as follows: *Ladies and Gentlemen:*—It is but a little while ago that the question whether a woman might, with modesty and propriety, appear upon the public platform to speak her sentiments upon moral and philanthropic questions, agitated the whole community. Although I do not regard myself as excessively conservative, I remember very well when the appointment of women, by the Anti-Slavery Society of New England, to act on committees with men, grievously shocked my prejudices; and I said to myself, "Well, where will this matter end?" I remember very well that when many persons, whose names are now quite familiar to the people, first began to speak on the anti-slavery question, I felt that if the diffidence and modesty and delicacy of woman had not been sacrificed, it had, at any rate, been put in peril; and that, although a few might survive, the perilous example would pervert and destroy the imitators and followers.

[Pg 767]

It was in the year 1856 that I first made a profession of my faith in Woman's Rights. During the Fremont campaign I had so far had my eyes opened and my understanding enlightened, as to see

that if it is right for the people of Great Britain to put a politician at the head of their government, and she a woman—if, in all the civilized nations of the world, it is deemed both seemly and proper for women to be in public meetings and take part therein, provided they are duchesses or the ladies of lords—if it is right, in other words, for aristocracy to give to their women the right of public speech, then it is right, also, for democracy to give their women the right of public speech. Does any one question whether Lucy Stone may speak? or Mrs. Livermore? or Mrs. Stanton? There is not a city or town in the nation that does not hail their coming; and there are no persons so refined, and no persons so conservative as not to listen to them; and there are none that listen who do not always admit that women may speak. God does not give such gifts for nothing.

We are in a community that is constantly growing, expanding, developing. We do not believe that human nature has reached its limits. There are new combinations, new developments, taking place. Nor do we believe that men have reached the ultimatum of their practical efficiency, any more than women have. It is in the order of things, that having met, tried, and settled this question—the right of woman to public speech—we should meet the next question, the right of women to act. She has a right to think,—has she a right to practice? May she vote, or sit upon committees in matters pertaining to local or National interests? It is this question which is under discussion now. It seems wild and wandering to many, but not more wild and wandering than fifteen years ago, to the great majority of our citizens, seemed the question of woman's right to public speech. I venture to say that within the fifteen years next coming it will seem strange to the great mass of the people that it should have been considered of doubtful propriety for woman to exercise the privilege, or, I should rather say, the duty of suffrage.

And so within the last few years this question has risen up, to the suppression, I may say, of everything else; for everything else is conceded. I don't know what advanced step may be next proposed. If I did, I should propose it to-day—for this reason, that I notice that each advance becomes the acceptance of the disputed question immediately in its rear. When the doctrine of physiognomy—Lavater's doctrine—was first propounded, men laughed it to scorn, and contemned the idea that there could be anything true or noble in it, until phrenology came and asserted that the brain's proportional parts could be known, and that the mind could be outwardly ascertained, and then men said: "Oh, this phrenology is a humbug! Physiognomy is rational; we can see how a man can judge that way; there is something in physiognomy." So they swallowed physiognomy in order to be strong enough to combat phrenology. Animal magnetism, I believe, came up next; and the people ridiculed it as they had ridiculed those that had gone before. They now thought that there might be some sense in physiognomy and phrenology, but animal magnetism was preposterous. Then came mesmerism. "Why," people said, "this is nothing in the world but animal magnetism, in which, of course, there is some reason." Then came spiritualism. "Oh," people said, "that is nothing but mesmerism." So they admitted each anterior heresy for the sake of refuting the new one. And now, may a woman be an artist? May she sing in public? May she speak in public? "Well," said people, "she can sing, if she has the gift; there is no harm in that; but this delivering an oration, this is not woman's sphere." Then if we say, "Shall a woman vote?" they say, "Oh! vote! vote! Let her speak if she wants to speak; but as for voting, that will never do!"

[Pg 768]

Therefore, as I have said, if I could but see the next point ahead, I would immediately proclaim it, because then people would say, "Let women vote if they want to vote, but that is as far as we can go." I rejoice in your presence this morning. I, for one, need not assert that I am from my whole heart and conviction thoroughly of opinion that the nature of woman, the purity and sweetness of the family, the integrity and strength of the State, will all be advantaged when woman shall be, like man, a participator in public affairs.

Rev. JAMES FREEMAN CLARKE said—Ladies and gentlemen:—This is a very serious question, whichever way we look at it. I do not suppose that, if the women of the country were to be admitted to-day to vote, the consequences would appear to-day, or for some time to come, because women everywhere would vote very much as those around them are in the habit of voting. Young men growing up generally vote as their fathers and brothers are in the habit of voting—those with whom they are in the habit of communication; so it would be with women. They would probably, for some time to come, vote very much as their husbands, fathers, and brothers do now. The ultimate result, however, is of the greatest consequence; and nobody can tell exactly what it will be. I, for one, believe that it will be very beneficial, and it is for that reason that I am here to-day.

I believe, in the first place, that women ought to vote, because it seems to me that this is in the direction of all human progress, and in the direction of civilization. Civilization, thus far, has constantly occupied itself in bringing woman up to, and putting her by the side of man. In the barbarous stage of society, woman is the slave and tool of man; in the Asiatic age she is the plaything and ornament with which man amuses himself; but in Christendom there is a tendency to place woman side by side with man in everything, and just as far as it has been done we find the benefit of it. Woman ought to be made the companion of man in his great work of government. The reason why people think politics is a low and vulgar pursuit is that woman has never been in politics. Where man goes alone he is easily corrupted. Soldiers in the army are degraded, despite the patriotic nobleness of their motive, by the absence of woman, and men are degraded at the polls, as well as everywhere else, through not having women by their side.

[Pg 769]

I believe in this movement, not only because it is in the direction of all modern civilization, but because it is in accordance with the idea of American government, and the policy of American institutions. A State is saved by being faithful to its own idea, or lost by faithlessness to that idea. Now the American idea is faith in the people. We know perfectly well there are evils connected with republicanism, as there are with everything; but we have chosen the good of a republic with this great, broad basis of universal suffrage. People say, "Well, but there is no natural right to vote." We knew that very well before, because there is no voting in a state of nature. Voting is a social contrivance. Because it is not a natural right, is it any less unjust to deprive a large part of the people of it? There are no roads in a state of nature. For that reason, shall we say to a woman, "You shall not walk in the road?" Wherever the male and female qualities go together, we are better for

it, and therefore it is our business to put them together in the government. Put away all the absurd restrictions on woman, and let her do what God intended her to do. Let us trust nature and God, and give to woman the opportunity to do whatever she is able to accomplish.

I have another reason for woman suffrage, and that is, that nothing can be said against it. Our good friend, Dr. Bushnell, has written a book in which he says that if woman is allowed to vote she must be allowed to govern; and, being a subject nature, she can not govern. In other words, as she is a subject nature, let her stay at home and govern her household all the time! People say she ought to influence gently and quietly, and not to govern by force. Now if there is anything which means influence and not force, except indirectly and secondarily, it is the ballot-box! We had an administration two years ago which had all the force of the country at command, and the people went to the ballot-box and destroyed it so completely that we have almost forgotten we ever had so bad a Government as that of Andrew Johnson.

All the strength and bravery and determination of this world are not so much confined to the male sex as some ornaments of that sex would have us believe. We want the women—the wives and sisters and mothers of the land, to help save our men from political corruption. It is what God has ordained, and the time is coming when it shall be effected.

Mrs. M. M. COLE read the following letter:

VINELAND, N. J., May 10, 1870.

MY DEAR FRIENDS: I once had a neighbor who was for years entirely crippled with rheumatism, and she, when asked, "How are you to-day?" invariably answered, "Better, I thank you, to-day than I was yesterday. Hope I shall be right smart to-morrow." So, friends, I could say, unasked, I am better this year than I was last, and I hope to keep on in this line until 1876, and be able then to stand with you once more upon the platform of equal rights, and shout "Hallelujahs" over the ratification of the Sixteenth Amendment; over the crowning of my labors of twenty-five years, during which time I have not failed to ask for the right of suffrage for all citizens of this Republic, of sane mind and adult years, without regard to race, color, or sex.

"The good time coming is almost here."

Yours in faith,

FRANCES D. GAGE.

The President read a letter just received from Mr. Tilton:

[Pg 770]

NEW YORK, May 11, 1870.

Rev. Henry Ward Beecher, President of the American Woman Suffrage Association: Honored Sir: I am commissioned by the unanimous voice of the Union Woman Suffrage Society, now assembled in Apollo Hall, to present to yourself, and through you to the Association over which you are presiding in Steinway Hall, our friendly salutations, our hearty good will, and our sincere wishes for mutual co-operation in the cause of woman's enfranchisement.

Fraternally yours,

THEODORE TILTON,
President of the Union Woman
Suffrage Society.

At his own desire the President was unanimously requested to make reply on the behalf of the American Woman Suffrage Association. Mr. Beecher remarked, "If there are two general associations for the same purpose, it is because we mean, in this great work, to do twice as much labor as one society could possibly do."

REV. OSCAR CLUTE said: Every favored movement of civilization has been simply a recognition of the rights and privileges that inhere in humanity. Take for instance the idea of the divine right of kings—which has been so thoroughly scouted by our republicanism. The abandonment of that idea upon the part of our fathers was a great stride in the path of civilization. And at this time in almost all parts of the world something is being done toward giving the masses a clearer idea of those rights which inhere in them.

In our own country, the object of the woman suffrage reformers is, not to overturn anything already established that is good and pure and noble, but to extend to women those rights which inhere in them as human beings. It is not claimed for women that they shall have any advantage over men, but simply that they shall have the right to labor and receive their earnings. That they shall have such facilities of education as men enjoy. Give woman equal opportunities. Her sphere is, undoubtedly, to engage in such labor, to get such culture, and do such good work as she finds ready to her hands, and to help on in the cause of humanity. The ballot is the key that opens to woman all the avenues of labor and of culture. If all the avenues of education and labor were open to women, we should find them growing up with higher and nobler ambition than the girls of to-day. The laws at present in force are detrimental to the interests of women not only in regard to property, but to marriage itself. Some provision is necessary by which women themselves can bring their efforts to bear upon these laws, and the ballot is the only effective measure for the purpose.

Mrs. JULIA WARD HOWE said: My dear friends—Sometimes, when I begin to speak at conventions for the advocacy of woman suffrage, I feel self-dismayed in thinking that I ought to educate my audience all over from beginning to end. But this would require so much time that no one convention would ever get through with it; so I content myself with saying, as simply and as strongly as I can, what happens to be in my mind. That particular thought which is now uppermost is the great pleasure of our meeting to-day. We come together here, trusting to see in your kind faces the reflection of our great hope; and to find in your ears the echo of that great promise which some of us expected to hear a long while ago, and which all of us now see growing and strengthening until its harmony seems to us to fill the world.

[Pg 771]

We don't come together here to ignore oppositions, but to reconcile them. Oppositions are divinely appointed. I do believe that their distance can not be increased with safety to the economy of the

world. But love is the tropical equator. His fiery currents are able to quicken and vivify the whole globe. They circulate equally at the arctic and antarctic extremities. The work that we are doing in common is not unfavorably affected by oppositions. The poles are God's anointed and stand firm; but opposition has quickened the currents of love until it has melted the social ice at the extremities for us, and even the snows which very prematurely, I do assure you, begin to fall upon the heads of some of us. I have been speaking and writing on this subject for a year and a half, and I find the subject always getting outside of my efforts much more rapidly than my efforts are able to get outside of it. At every new meeting I find the speech of the last meeting much too small. Whether the question grows or the speech shrinks I do not know, but I am inclined to think the former. I never knew any member of my nursery to require so much letting out, expanding, as this question. From all of this I am inclined to think that we have set our hands to a great work, to a long and hard labor, to a reform of human society; to a reduplication of human power and well-being.....

MRS. SARA J. LIPPINCOTT, more widely known as "Grace Greenwood," stated that she had believed in woman suffrage since she was old enough to believe in anything that was right and to denounce anything that was wrong. She was not counted among the extremists. Indeed, she claimed the right only for three classes of persons, namely, single women who have property of their own, married women, and all such other women as may desire it. I am willing that a property qualification should be exacted. Require, if you will, that each woman voter shall possess a gold watch, and keep it wound and up to time—a clothes wringer and a sewing machine; that she shall be able to concoct a pudding, sew on a button, and, at a pinch, keep a boarding-house and support a husband respectably....

The PRESIDENT read the reply which he had prepared to the letter of Mr. Tilton as follows:

NEW YORK, May 11, 1870.

To Theodore Tilton, President of the Woman Suffrage Society Meeting in Apollo Hall: Dear Sir: Your letter of congratulation was received with great pleasure by the mass Convention assembled in Steinway Hall, under the auspices of the American Woman Suffrage Association, and I am instructed by their unanimous vote to express their gratification, and to reciprocate your sentiments of cordial good-will. In this great work upon which you have entered—the enfranchisement of woman—we have a common aim and interest, and we shall rejoice at any success which is achieved by your zeal and fidelity.

I am, very truly, yours,

HENRY WARD BEECHER.

Mrs. MARY F. DAVIS, of New Jersey, read a report from the executive committee of the New Jersey Woman Suffrage Association.

Col. T. W. HIGGINSON spoke as follows: Mr. President, Ladies and gentlemen—I was thinking during the brilliant speech of Mrs. Lippincott, what an awful reflection the existence of that woman was upon the Government of the country in which we live—that she should reside in sight of the Capitol of Washington and never get nearer the interior of that building than the reporter's desk. Fancy a House of Representatives in which she should have an opportunity of talking to her fellow-delegates as she has talked to us this afternoon. Fancy the life, the new interest, the animation that will come into those desolate debates in Congress whenever she sets her foot as Senator or Representative within those halls, and the rest of the women come after her. If she was there, she might perhaps be met by the old objection, that, whatever her words may be, she did not have the physical force to sustain them. The composition of our delegates in both houses of Congress is not, as a general rule, so formidable as to lead one to suppose that they were particularly sent there for their muscle. Bring before you the array of the men whom you send to represent the nation. See how absurd it is to suppose that they were chosen for anything but their intellect. Hear this lady talk, and when you compare what you have heard with the debates in Congress, it does not seem to me that even intellect was the main consideration.

[Pg 772]

I believe that no man ever made use of that hackneyed argument, that women couldn't vote because they couldn't discharge military duty, unless there was in that man something that needed the teaching of womanhood to make him do his military duty, and do it well. I never heard that argument made that I do not suspect that there is something amiss in that man's lungs, or his liver, or at any rate his brain. The military duties of the nation have nothing to do with the elective franchise. Every soldier who comes back from military service finds the way to the polls blocked up by dozens of men who, at the time of the draft, suddenly developed lamenesses, either of limbs, or of excuses; men who wanted to see if there wasn't some wound or trouble by which they could be relieved from the obvious necessity. You recollect the man that Mr. Clarke spoke to you of this morning, who, at the sacking of Lawrence, hid himself in the cellar, while his wife guided with a lantern the border ruffians who were in search of him. She relied apparently upon the ingenuity of the husband to hide himself effectively—a reliance in which she was not disappointed. Not having found him, they decided to set fire to the house, and then she asked permission to bring out her household furniture and save it from the flames. To finish up she dragged out a great roll of carpet. Had anybody sat down on that roll of carpet they would have heard the ready scream of her brave but suffering husband. If that man was like multitudes of men, if he were a man like Horace Greeley in his opinions, the moment the carpet was unrolled, the carpet knight would step out, and his first remark to his wife would probably be, "My dear, you can now return to the kitchen. I will do the voting, because I have the physical strength to stand by the Government."

Woman, in time of war, has her mission, as man has his. It is idle to talk about her "sphere"—as her sphere is generally interpreted. Even in the most disastrous war, the mission of woman is plainly to be discerned in deeds of self-denial and self-sacrifice. Women have worked themselves literally to death through the toils and exposures of war. Of all the semblances of argument that can be brought against the right of woman to the suffrage—of all the figments of the brain that men devise, there is nothing idler than to object to this right on the ground that suffrage and bearing arms should go together. In times of war the women of our country did aid and comfort and bless our suffering armies, and hundreds of returned soldiers owe their restoration to health and life to the ministering labors and devotedness of some woman. Such men will not use the argument that

[Pg 773]

woman should not have the suffrage because she can not bear arms.

The ballot of woman is needed to render our civilization more complete and harmonious. I knew a lady who rode with the first party of ladies over the mountains into a mining town of California. The whole population turned out to see the novel spectacle. What did they say when the women came among them? Did they say, "Go away from here; this is no place for women; you will unsex yourself?" Oh, no! The first sound heard from that silent and expectant throng of miners was a rough voice calling out, "Three cheers for the ladies who have come to make us better!" It is this coming of the new influence—not a purer influence merely, for doubtless a great part of what is called the purity of woman is but the purity of ignorance, that rough contact with the world would seem to endanger—it is not merely the greater purity, but it is because she is the other part of the human race; it is because without her we have fathers in the State, but no mothers; it is because without her in our legislative halls, we have laws that take from the mother the right to every child she bears; it is because without her in our courts, lawyers use foul words that shame the purity of woman. Until woman takes a place with man in the legislation of the world, and in the administration of justice, she will suffer, and man through her will suffer; also, it is not because woman is so far above man that we claim her rights in this matter. It is because she is the other half of man and society is imperfect, and will remain so until she takes her proper place in the labors of the world. If a pair of scissors be broken in two, and you have it riveted together, it is not because you concede angelic superiority to either half, but simply because it takes two halves to make a whole.

Mrs. CUTLER was the first speaker of the evening session. Ladies and Gentlemen:—When the cloud of slavery agitation arose—a cloud at first no bigger than a man's hand, but which at length became a great tempest, overshadowing all the land, and when the thunders rolled, and the lightnings flashed, and when we felt that almost the doom of our nation had come, then we women read, as one of our number has so grandly expressed it—we read by the light of a hundred thousand lamps, the judgment of the Almighty against the institution of slavery. That institution was wrong because it took away human rights. But what were the rights? The right to live was not among them—for the slave lived. The right to bread was not among them—for he was fed and clothed. The rights that were taken away were the rights inherent in all human beings to the results of their own labor, to the freedom of the body and the mind. And when the country once became aroused to the full significance of this slavery question, the heart of every mother in the land throbbed in sympathy with the enslaved. At last War said to us, "These people have not been remembered in their bonds, and our sons and brothers are now called from us, and we must offer them upon the altar of sacrifice!" And, wondering, we read anew the Declaration of Independence, and swore fealty to its precepts, now to be written with a pen of iron dipped in the hearts' blood of our sons. It is past, and all men are free and equal in America.

But there is one thing yet to be done in order that our country may come fully within the provisions of the well-nigh inspired expression of our forefathers, "Governments derive their just powers from the consent of the governed." The women of America pay taxes for the support of the Government, and their consent should be had in matters affecting their welfare and their lives. We have been making our work known for years, but it has been to no purpose, and we have come to the conclusion that the only way to remedy the evil is to get the ballot.... There is nothing to be asked for now but the ballot. I shall never ask for anything less than that while I live.

[Pg 774]

Rev. HENRY WARD BEECHER, the President, then addressed the Convention. Ladies and Gentlemen:—We expect that every great movement in the community will, from various reasons, meet with ridicule and depreciation, as well as plain, honest resistance. Nor are we indisposed to take our share in the merriment that is made. We are, however, indisposed to have it said that this is a complaining movement on the part of women. For, although there may be occasions of single outbursts of this kind, this movement has no such parentage, and it is progressing under no such motives. It has long been in the hearts of many that women should be raised to an equality in civil affairs with men, but that great discussion which aroused and instructed the conscience of the nation, and, above all, that issue of war which brought men down to the very foundations of their belief, has been fruitful in raising a multitude of questions which are advancing now and which are to be consummated. Among these is the question, "Are women equal with men?" You might as well ask, "Are all men equal to each other?" For you adjudicate no questions in this country on the ground of superiority or inferiority of classes among men. It makes no difference, therefore, in regard to this question, whether women be superior or inferior. The question is simply this: have they not, before the law, the same rights that men have, and ought they not to have, in the administration of public interests, precisely the same power that men have? Now, in arguing this question—in urging it upon the community, I find a fear first, lest woman's nature should deteriorate. Kings were always afraid that if their nobles got power it would make them dissolute and reckless and grasping, and the nobles were always afraid of the burgher class, that if they should get political honor, it would only puff them up and make them unmanageable, and the burgher class, when they have obtained their political privileges, were afraid to extend a share in these privileges to the yeomanry, the peasantry. You never saw one upper class who held a prerogative that could ever be made to see any reason why the inferior class should have a share of it. It is the universal law of the superior class to keep the privileges to themselves, and the privileges have usually had to be wrested from them.

In the first place, what has been the effect upon woman of enlarging the sphere of her influence? There can be no question that from generation to generation since the introduction of Christianity the sphere of woman has been enlarging. She has been growing up in the scale of power; has she been going down in the scale of moral character? You know as well as I do that they are better, and that, instead of deteriorating their character, it has improved them and augmented the volume of their being, and they are women still.

But it is said that "in politics it is different." In what way is it different? Do you hesitate to say, "Jane, on your way to school please take these letters and drop them into the letter-box at the corner," and your daughter does it. There is much more trouble in doing that than to drop a ballot in the ballot-box. Nobody thinks anything of it, although there are men there, too. Is a woman demeaned by

[Pg 775]

dropping her ballot into the box? Does the act injure her? "Oh, no; it is not the act—it is the scenes that she would have to meet. Go to the polls, and see what voting means." Yes; go and see what bachelor voting means. It is exactly the thing that we want to improve. Did you ever see a crowd of men, the rudest in the world, who, when a lady walked among them, did not open spontaneously and let her pass through as if she was an angel? It is asked sometimes, "Would you like to have your wife or daughter go to the polls and vote?" Yes—on my arm; yes. I venture to say that there is not a precinct in the city where well-bred ladies will not only be allowed to vote themselves, but would carry peace in the exercise of the right to others. "Would you have a woman participate in the scenes preliminary to an election?" I will tell you that the moment that women begin to vote there will be no scenes "preliminary" in which women may not appear. It is this very jointure of the family influence that we look to as a part of the influence that should bring reformation into our politics; for if our politics are to be masculine forever I despair of the republic. No! whatever thing on God's earth a woman's conscience tells her to do, she can do it, though she stood in the gates of hell, and be every particle a woman just as much. Is there anything in this world that has so great a reputation for lawlessness as a camp? And yet, when our armies went into this conflict, how many hundreds of women went, not as companions, but to minister to the boys. They went down into the camps, and through the whole war consorted with the rudest of men, and not one single syllable did they ever hear from the lips of those men that a pure ear should not hear. They ate the soldiers' fare—they performed the most menial services; but it was love that inspired and sustained them in their toils. And will any man say that after these four years had passed, and these ministers of mercy came back again, that because they had been mixed up with this rabble crew, they were the less women? Were they not the more women? These are sisters of charity—these are heroines without a record in any human literature. Have they been injured by mixing with the rude affairs of war in camps and among soldiers? When women take upon themselves such necessary duties they take vulgarity from vulgarity, and coarseness becomes refined, for it is the heart of woman that brings life among men, and restores Paradise.

But it is said that it would do women no good to have the vote, because they would vote as their husbands would. Well, I am very glad to hear that you are all so happily mated. I have a pretty large flock, and my observation has been that there was not such perfect unanimity. The tidings brought to me are that there are women who have minds of their own, and I don't think a woman would make up her mind to vote with her husband unless she conscientiously believed that he voted the right way. It is said again that it would introduce division into the family, and that a division about politics is the most bitter thing in the world. No; there is one thing in which a difference is more bitter than politics. What? Religion. There is no such diverging influence in this world as a difference in religion. Yet when I look into these matters I find that families all through the community are divided on the subject of religion. I have known scores and scores of families in which there were Baptists and persons of other denominations, and they found no trouble in getting along. You will always find where husband and wife can not agree, they will peaceably differ. There is no danger of their ever disturbing the family relations by that.

[Pg 776]

We are still holding, it seems, the old barbaric notion of the inferiority of woman. Every higher class preaches, preaches, preaches—about the inferiority of everything and everybody below it. All the world believes that the nation in which the man is born is the highest nation in the world. Why, we believe that we Americans are the biggest people in the world, the Englishman believes the English people to be the highest in the world. There is not the least doubt in the mind of a Frenchman that he was God Almighty's first favorite, and so on, nation by nation. So it is with classes. So, also, it seems to be with man. All the men in the world join hands together and agree that whatever may be the classification as between man and man, all men are infinitely superior to woman. Now I hold that in some things woman is inferior to man, and in some things greatly superior to man, and that in the general average she is fully his equal. A woman is God's chief engineer in the home. She ought to have a clear eye and a deep heart and a wide understanding. You can't make a woman too broad, too strong, too high, too deep in all generous enthusiasm for the purposes of the family, for it takes strong women to bring up strong men and strong women. In regard to this matter I wonder that people should attempt to separate so much by guess. Hear people say, "What will be the effect?" As if this thing was not already demonstrated—as if history was not already a picture of what the result will be. Will you be good enough to tell me which woman you think to-day is the superior? There is the problem: the Asiatic woman is the woman we hear tell about; just look at her—a do-nothing, a know-nothing woman! The European woman is the woman that has been cultured. Which is the superior to-day? which commands most respect?

Delicacy in woman is sentiment, not appearance, not enamel, not languishing airs. But it is asked, why make this disturbance? Why not let a woman, if it is desired that she should be a student, inquire of her husband? Suppose she hasn't got one. Young gentlemen that are so fond of talking about the matter say, let the women stay at home and take care of their families. Let me ask you if you will agree to give every woman a family that hasn't got one? If you will not, then hold your tongue. But even taking the question in the way they put it, how would these young men like their fathers to say, "Tom, Bill, you are both Republicans. You have gone away from my notions; I am a good, stanch, old-fashioned Democrat; and my advice to you, boys, is that you stay at home and read, and think these matters over, and I will go and vote for you,"—how would the boys like that? Everybody is willing to be above everybody else, and this thing of one man assuming that he is the superior of another, and asking that other to knuckle down to him, is not popular. You don't like it. And women don't like it any better than you do—and they ought not to like it, either. Women can have all the benefit of holding an opinion, but they shall not have the power of expressing it. They go through all the labor and trouble of loading, but can't fire off. Now, I affirm, that it is wrong to give women the responsibilities of public life without giving them the safety of public life, too.

[Pg 777]

But what practical use will the ballot be to women? Tell me what practical use the ballot will be to men; then I will tell you of what use it will be to women. A man that denies the right of woman to the ballot must deny it to any body and all bodies. I affirm another thing. I affirm that the ballot is a natural right. To say that voting is an artificial thing is merely an evasion. If there is any such thing as natural rights in the world, it is the right of every person to have a voice in the government that he shall live under, and in the electing of the magistrate who shall make the laws by which he is to be governed. But they say women don't want to vote. Well, I didn't want to learn my letters, but I

had to, and, on the whole, I am not sorry for it. If men say women don't want the ballot, my reply is, they need it, at any rate. In behalf of the poor and needy, I plead for suffrage. They are the persons who are in just that place where the hail of misfortune plays pitilessly upon them. I plead for suffrage for women, not because the rich and refined need it—they have already more than their heart could wish—but for the great sisterhood of common women.

But, it is said, is it not subverting the order of the Bible; is it not subverting those sound Christian maxims in respect to the subordination of woman to man? Well, if you think it is, let the husband vote first and the wife vote after; that settles that point. I have looked through the Ten Commandments, and although I find a great many things that you shall not do, I don't find anywhere it says that you shall not vote; and I don't think that there is a place in the Bible where it says that a woman shall not vote; nor, since it pleased God to make thousands and thousands of women that are superior to men, I don't believe that he ever wrote a line to say that a woman who was superior should be inferior. My friends, the true rendering of Scripture is this: Thou shalt love the Lord thy God with all thy heart, mind, soul, and strength, and thy neighbor as thyself. In the kingdom of love there is neither high nor low. Love knows no distinctions. It is all equal in the kingdom of God; and wherever the human family are supremely possessed by that one supreme, beneficent feeling of love, there never can arise these disturbing elements.

Mrs. LIVERMORE said: *Ladies and Gentlemen*—Mr. Beecher very pertinently said that women are allowed to *know*, but not to *say*; they may make all the preparations necessary to intelligent voting, but that they shall not vote. That is exactly what is doing a vast deal of mischief the world over. If they are not allowed to vote, and express their opinions upon the laws by which they are to be governed, and if they are not to have opened to them all proper fields of labor, they will turn their attention to dressmaking, and to millinery, and to all the other hot-beds of our fast modern life. It is doing great harm; and that is one reason I earnestly plead in their behalf for the ballot. Men say women shall not have the ballot. They must petition and beg for it. Have not petitions been already made? Have not 200,000 names been sent in to Congress already? Then they say you must "organize;" and when that is done, and they find the country rocked as by a traveling volcano, they then say, "All women do not want to vote; all the women in the country should ask for it, and beg for it, and petition for it."

[Pg 778]

Let me relate an incident that occurred in Boston at the office of Chief Justice Chapman, four or five weeks ago. A man, a guardian, came there with a writ of *habeas corpus*, which placed in his charge two children in no wise related to him, and he asked that he might have the control of the children, in opposition to the claim of their mother, who desired to keep them. The facts were briefly these: the woman had been happily married; her husband died and left her a widow with two young children. By the laws of the State of Massachusetts at that time, she was not allowed to be their guardian, nor the guardian of any body else's children. So the Judge of Probate appointed a guardian for the children, who magnanimously allowed them to remain in their mother's care. After two or three years she committed the unpardonable crime of marrying again, a thing that no man was ever guilty of. The marriage was perfectly acceptable to her former husband's relatives, but the guardian was so displeased with it, that he got out a writ of *habeas corpus*, and demanded of Chief Justice Chapman that the children be remanded to his custody. We are apt to boast of Massachusetts and its laws, but here was a case in which the Chief Justice, after hearing the case, actually remanded these children to the possession of that man. The court-room was crowded; the excitement was intense; the poor mother sank down in a deadly faint. I say such laws are an outrage upon womanhood, and they arise simply and solely from a deep contempt for womanhood. This contempt is palpable throughout all the entire code of laws.

Another argument that is frequently made against the extension of the suffrage to woman is this: "If women go to the polls it is going to take them away from their homes and families." These arguments are urged with as much pertinacity as if the polls were open three hundred and sixty-five days in the year, and twenty-four hours each day, and that all that people did was to lie around the polls and vote, and vote, and vote, and vote.

Another statement is, that it is because women have been kept out of politics that they are pure and good. Well, now, it is a poor rule that won't work both ways, and if disfranchisement has made such angels of women, suppose you try it a little on men. I have a firm belief that the men need, infinitely more than the women do, the influence that woman will bring with her to the ballot; not because woman is better, but because she is the other half of humanity. It reminds me of the account of the battle of Gettysburg, given by a colonel of a Western regiment. His regiment was placed among the reserves, on an eminence, where they could see the battle as it went on. "There we stood," said the colonel; "our brave men trying to serve their country; able to do it, and anxious to do it. Yet we were kept the whole of the first day watching the fight go on. On the second day another regiment, which had been much associated with ours, was called into action. We saw them marching, their guns aslant, as if there was no battle being carried on, or deeds of death and destruction—and all the while, as they marched, the grape, and the canister, and the shot, and the shell, tore their ranks terribly; and men fell dead in all directions; and still those who yet remained carried their guns in the same position, and kept time, and closed up, and closed up, until my agitation became so unendurable that I forgot all else, and cried out, 'Oh, God! why don't they call the reserves into action? We could help them.'"

[Pg 779]

Gentlemen, very few of us are very young women. We have forty, fifty, some of us seventy years of life behind us. We have stood on this eminence where you in your mistaken kindness and gallantry placed us, and we have been all this time looking down upon the battle-field of life where you have been engaged, single-handed and alone. Those of us who have had half a century have seen the ranks of men who started out in life with us shortened one half as they have gone. Here is a husband, there a brother or a father, men as dear to us as drops of our own heart's blood. We have seen them steadily sacrificed by means more appalling than those of Gettysburg, men literally slaughtered by licentiousness and drunkenness, and all the while we have looked on and been able to do nothing, and our agony has become so great that we exclaim, "Oh, God! why don't these

brothers of ours call us, the reserves, into action? We could help them."

When I look back to the days of our great war, I remember that women sprang up every day all over the country—women of whom it was not before believed there was any patriotic blood in their veins. We all came together by one common instinct—saying, "What shall we do?" I could tell you of women who have died from exposure and suffering in the war. Hundreds of the very best women of the Northwest went down voluntarily as nurses, and in other capacities, and assisted suffering and dying men, until they themselves were almost at death's door. "When women do military duty, they shall vote!" We *did* do military duty. We did not cease our labors till all the soldiers had come home, wearied with their services. We have earned recognition at the hands of this government, and we ought to have it. Knowing, then, the qualities of woman and her courage and bravery under trials, I can never cease to demand that she shall have just as large a sphere as man has. All we want is, that you shall leave us free to act.

Mrs. LIVERMORE then spoke of the attempts of men to define the sphere of women. Let the sphere of woman be tested by the aspiration and ability of their own minds, and let it be limited only by what we are able to do. Don't fear that women will not marry and make good wives if allowed legal equality with men. They even now make as good wives as men do husbands. Trust God. This talk of woman getting out of her sphere is sheer lack of faith in God. He has given us our natures. The gentlest woman is transformed into a tigress when you go between her and her baby. There's no sense, therefore, in the fear that the paltry lures of politicians will draw women from the home circle. There is no necessity to enact laws to keep women women. Woman's sphere is that which she can fill, whether it be sea-captain, merchant, school-teacher, or wife and mother.

Only two millions of women are among the producers of the country—five millions are wives and mothers, and eight millions are rusting out in idleness and frivolity. Take eight millions of men from the world of commerce and productive work; the deficit will be immediately felt. Add to the producers of the world eight millions of skilled women, and the quickening would be felt everywhere. Mrs. Livermore also urged the admission of women to political life from considerations drawn from the increase of the foreign element. East and West is a huge, ignorant, semi-barbarous mass, brought hither from European and Asiatic shores, needing the enlightenment and the quickening that would come from the addition of educated women to the polls.

[Pg 780]

The Thursday morning session was called to order by the PRESIDENT, REV. HENRY WARD BEECHER. MR. Henry B. Blackwell, the Secretary, read, on behalf of the Business Committee, the resolutions.^[187]

Mr. BLACKWELL moved their acceptance, and, in support of his motion, said: *Mr. Chairman, Ladies and Gentlemen:* We have so often heard of the great step that was taken in the war of the Revolution—when our connection with Great Britain was severed—that I fear we have lost sight of the fact that there have been two great revolutions since that day—revolutions which, to my mind, are immeasurably more important than the first. For, when the war of the Revolution ended, a republic in the present sense of the term did not exist in these United States. In almost every State there was a property qualification for voting. It was a government like the government of Great Britain to-day—like the government of other countries—it was an aristocracy of wealth, the privilege of voting being based upon a property qualification. But hardly had the guns of the Revolution ceased action, before the Democratic party of that day, under the lead of Mr. Jefferson, demanded suffrage for poor men as a natural right. The Federal party opposed the change. The Democratic party were a unit in its favor. They advocated suffrage for poor men on the same ground that the Republicans have advocated it more recently for the negro—on the same ground upon which Mr. Beecher advocated it last night for women—as a *natural right*. They said, "All men have equal natural rights to life, liberty, and property; if so, they have a natural right of self-defense in the enjoyment of these rights. Now, in a state of nature, self-defense takes the form of individual violence—of the pistol or the club; but in a state of civilization men appeal to the law, and government is nothing but an organized system of self-defense for the benefit of the individual citizen." The old Democratic party said, "Poor men have rights of life, liberty, and property, poor men have a natural right of self-defense; therefore, in a state of society they have a right to the ballot which is the organized weapon of self-defense for the individual citizen." What was the result? The Democratic party swept the Union on that platform. They obtained a majority in the government of the States and in the Federal Government. For more than a generation they ruled this country as the poor man's party. That result followed inevitably from their principles, because parties, like individuals, are sure to obtain their deserts in the long run. When any party appeals to that fine sense of justice which is in the heart of every human being, sooner or later its success is certain. The Democratic party obtained the control of the Government for two generations because it appealed to that sense of justice? But what was the result to the country? America became known all over the world as the country of the poor man. In America alone the masses had the ballot. That was what brought from the shores of Europe this great influx of foreign labor which has felled our forests, and fenced our prairies, and built up the waste places of our continent. There are to-day in Russia hundreds of thousands of acres of land as good as any in the world, which have never been cultivated, and yet Europeans, by thousands, turn their backs on Russia, coming to America and going far into the interior to make their homes, not because our land is better, or our climate more genial, but because our Government is established upon the basis of equal rights for every human being. The child of the poor man becomes educated, he acquires property, he becomes a member of the commonwealth, he does his own thinking, and, thank God, his own voting, too.

[Pg 781]

But the Democratic party has lost power. To-day the Republicans control three-fourths of the States of this Union. There was a reason for these reverses. Before the abolition of slavery, a certain race was denied the advantages of the Democratic principle. It was a "white man's government." In the course of time the inevitable collision came. Slavery was abolished, and the Republican party attempted a new application of the Jeffersonian principle. It demanded suffrage for the negro and the Chinese. The principles of justice again prevailed. The sentiment of liberty came to the support of the Republican party; manhood suffrage is forever fixed in the Constitution of the country, and to-day every man, whether learned or ignorant, rich or poor, white, yellow, or black, whether he can read the English language or not, is by the Constitution of the United States forever made a voter. Now, ladies and gentlemen, every argument through which an extension of the suffrage has been

already accomplished, applies with still greater force in the case of women. The extension of the suffrage to woman, will be the last crowning step in political progress, the final application of the principles of Christianity and human brotherhood to the political structure.

[Pg 782]

We do not advocate a new principle. We only desire to make a wider application of our admitted American principles. That application is sure to be made. I do not know what party is going to accomplish it, but this widening of the political basis is as certain as the rising of the sun or the flowing of the tide. Woe be to the party that works against it! I know not whether the Republicans or the Democrats, or the good men of both parties, or an altogether new party, will take it up; but this I do know, that the political party which takes up woman suffrage, and unfolds its banner to the breeze, holds in its hand the key to political success on this continent.

I appeal to every man and woman in this audience to go to work for the great object we have at heart. Let Republicans go to their primary meetings, and offer woman suffrage resolutions there. Let Democrats go and do likewise. Let every woman take tracts bearing on the subject and give her influence and labor to the work. Let us all stand up as faithful representatives of a great idea. Sooner or later, we shall see a noble reform party in this country—I care not what its name—which will sweep away forever the dens of immorality and drunkenness by which we are surrounded, which will build up a Christian commonwealth—and rule over it—not because it is powerful in numbers, but because it is based upon the principles of the Declaration of Independence, of universal justice and of impartial liberty.

REV. HENRY WARD BEECHER said: I heartily concur with every word spoken by Mr. Blackwell, and while on this point I wish to call your attention to an argument used as against woman suffrage, by men who perhaps might otherwise be with us. They argue that universal suffrage is itself not a good but an evil, and that to add to the evil is not to correct it. "It is bad," say they, "that every white man shall vote," and it had to be pledged, for political reasons, to give the ballot to 800,000 ignorant blacks; but two bad things are not to be made right by now extending the vote to women, a great majority of whom are in the lower walks of life, and are not supposed to be competent to inform themselves. This is a most plausible argument to those who are under the unconscious influence of Pharisaism, to those who think that wisdom lives and dies with them. It is a strong argument, too; I don't know that you can put any stronger; but I am bold to make the statement that, low and bad as human nature may be in some of its phases, there is nothing in this world that is so safe to trust or to believe in. And though governments may grow, and gain experience here and there with perpetually shifting dynasties and times, yet after all it is human nature that keeps governments up and gives to the world its laws. The great underlying force is genuine human nature with all its mistakes. We have recently had a great illustration of this. I wish to call your attention to one fact. If there was anything in this world that the mass of the Northern people were unprepared for it was to take up arms for the purpose of going to war with the South. Yet when the time came, and it was flashed over the country that an attack was made at the life of the Government, take notice that while the South grew weaker and weaker in furnishing material for the army, the North grew stronger and stronger, and had only got to its full strength at the close of the war. Now during that time, by the votes of the people, with a great party to back up the opposition, with all the old predilections in favor of the South, and the natural unwillingness of men to burden themselves with taxation, this country, in which there was substantially a universal manhood suffrage, voted to burden itself until three thousand millions of debt was rolled up. There is an instance of what men will do with universal suffrage. Yes, and that among the common people; for the large copperhead element was to be found among capitalists, not among the masses. "Well, but," it may be said, "sober second thought will come; wait until the people come to pay the debt, when currency depreciates and greenbacks become scarce!" Now as they had gone to the war for a sentiment, a patriotic sentiment, not because they had received material damage or expected any pecuniary damage from the South, but purely from the glorious sentiment of a united country, as they fought through four years of the war backed up by votes at home, so when the question came up, "Will you sustain the honor of the Government? Will you pay the debt that has been incurred?" look at the answer. Never did trap of dishonesty, so concealed in its interior structure, present so tempting a bit of cheese to humanity. Yet when the question came, after full discussion and trial in all the States of the North successively, by majorities that no man will choose now to gainsay or resist, by overwhelming majorities, they said, "The debt shall be paid, every penny of it!" The North so voted. It was the common people that voted it; men that live on wages. By that experiment two things were shown; one that when the whole people are appealed to, they do stand up to the interests of the States better than educated classes do; and the other, that when it comes to the question of sentiment or National integrity, the common people are to be trusted; and it is not the day, in the face of the magnificent disclosures of that trying time, to say that it is unsafe to trust the welfare of a country in the hands of such people. I say there is no man that comes to years of discretion who is not fit for the responsibilities of citizenship. Women will also improve when we welcome them to the open air of liberty.

[Pg 783]

The sum of all these remarks is simply this, "Amen" to Brother Blackwell.

LUCY STONE came forward and reminded the audience that a bill is now before Congress which provides that the employees in the Government departments at Washington and in both Houses of Congress shall be equally paid irrespective of sex, and that petitions should be sent to Congress advocating the passage of the bill; that blanks for the purpose would be found in the hall, and she hoped the friends of the cause would sign them. She read a letter from Mr. Giles B. Stebbins regretting his inability to be present, and expressing confidence in the ultimate triumphant success of the cause.

MR. POWELL, of the *Anti-Slavery Standard*, was introduced: Ladies and gentlemen—My first feeling this morning was one of congratulation in view of the encouraging auspices under which we meet here to advocate the enfranchisement of women. I regard this movement to-day as just entering upon its earliest efficient practical work. The era of curiosity and novelty is past. There is no longer in the public mind that feeling which has hitherto manifested itself in connection with the discussion of the proposition that women should vote. We have now to contend with the more difficult and solid portion of the problem. The right of woman to speak has been argued and settled; the right of

woman to the ballot has been quite generally admitted—indeed, almost universally so—as it must be by any one who observes carefully the arguments used to justify the extension of the ballot to men. By the ratification of the XV. Amendment the question has been finally settled in regard to all men, excepting perhaps the Indians and Chinese, who may, however, be interpreted by and by as having citizenship under this amendment. Logically and inevitably, therefore, we come at this time to the consideration of Mr. Julian's XVI. Amendment, as something which, if we were not arguing for it, somebody else would be. It is the logical sequence of what has gone before in the way of the experiment of republican government in this country. There is no one—either American or foreign-born—who has observed the workings of our institutions and the progress of our country, who will say that we must stand still. We must either go forward in our work of extending suffrage until we finally reach universal suffrage, or go back to a one-man power. The victims of the slave power are to-day standing erect in the possession of equal citizenship on the basis of absolute legal equality with the white men of the country. Therefore, with slavery abolished, with our free-school system, with newspapers scattered all over like snow-flakes throughout the country, with free thought and free education, there is not such a thing probable or possible as our going backward to the system of one-man power. The question now to be decided is the enfranchisement of women. And this question is at last fairly before the world—not in newspapers alone, but in State Legislatures, and even in Congress. Propositions are pending in Washington for the enfranchisement of the women of the District of Columbia, and for the enfranchisement by Congressional authority of the women of the Territories. There is also a Constitutional amendment proposed, which, if successful, will abolish all political proscription on account of sex everywhere throughout the country. My advice would be to concentrate directly our chief energy on the larger part of the problem. I believe in State action. I think it would be well to go to Albany and to the Massachusetts Legislature and to the Ohio Legislature, and to the Legislatures of all the States, and to urge that the States take the initiative and enfranchise their women. But I do not expect that any one State, whatever may be the political opinion of that State, will go much in advance of the nation at large. It seems to me that no political party existing in any one State can establish the precedent of woman's enfranchisement much in advance of the National Government. I think it therefore the part of wisdom to concentrate directly upon the National Legislature. I believe that one object of this Convention to-day should be to concentrate its voice in an emphatic resolution, asking that Mr. Julian's amendment be not allowed to slumber into the hot weather of July, and then be passed over entirely. I think we should make the voice of this Association felt as a power for immediate effective work in the direction I have indicated; and, if we speak earnestly, we shall be felt and heard. Let us concentrate first upon the XVI. Amendment and the proposition to enfranchise the women of the District of Columbia. I hold that that District should be the first battle-ground for the women of America to a national precedent, as it was in the prior struggle for the abolition of slavery. The District is immediately under the supervision of your Representatives and mine, and members of Congress are to be held personally responsible for the government which prevails there. Let us then demand of Congress—demand, I say, because that is the language of earnest reform—that it give us forthwith, before the adjournment of the present session, a law of equal suffrage for the women of the District of Columbia. In the light of the recent action of the British Parliament, is this asking too much? Should not we Americans be up to the level of a test vote on this question—which has never yet been reached either in the Senate or House of Representatives?

The President introduced GRACE GREENWOOD, who said: "I rise to a personal explanation," as we say in Washington. When Colonel Higginson yesterday overwhelmed me with his compliment, by the proposition that I should belong to the Congress of the United States, I wanted to say—had I not been so overwhelmed—in order to set myself "right before the country," that there had been no previous understanding between Colonel Higginson and myself; and that as I didn't want to encourage any false hopes, and in fact didn't want to go, I should decline the nomination. I prefer the position he referred to—absolutely prefer my place in the reporters' gallery. I know that a white reporter is as good as a colored Senator, if he or she behaves himself or herself. I like to look down upon that scene of legislation and feel that I am out of it; though sometimes I feel like echoing Coldstream's opinion in looking into Vesuvius, "There is nothing in it." I like to sit in the gallery of the House and watch our few true men. When women sit there, there will be justice done to them; and, while I have the honor of reporting for the *Tribune*, there will be justice done to women when any question concerning her interests comes up in Washington. And here I would like to refer, as others who have spoken have already referred, to the work to be done in the Church. I think that many of our earnest, eloquent, high-minded, religious women should make for the pulpit. I have always felt that there was great point in the doctrine of the orthodox Church on the birth of Christ. We have a greater share in Him than men can have, as He received His humanity—His sweet, tender, suffering humanity—wholly from woman. And yet we have been made to keep silence in the house of our Father even on such festivals as Christmas and Thanksgiving. How would it seem if on these occasions the sons only were allowed to thank our heavenly Father for His care and love, and the daughters were allowed to sit quiet? But woman's piety, you know, is a very good thing for home consumption, and is supposed to consist in her quietly sitting at home and praying for her husband and sons. Goodness knows, she always has enough to pray for! There is an anecdote told of a loving son who once spoke of the inestimable blessing of a fine mother. He was a preacher in Illinois, and he said to his congregation, "Oh, my friends, I have such a mother. I remember when I was a little lad, standing by my mother's side on a Sabbath afternoon, as she sat with her Bible open before her, how she turned from the blessed Word to lay her hand upon my sunny head, and pray that I might grow up to be a minister of the Gospel and a great man; and, brethren and sisters, I stand before you to-day a living example of the efficacy of that prayer." While Mrs. Livermore was speaking so gloriously last night out of her mother's heart, of mothers robbed by the law of their little ones, what mother's heart didn't stir within her? My little one—she is about my height now—but I never have been able to get rid of the sweet weight of that baby head on my breast! My arms always have the feel of the baby in them yet; and I can not express to you the horror—the almost rage—with which I hear every story of such outrages on the maternal heart. It was this feature of mother-robbery in the system of slavery that always enraged me most against it. It was just at that point that the system dipped deepest into hell. Though slavery is gone, however, there are many evils yet remaining in the laws which should be remedied, and not the least of them is that which gives the father the entire control of the children instead of the mother. Some fathers, however, are quite willing to relinquish that control. I remember a colored woman in Washington, in whose kitchen I once happened to be for a moment, and, seeing several dark olive branches around, I said to her,

"Are these your children?" She said, "Yes." "How many have you?" She said, "Seven, and all to support." I said to her, "Have you no husband?" "Oh, yes," she said, "I have a husband; I was married by a Methodist minister down South." "Well," said I, "why don't he support the children?" "Oh," she said, "he's done gone away." "Why has he left you?" "Oh, he was a very bright man," she said (meaning that he was light in color), "and he thought that I was too black." "But," I said, "didn't he know how black you were before he married you?" "That is just what old Missus said—she said, 'Why, you know'd she was black when you married her,' and he said, 'Yes, but den she didn't have so many relations about her.'" "What relations?" "Children!" Her children, of course, and his, too. "He doesn't want so many of my relations about, so he's done gone off." When a man doesn't want to go, the children are his "property"; when he wants to desert his wife, they are her "relations." I would be willing to have the strictest morality enjoined as a qualification for the ballot. But, as it is a poor rule that would not work both ways, if that test were applied to the male voters, what a frightful disfranchisement would take place. The Democratic party would be well-nigh annihilated, and the Republican party would be in a fit state to condole with it. I think, however, that all these things will adjust themselves when they come. All bugbears seem much more terrible at a distance than when they are close enough to be grappled with.

Mr. OLIVER JOHNSON was then introduced. He said that the true germ of the present woman suffrage agitation was to be found in the foundation of the Anti-slavery Society. At the time that Society was founded, the question arose as to whether women were persons, in the sense in which that word was used in the constitution of that Society. The question gave rise to much discussion, and it was finally decided by a majority of the members that the word "person" did include women; and it was therefore determined that, in the Society, women should have all the rights that men had. And when thirty years ago the anniversary of the Society was held, it became the duty of the presiding officer on that occasion to appoint a business committee, and, in announcing the names of that committee, he included that of Abby Kelly—more lately known as that of Abby Kelly Foster—a Quaker woman of excellent character, and a devoted friend of the anti-slavery cause. The announcement of her name was the signal for much tumult, and the withdrawal for the time being of not less than one hundred and fifty clergymen, who, led by an eminent citizen, left that meeting and went down into the basement of the church and formed a new anti-slavery society, solely because a woman was permitted to serve on a committee. Mr. Johnson said that he had always had a profound belief in the triumph of the anti-slavery cause. So also did he believe in the success of the woman suffrage movement.

[Pg 787]

Mrs. Hazlett, of Michigan, was the next speaker. God, she said, says to America to-day, take now the next step in the path of national progress; then come and take thy place as the highest nation of the earth. Will America obey heaven's voice, or does republicanism exist only in name? Men of America! let the stars and stripes wave over a land true to its principles. It is not because we want to usurp power that we want the ballot. We want justice, for the sake of liberty. But, above all, gentlemen, we hold the welfare of this country our birthright as well as yours. We wish the vote because it is our right and our duty to have it. We have duties in life, in society, in the church—duties to ourselves and to our families which can not be discharged without the ballot.

When the Convention re-assembled, Mrs. Celia Burleigh, in the absence of the President, took the chair.

Miss CATHERINE E. BEECHER, who was now introduced, requested the Secretary, Mr. Blackwell, to read a paper which she had written, containing her objections to woman suffrage, to which objections Mrs. Cutler, of Ohio, would reply. Mr. Blackwell read the following:

I will first state to what I am not opposed. And, first, I am not opposed to women speaking in public to any who are willing to hear, nor do I object to women's preaching, sanctioned as it is by a prophetic apostle—as one of the millennial results. It is true that no women were appointed among the first twelve, or the seventy disciples sent out by the Lord, nor were women appointed to be apostles or bishops or elders. But they were not forbidden to teach or preach, except in places where it violated a custom that made a woman appear as one of a base and degraded class if she thus violated custom.

Nor am I opposed to a woman earning her own independence in any lawful calling, and wish many more were open to her which are now closed.

Nor am I opposed to the agitation and organization of women, as women, to set forth the wrongs suffered by great multitudes of our sex, which are multiform and most humiliating. Nor am I opposed to women's undertaking to govern both boys and men—they always have done it, and always will. The most absolute and cruel tyrants I have ever known were selfish, obstinate, unreasonable women to whom were chained men of delicacy, honor, and piety, whose only alternatives were helpless submission, or ceaseless and disgraceful broils.

Nor am I opposed to the claim that women have equal rights with men. I rather claim that they have the sacred, superior rights that God and good men accord to the weak and defenseless, by which they have the easiest work, the most safe and comfortable places, and the largest share of all the most agreeable and desirable enjoyments of this life. My main objection to the woman suffrage organizations is mainly this, that a wrong mode is employed to gain a right object.

The "right object" sought is to remedy the wrongs and relieve the sufferings of great multitudes of our sex. The "wrong mode" is that which aims to enforce by law instead of by love. It is one which assumes that man is the author and abetter of all these wrongs, and that he must be restrained and regulated by constitutions and laws, as the chief and most trustworthy method.

In opposition to this, I hold that the fault is as much, or more, with women than with men, inasmuch as that we have all the power we need to remedy all wrongs and sufferings complained of, and yet we do not use it for that end. It is my deep conviction that all reasonable and conscientious men of our age, and especially of our country, are not only willing, but anxious to provide for the best good of our sex, and that they will gladly bestow all that is just, reasonable, and kind, whenever we unite in asking in the proper spirit and manner. It is

[Pg 788]

because we do not ask, or "because we ask amiss," that we do not receive all we need both from God and men. Let me illustrate my meaning by a brief narrative of my own experience. To begin with my earliest: I can not remember a time when I did not find a father's heart so tender that it was always easier for him to give anything I asked than to deny me. Of my seven brothers, I know not one who would not take as much or more care of my interests than I should myself. The brother who presides is here because it is so hard for him to say "No" to any woman seeking his aid.

It is half a century this very spring since I began to work for the education and relief of my sex, and I have succeeded so largely by first convincing intelligent and benevolent women that what I aimed at was right and desirable, and then securing their influence with their fathers, brothers, and husbands; and always with success. American women have only to unite in asking for whatever is just and reasonable, in a proper spirit and manner, in order to secure all that they need.

Here, then, I urge my greatest objections to the plan of female suffrage; for my countrywomen are seeking it only as an instrument for redressing wrongs and relieving wants by laws and civil influences. Now, I ask, why not take a shorter course, and ask to have the men do for us what we might do for ourselves if we had the ballot? Suppose we point out to our State Legislatures and to Congress the evils that it is supposed the ballot would remedy, and draw up petitions for these remedial measures, would not these petitions be granted much sooner and with far less irritation and conflict than must ensue before we gain the ballot? And in such petitions thousands of women would unite who now deem that female suffrage would prove a curse rather than a benefit.

And here I will close with my final objection to woman suffrage, and that is that it will prove a measure of injustice and oppression to the women who oppose it. Most of such women believe that the greatest cause of the evils suffered by our sex is that the true profession of woman, in many of its most important departments, is not respected; that women are not trained either to the science or the practice of domestic duties as they need to be, and that, as the consequence, the chief labors of the family state pass to ignorant foreigners, and by cultivated women are avoided as disgraceful.

They believe the true remedy is to make woman's work honorable and remunerative, and that the suffrage agitation does not tend to this, but rather to drain off the higher classes of cultivated women from those more important duties to take charge of political and civil affairs that are more suitable for men.

Now if women are all made voters, it will be their duty to vote, and also to qualify themselves for this duty. But already women have more than they can do well in all that appropriately belongs to women, and to add the civil and political duties of men would be deemed a measure of injustice and oppression.

Mrs. H. M. T. CUTLER, of Ohio, then rose to reply. She said: I account myself happy to be allowed to stand here to reply to the objections of my friend, Miss Beecher. There is one point where I feel that her argument is not as strong as most of her arguments are. We enjoy things of privilege, if privileges are granted; but we enjoy things of right, because they are right—not otherwise. All that she says of good men, and of what good men will do for women, only goes to show what everybody has already known, that she had for a father one of the first Christian gentlemen in the United States or in the world; and for brothers seven men of princely virtue, and highest and noblest Christian attainments. If the world was made up of all such people, there would be no need of laws. Miss Beecher may well speak for such men as they, and they may well speak for such women as she. If I make a petition for something, and that petition does not clearly express a right that is due me, but instead, asks for something that may be withheld without moral guilt, that is a privilege; but when I come and demand that which is a right, the condition is altogether changed. I claim the right because it is God-given. We have in the advanced age of Christianity, those who do not believe in the use of physical force on any account whatever. They are non-resistants; but it will not be said that the vicious can be controlled by moral suasion. Society is not yet sufficiently Christianized for men not to demand of each other guarantees for the safety of each other's rights. Shall we who are in some sense the weaker sex have no guarantee for our rights?

[Pg 789]

Miss Beecher makes the point that men will give, if we ask them properly. The first asking of American women was not for themselves—not for their own account. They forgot themselves in their anxiety for poor oppressed slaves. They didn't know what they had lost through long ages, from not having exerted their own powers, and established their own responsibilities. But when they came to do that, they then asked themselves, "Where are our good right hands?" I sent petitions to Congress again and again, which I had gathered from my neighbors, in regard to the abolishment of slavery in the District of Columbia and in the territories; and I have sent numbers of them in regard to this question of woman suffrage. I sent many of them to Horace Greeley, and he sent me back word, "The only good that these things will do in Congress is to help the janitor to light the fires. They do good to the people perhaps, but they do no good otherwise." We might have petitioned until the crack of doom, before Congress would have broken the chain. Why should we not demand our right to the vote, when we reflect that one vote, cast in the State of Indiana, was the means of electing a man whose vote in Congress turned the scale, and enacted the "Fugitive Slave Law"—that law which put the collar upon every bondsman's neck, and branded him the property of every Southern master.

I admit the great responsibility of the ballot, and if we are true women, we shall assume it with a full appreciation of that responsibility, and a determination to do our whole duty in its exercise. The argument that many women do not desire the ballot reminds me of an old colored woman whom I met soon after the war. I said to her, "Some people say they think your people are really almost sorry that they have been made free; that they were more comfortable as slaves." She said, "Is it possible that any person thinks like that? Can it be that any colored person feels like that?" I said, "I have heard people say so." "Then," said she, "if anybody feels like that they deserve to be slaves—doubly slaves—slaves in this world and slaves in the next." The woman that is not willing to assume

the responsibility of casting a vote upon a question that may decide whether in her individual neighborhood or precinct there shall be grog-shops and houses of prostitution open, and there shall be no proper care of the poor and needy and infirm—I say that if there is any woman who is not willing to assume such responsibilities, it seems to me that she must feel that it is a judgment on her, should her own husband or son or the daughter of her heart, or all of them, become sufferers in consequence of the evil that she might have stayed had she been willing to uphold the exercise of that right.

We ask only for the same right that is accorded to the poorest man landing on our shores. Is the giving of the ballot to a foreigner who comes among us a burden so great that he should not have it imposed upon him? And shall an American woman shrink from her duty when there is so much power in her hands for good? I know that a great many women have not been educated up to a condition that would teach them fully how to act. Like the slave, they have had too much thinking and acting done for them, until now they feel incompetent to discharge these duties for themselves. Our great duty, then, which we who know better should consider imposed upon us, is that of educating women up to the proper standard. Shall we be beggars for that which is, of right, ours? Shall there not be one law for the brothers and the daughters throughout this entire country? As Mr. Beecher has well said, women have borne their full share of martyrdom; and it strikes me that it is now about time for her redemption from the evils of her position. If she has to suffer from the evils of a defective or vicious system of laws, put in her hands the power to protect herself, to mitigate the sufferings of her sex, to preserve and defend the right and to suppress the wrong.

[Pg 790]

Mrs. MIRIAM M. COLE spoke at some length. The spirit of '76, she said, influenced Mrs. John Adams to write to her husband to inquire if it were generous in American men to keep their wives in thralldom, when they were emancipating the whole earth. Had the spirit of that letter animated the wife of Mr. Lincoln when his emancipation proclamation was issued, how pertinently could she have made the same inquiry! The laws regarding women were written down so plain that those may run who read, and they who read had better run.

Mrs. CELIA BURLEIGH said: Several references have been made to the work of women in the church. I am glad to be able to introduce to you now the pastor of one of the most popular churches of New Haven, and whose church, I am happy to say, is crowded every Sunday—Rev. Phebe A. Hanaford.

Mrs. HANAFORD said: Speaking with Horace Greeley a few weeks ago, he replied to my query why he was not in favor of woman suffrage, by saying that he did not think women would gain the opportunity of suffrage or improve the opportunity if they had it, until they should come to consider suffrage a duty, and he declared that he had never known any one to advocate woman suffrage on the ground of duty.

I was amazed at his assertion in the face of all the speeches and lectures which such women as Lucretia Mott and her conscientious co-laborers had made and delivered during the last twenty years. The very next night, I heard Anna Dickinson in the largest hall in New Haven, and before nearly 3,000 people, urge the women present to consider their duty to this vast Republic in which we dwell, and whose starry banner is as dear to women as to men. The keynote of her bugle-call to the rescue was the idea of duty, and that is the idea which inspires the women on this platform to-day, while thousands of hearts throughout our Union respond, with the same sentiment, to their appeals from the platform, the pulpit, and the press.

Leading reformers of the world are telling us in clarion notes, and in thunder tones, with the voice of warning or of appeal, that woman owes service to the State, and that it is her duty to strive earnestly that she may have that ballot in her own hand which shall be at once her educator and protector, her sceptre and her sword. But I have heard the Master's voice, speaking through Lucy Stone and her co-workers, and speaking in my own soul also, declaring that I, in common with every other woman in this grand Republic, have a duty to the State that must not be ignored. In the home, and in the church, most women acknowledge they have duties—but as to the State they hesitate. Oh, if they would but "gather into the stillness," as the Friends say, and listen reverently to the voice within, I think they would often hear the solemn utterance, "These ought ye to have done, and not to leave the other undone." Every woman who has tried to do her whole duty in the family, tried faithfully to make home a foretaste of heaven, with its abounding peace and love, tried with a mother's prayers, a mother's tears, a mother's unselfish, self-denying love, to train her darlings for the skies—every such woman deserves the gratitude of humanity, and that sweetest of rewards to a mother's heart, viz; that "her children shall rise up, and call her blessed;" while every woman who superadds to this unselfish devotion to home and children, a lifelong fidelity to the church in which she was reared, or has adopted; every woman who has worshiped devoutly at the shrine her own soul has accepted, following meekly in the footsteps of Him who went about doing good—every such woman deserves the wreath of immortal amaranths which angel hands are weaving for her brow—but more than all, she who crowns her home work and her religious endeavors with a service to the State, which of necessity touches the great questions of reform, and aids in the settling of vast problems wherein the weal or woe of a nation is concerned—that woman, from the centre of her individual responsibility, reaches out to the circumference of her individual influence, and desires to receive from the lips of the dear Lord himself, the "Well done, thou good and faithful servant, enter thou into the joy of thy Lord"—the joy of a completed mission. The recording angel will write such a woman's name with that of Abou Ben Adhem, who loved his fellows, and in serving humanity served God.

[Pg 791]

The single point which I wish to present to the women before me at this hour and in these brief remarks is this, then; that it is your solemn, sacred duty, as you love God and the truth, and human welfare, to seek the ballot, and, having obtained it, to use it in purifying our statute-books and making them read more like the oracles of God—the eleven Commandments, and the Golden Rule.

Mrs. MARY F. DAVIS, of New Jersey, observed that in a court room of New York, a lawyer—she understood—recently stated that according to law the husband of a woman has such control over her as to "own" her; that man was made for God and woman for man! She asked if those present accepted that law [A voice, No!] Do you, said she, own your own persons, according to the law of God, or do you not? Our brothers tell us that women would be contaminated by going into the court

rooms and sitting on juries; that women must be kept from these places because it would impair their delicacy. Well, if women were wholly excluded from our court rooms the case would be different. But when in the mornings we take up the daily papers, how frequently do we read of some poor young creature who has been arrested and taken to the court room, to be tried by a jury of men; and carried perhaps from there to a place of imprisonment, with no pitying woman's eye or heart or hand to give her a ray of comfort. And these poor, forlorn creatures shall be deprived of our sympathy and left to perish because we are too "delicate" to come to their assistance! These may be daughters of good people, and may once have been good and pure as any. They might be your daughters or mine. Brothers, they might be your sisters or your daughters! Oh! change the laws that bear so hard on women. Give us such laws as will allow your wives and mothers—those in whom you have confidence and whom you love—to come, with a mother's heart, and help rescue these deserted and fallen and miserable ones.

[Pg 792]

LUCY STONE here read a letter of regret from William Lloyd Garrison, in which he stated that he was ill and confined to his bed, and therefore unable to be present. She read, also, a letter from Mrs. Haskell, of California, expressing earnest and hearty sympathy in all that is done at the East for woman suffrage, and the assurance that on the Pacific slope the good work is becoming daily stronger and more hopeful.

Mrs. TAPPAN gave an interesting account of some of the Indian tribes in Mexico and California, who, she thought, had in one sense a higher idea of the capacity of woman than their more civilized brethren. The Navajos, on one occasion, when a United States Commission composed of General Sherman, General Terry, and other officers of the army, went to them to treat with them on behalf of the Government, refused to enter the officer's quarters for the purpose of discussion or decision of their difficulties, unless their squaws were permitted to participate in the deliberations, and the officers were obliged to allow the women to come in.

The evening session of the convention was called to order by LUCY STONE. Steinway Hall was filled with an earnest and interested assembly, numbering about a thousand persons.

Mrs. CHURCHILL, of Providence, R. I., was the first speaker. She spoke at some length, and asserted the undoubted right of women to the suffrage. She referred to the fear which men entertained, or pretended to entertain, of women neglecting every other duty attaching to them simply because they should get suffrage. Men do not find voting so exceedingly incompatible with the other duties of life that they should have such fear of woman suffrage. Women are not asking for *bon-bons* in this matter. They are demanding that which belongs to them. They are not children, nor idiots, and they ought to have the same right of action as is accorded to sane men.

The address of Mrs. JULIA WARD HOWE was as follows: This mighty edifice of the ideal society has many mansions, whose doors open one after the other in the ruins of the ages. When Providence has removed the mysterious seal from one of these doors those who know the signs of the times gladly enter. And soon the halt and the lame and the blind hear of the new refuge, the new benefaction, and make haste to crowd its halls and parlors. America itself was at first such a refuge. The derided Puritans rode there nobly across the highway of the ocean. By and by it leaked out that civil and religious liberty had made a good thing of it, and then the Old World began to sneak over into the spacious domain of the New. And now it comes with such a tide that we can scarcely build cities and railroads fast enough for its accommodation. America is to the nations a house of God—a divinely appointed city of refuge. Poorly have we administered that house of God, because we ourselves were undivine. But we have improved a little—we have learned some lessons—we have opened some doors. And every lesson that we have learned has shown us more and more of the grand but terrible labor which lies before us. What one should be, and know, and intend, in order to come up to the standard of an American, that is something which as yet puts most of us to the blush, not for being so much, but so little children of the New World; for this may the Old World deride us.

[Pg 793]



Julia Ward Howe

I can not see this New World as it ought to be, in my remotest vision, without many changes in what it is. Looking towards this great aim of building a Christian state, I see the position of woman as wrong and harmful. Wrong to herself since she is pushed one remove further from the divine than man—she, born of the same humanity and divinity with himself. Wrong to society since she, with special gifts and powers for its aid and advancement, is forcibly restrained to the functions which man deigns to allow her; her attitude to law, labor and life being determined by him through the old principle of barbarism, the predominance of physical force.

Which shall I treat first, the wrong done to the individual or that done to society? I will start with the individual. And from the start I will say that the very instinct of secondariness, so often postulated as a reason for the social subjection of women, is, on the part of those who urge it, either an invention or an error. The instinct, as I understand it, is all the other way. The little girl does not know in herself any inferiority to the boy. He can perhaps beat her, but while he may consider this a mark of superiority, she is too wise to accept it as such. In their lessons she flies where he walks. She cries for his floggings oftener than he can laugh at her failures. She needs less machinery than he to arrive at the same mental and moral results. Nature has given him a mental hammer, but it has given her a mental needle, and she has embroidered the rainbow before he has forged the thunder. How does he overtake her swift steps? How tame and bind her fiery soul?

Now I confess that he has an accomplice greater than himself. The girl, coming upon the full consciousness of womanhood, comes also upon that of its opposite. The primal divine unity of the race makes itself felt in her dreamy bosom. She is but half of the ideal—the perfect human being—the other half is not yet hers; she must seek diligently till she find it. Do not laugh. The pilgrimage of Psyche is performed by every maiden soul; but love, the supreme god, in the little child is not always found. So far, so good. The woman often finds a mate; sometimes has quite a selection of mates offered her. If she finds the complement of her incomplete being, what more can she want? What wrong is done her? This simply. If her single life was incomplete, that of her partner without her was no less so. The need of marriage was equal with both. Nay, but for the aid of vices to which the male part of society give system and culture, the need of marriage on his part will be more imperative than on hers. Its natural burdens fall with fivefold force on her. She must bear the children. She must give the flower of her life to services full of weariness and of anguish. Now, however the matter may stand between man and woman, the State's need of marriage is imperative. And as the State commands marriage, and as the woman contracts marriage as an obligation to the State, the State is bound by every sacred obligation of justice to render the contract an equal one. And here comes up again the barbaric element—the predominance of physical force. "Shall this softer, gentler, more fragile creature be the equal of the ruder, stouter man?" "Yes," says your Christianity, "She is a divine institution, as you are; she desires the same culture, the same respect, the same authority." "No," says your barbarism, "I can oppress her, and I will. We won't call it oppression, if you please. We'll call it protection. I'll keep her money, and her children, and her body, and her soul. I'll keep them all for her. She can ask me for what she wants. I shall always know whether it is best for her to have it or no."

[Pg 794]

Now, here it is true physical ascendancy of the man which renders the assumption of this position possible. Great as this power is, he has taken pains to increase it by an immense array of aids and appliances. He has kept the woman ignorant of all the technologies of the world. Fatal renewal of the Hebrew myth, he has eaten of the tree of knowledge, has kept the fruit for himself. Society can not be governed without law and logic. The use of these the man has monopolized, encouraging in the woman the natural gifts and accomplishments which give him most delight—dress and dance, and the sweet voice and graceful manner, and, above all the ready acquiescence in his sovereign pleasure. But let her ask him for the methods by which she may analyze his actions and his intuitions, and he says, "No." No college door shall open for her, no nursery of law, medicine or theology. Philosophy, the science of sciences—which Dictrina taught to Socrates, who teaches it to the world to-day—that would give her the key to all the rest. She may get it, if she can.

We have brought our theoretical woman up to the period of marriage and maternity. Here the intensity of personal feeling and interest monopolize her. Her nursery is full of pains and pleasures, but its delights predominate, and though she will need more than ever the help of outside culture and sympathy, she is yet tied by her affections even more than by her duties to a centre of feeling too intense to generate a wide circle. Here, too, the enforced inequality of institutions pursues her. The children, born at such cost of suffering, are not hers in the eye of the law. The right to them which nature puts primarily in the mother, society has long vested almost absolutely in the father. In case of any difference between them he will say, "I am the father—my will must be obeyed." And what he will say in private the law will say in public. Mrs. Stone records a piteous case in which an unborn child was willed by its dying father to relatives in a foreign country in which the widowed mother suffered the pains of childbirth, that other hearts than hers might be gladdened by her dearly-bought treasure. This young woman was described as in a maze of bewilderment at the presence on the statute-book of a law so miraculously wicked. We all hope that in such laws there comes a great deal of dead letter, but the dead letter itself stinks and is corrupt. The book of justice should be purged of such unhallowed corpses.

In the nursery the mother is called upon to set forward the same injustice which presided over her own education. "Preaching down a daughter's heart," the beautiful phrase of Tennyson, becomes the duty of every woman who finds in her daughter saliency of intellect and individuality of will. Mediocrity is the standard! "Seek not, my child, to go beyond it. Thou hast thy little allotments. The French must be thy classics, the house accounts thy mathematics. Patchwork, cooking, and sweeping thy mechanics; dress and embroidery thy fine arts. See how small the spheres. Do not venture outside of it, nor teach thy daughters, when thou shalt have such to do so."

[Pg 795]

And so we women, from generation to generation, are drilled to be the apes of an artificial standard, made for us and imposed upon us by an outsider; a being who, in this attitude, becomes our natural enemy.

Mrs. LUCY STONE said: There have always been good and able men ready to second us, and to say their best words for our cause. Among the first of these is Mr. George William Curtis, whom I have

now the pleasure to introduce.

Ladies and Gentlemen.—It is pleasant to see this large assembly, and this generous spirit, for it is by precisely such meetings as this that public opinion is first awakened, and public action is at last secured. Our question is essentially an American question. It is a demand for equal rights, and will therefore be heard. Whenever a free and intelligent people asks any question involving human rights or liberty or development, it will ask louder and louder until it is answered. The conscience of this nation sits in the way like a sphinx, proposing its riddle of true democracy. Presidents and parties, conventions, caucuses, and candidates, failing to guess it, are remorselessly consumed. Forty years ago that conscience asked, "Do men have fair play in this country?" A burst of contemptuous laughter was the reply. Louder and louder grew that question, until it was one great thunderburst, absorbing all other questions; and then the country saw that its very life was bound up in the answer; and, springing to its feet, alive in every nerve, with one hand it snapped the slave's chain, and with the other welded the Union into a Nation—the pledge of equal liberty.

That same conscience sits in the way to-day. It asks another question, "Do women have fair play in this country?" As before, a sneer or a smile of derision may ripple from one end of the land to the other; but that question will swell louder and louder, until it is answered by the ballot in the hands of every citizen, and by the perfect vindication of the fundamental principle, that "governments derive their just powers from the consent of the governed." By its very nature, however, the progress of this reform will differ from every other political movement. Behind every demand for the enlargement of the suffrage, hitherto there was always a threat. It involved possible anarchy and blood. But this reform hides no menace. It lies wholly in the sphere of reason. It is a demand for justice, as the best political policy; an appeal for equality of rights among citizens as the best security of the common welfare. It is a plea for the introduction of all the mental and moral forces of society into the work of government. It is an assertion that in the regulation of society, no class and no interest can be safely spared from a direct responsibility. It encounters, indeed, the most ancient traditions, the most subtle sophistry of men's passions and prejudices. But there was never any great wrong righted that was not entrenched in sophistry—that did not plead an immemorial antiquity, and what it called the universal consent and "instinct" of mankind.

I say that the movement is a plea for justice, and I assert that the equal rights of women, not as citizens, but as human beings, have never been acknowledged. There is no audacity so insolent, no tyranny so wanton, no inhumanity so revolting, as the spirit which says to any human being, or to any class of human beings, "You shall be developed just as far as we choose, and as fast as we choose, and your mental and moral life shall be subject to our pleasure!"

[Pg 796]

Edward Lear, the artist, traveling in Greece, says that "he was one day jogging along with an Albanian peasant, who said to him, 'Women are really better than donkeys for carrying burdens, but not so good as mules.'" This was the honest opinion of barbarism—the honest feeling of Greece to-day.

You say that the peasant was uncivilized. Very well. Go back to the age of Pericles; it is the high noon of Greek civilization. It is Athens—"the eye of Greece—the mother of art." There stands the great orator—himself incarnate Greece—speaking the oration over the Peloponnesian dead. "The greatest glory of woman," he said, "is to be the least talked of among men;" so said Pericles, when he lived. Had Pericles lived to-day he would have agreed that to be talked of among men as Miss Martineau and Florence Nightingale are, as Mrs. Somerville and Maria Mitchell are, is as great a glory as to be the mother of the Gracchi. Women in Greece, the mothers of Greece, were an inferior and degraded class. And Grote sums up their whole condition when he says, "Every thing which concerned their lives, their happiness, or their rights, was determined for them by male relatives, and they seem to have been destitute of all mental culture and refinement."

These were the old Greeks. Will you have Rome? The chief monument of Roman civilization is its law—which underlies our own; and Buckle quotes the great commentator on that law as saying that it was the distinction of the Roman law that it treated women not as persons, but as things. Or go to the most ancient civilization; to China, which was old when Greece and Rome were young. The famous French Jesuit missionary, Abbé Huc, mentions one of the most tragical facts recorded—that there is in China a class of women who hold that if they are only true to certain bonds during this life, they shall, as a reward, change their form after death and return to earth as men. This distinguished traveler also says that he was one day talking with a certain Master Ting, a very shrewd Chinaman, whom he was endeavoring to convert. "But," said Ting, "what is the special object of your preaching Christianity?" "Why, to convert you, and save your soul," said the Abbé. "Well, then, why do you try to convert the women?" asked Master Ting. "To save their souls," said the missionary. "But women have no souls," said Master Ting; "you can't expect to make Christians of women,"—and he was so delighted with the idea that he went out shouting, "Hi! hi! now I shall go home and tell my wife she has a soul, and I guess she will laugh as loudly as I do!"

Such were the three old civilizations. Do you think we can disembarass ourselves of history? Our civilization grows upon roots that spring from the remotest past; and our life, proud as we are of it, is bound up with that of Greece and Rome. Do you think the spirit of our society is wholly different? Let us see. It was my good fortune, only a few weeks ago, to be invited to address the students of Vassar College at Poughkeepsie; which you will remember is devoted exclusively to the higher education of women. As I stood in those ample halls, and thought of that studious household, of the observatory and its occupants, it seemed to me that, like the German naturalist, who, wandering in the valley of the Amazon, came suddenly upon the *Victoria Regia*, so there, in the valley of the Hudson, I had come upon one of the finest flowers of our civilization. But in the midst of my enthusiasm I was told by the President that this was the first fully endowed college for women in the world; and from that moment I was alarmed. From behind every door, every tree, I expected to see good Master Ting springing out with his "Hi! hi! you laugh at us Chinese barbarians; you call yourselves in America the head of civilization; you claim that the glory of your civilization is your estimate of women; you sneer at us Chinese for belittling women's souls and squeezing their feet. Who belittle their capacities? Who squeeze their minds?" We must confess it. The old theory of the subservience of women still taints our civilization.

[Pg 797]

You open your morning paper and read that on the previous evening there was a meeting of intelligent and experienced women, with some that were not so, which is true of all general meetings of men and women; and these persons demanded the same liberty of choice, and an equal opportunity with all other members of society. But the report of the meeting is received with a shout of derisive laughter that echoes through the press and through private conversation. Gulliver did not take the Lilliputians on his hands and look at them with more utter contempt than the political class of this country, to which the men in this hall belong, take up these women and look at them with infinite, amused disdain. But in the very next column of the same morning paper we find another report, describing a public dinner, at which men only were present. And we read that after the great orators had made their great speeches, in the course of which they complimented woman so prettily, to the delight of the few privileged ladies who stood behind the screens, or looked over the balcony, or peeped in through the cracks of the windows and doors; and when the great orators had retired with the President, amid universal applause, the first Vice-President took the head of the table and punch was brought in. And well toward morning, when the "army" and "navy" and the "press" and the "Common Council" had been toasted and drank, with three times three, and Richard Swiveller, Esq., had sung his celebrated song, "Queen of my soul!" the last regular toast was proposed—"Woman—heaven's last, best gift to man," which was received with tumultuous enthusiasm, the whole company rising and cheering, the band playing "Will ye come to Kelvin Grove, bonnie lassie, O?" and in response to a unanimous call, some gallant and chivalric editor replied in a strain of pathetic and humorous eloquence, during which many of the company were observed to shed tears or laugh, or embrace their neighbors; after which those of the company who were able rose from the table, and hallooing, "We won't go home till morning!" they hiccoughed their way home. This report is not read with great derision or laughter. It is not felt that by this performance women have been insulted and degraded.

Here, at this moment, in this audience, I have no doubt there is many a man who is exclaiming with fervor—"Home, the heaven-appointed sphere of woman." Very well. I don't deny it, but how do you know it? How can you know it? There is but one law by which any sphere can be determined, and that is perfect liberty of development. I look into history and the society around me, and I see that the position of women which is most agreeable upon the whole to men is that which they call the "heaven-appointed sphere" of woman. It may or may not be so; all that I can see thus far is that men choose to have it so. A gentleman remarks that it is a beautiful ordinance of Providence that pear-trees should grow like vines. And when I say, "Is it so?" he takes me into his garden, and shows me a poor, tortured pear-tree, trained upon a trellis. Then I see that it is the beautiful design of Providence that pear-trees should grow like vines, precisely as Providence ordains that Chinese women shall have small feet; and that the powdered sugar we buy at the grocer's shall be half ground rice. These philosophers might as wisely inform us that Providence ordains Christian saints to be chops and steaks; and then point us to St. Lawrence upon his gridiron.

[Pg 798]

Has nature ordained that the lark shall rise fluttering and singing to the sun in the spring? But how should we ever know it, if he were prisoned in a cage with wires of gold never so delicate, or tied with a silken string however slight and soft? Is it the nature of flowers to open to the south wind? How could we know it but that, unconstrained by art, their winking eyes respond to that soft breath? In like manner, what determines the sphere of any morally responsible being, but perfect liberty of choice and liberty of development? Take those away, and you have taken away the possibility of determining the sphere. How do I know my sphere as a man, but by repelling everything that would arbitrarily restrict my choice? How can you know yours as women, but by obedience to the same law?

It is not the business of either sex to theorize about the sphere of the other. It is the duty of each to secure the liberty of both. Give women, for instance, every opportunity of education that men have. If there are some branches of knowledge improper for them to acquire—some which are in their nature unwomanly—they will know it a thousandfold better than men. And if, having opened the college, there be some woman in whom the love of learning extinguishes all other love, then the heaven-appointed sphere of that woman is not the nursery. It may be the laboratory, the library, the observatory; it may be the platform or the Senate. And if it be either of these, shall we say that education has unsphered and unsexed her? On the contrary, it has enabled that woman to ascertain so far exactly what God meant her to do.

The woman's rights movement is the simple claim, that the same opportunity and liberty that a man has in civilized society shall be extended to the woman who stands at his side—equal or unequal in special powers, but an equal member of society. She must prove her power as he proves his.

And so when Joan of Arc follows God and leads the army; when the Maid of Saragossa loads and fires the cannon; when Mrs. Stowe makes her pen the heaven-appealing tongue of an outraged race; when Grace Darling and Ida Lewis, pulling their boats through the pitiless waves, save fellow-creatures from drowning; when Mrs. Patten, the captain's wife, at sea—her husband lying helplessly ill in his cabin—puts everybody aside, and herself steers the ship to port, do you ask me whether these are not exceptional women? I am a man and you are women; but Florence Nightingale, demanding supplies for the sick soldiers in the Crimea, and when they are delayed by red tape, ordering a file of soldiers to break down the doors and bring them, which they do—for the brave love bravery—seems to me quite as womanly as the loveliest girl in the land, dancing at the gayest ball in a dress of which the embroidery is the pinched lines of starvation in another girl's face. Jenny Lind enchanting the heart of a nation; Anna Dickinson pleading for the equal liberty of her sex; Lucretia Mott, publicly bearing her testimony against the sin of slavery, are doing what God, by His great gifts of eloquence and song, appointed them to do. And whatever generous and noble duty, either in a private or a public sphere, God gives any woman the will and the power to do, that, and that only, for her, is feminine.

[Pg 799]

But have women, then, no sphere as women? Undoubtedly they have, as men have a sphere as men. If a woman is a mother, God gives her certain affections, and cares springing from them, which we may be very sure she will not forget, and to which, just in the degree that she is a true woman, she will be fondly faithful. We need not think that it is necessary to fence her in, nor to suppose that she would try to evade these duties and responsibilities, if perfect liberty were given her. As Sydney

Smith said of education, we need not fear that if girls study Greek and mathematics, mothers will desert their infants for quadratic equations, or verbs in *mi*.

But the sphere of the family is not the sole sphere either of men or women. They are not only parents, they are human beings, with genius, talents, aspirations, ambition. They are also members of the State, and from the very equality of the parental function which perpetuates the State, they are equally interested in its welfare.

Is it said that she influences the man now? Very well; do you object to that? And if not, is there any reason why she should not do directly what she does indirectly? If it is proper that her opinion should influence a man's vote, is there any good reason why it should not be independently expressed? Or is it said that she is represented by men? Excuse me; I belong to a country which said, with James Otis in the forum, and with George Washington in the field, that there is no such thing as virtual representation. The guarantee of equal opportunity in modern society is the ballot. It may be a clumsy contrivance, but it is the best we have yet found. In our system a man without a vote is but half a man. So long as women are forbidden political equality, the laws and feelings of society will be unjust to them.

I have no more superstitious notions about the ballot than about any other method of social improvement and progress. But all experience shows that my neighbor's ballot is no protection for me. We see that voters may be bribed, dazzled, coerced; and, where there is practically universal suffrage among men, we often see, indeed, corruption, waste, and bad laws. But we nowhere see that those who once have the ballot are willing to relinquish it, and many of those who most warmly oppose the voting of women also most earnestly advocate the unconditional restoration of political rights to the guiltiest of the late rebel leaders, because they know that to deprive them of the ballot places them at a terrible disadvantage. If then it is what I may call an American political instinct, that any class of men which monopolizes the political power will be unjust to other classes of men, how much truer is it that one sex as a class will be unjust to the other.

[Pg 800]

I know, as every man knows, many a woman of the noblest character, of the highest intelligence, of the purest purpose, the owner of property, the mother of children, devoted to her family and to all her duties, and for that reason profoundly interested in public affairs. And when this woman says to me, "You are one of the governing class. Your Government is founded upon the principle of expressed consent of all as the best security of all. I have as much stake in it as you—perhaps more than you, because I am a parent—and wish more than many of my neighbors to express my opinion and assert my influence by a ballot. I am a better judge than you or any man can be of my own responsibilities and powers. I am willing to bear my equal share of every burden of the Government in such manner as we shall all equally decide to be best. By what right, then, except that of mere force, do you deny me a voice in the laws which I am forced to obey?" What shall I say? What can I say? Shall I tell her that she is "owned" by some living man, or is some dead man's "relict," as the old phrase was? Shall I tell her that she ought to be ashamed of herself for wishing to be unsexed; that God has given her the nursery, the ball-room, the opera, and that, if these fail, He has graciously provided the kitchen, the wash-tub, and the needle? Or shall I tell her that she is a lute, a moonbeam, a rosebud; and touch my guitar, and weave flowers in her hair, and sing:

"Gay without toil and lovely without art,
They spring to cheer the sense and glad the heart;
Nor blush, my fair, to own you copy these,
Your best, your sweetest empire is to please?"

No, no. At least, I will not insult her. I can say nothing. I hang my head before that woman, as when in foreign lands I was asked, "You are an American. That is the nation that forever boasts of the equal liberty of all its citizens, and is the only great nation in the world that traffics in human flesh!"

The very moment women passed out of the degradation of the Greek household and the contempt of the Roman law, they began their long and slow ascent through prejudice, sophistry, and passion to their perfect equality of choice and opportunity as human beings; and the assertion that when a majority of women ask for equal political rights they will be granted, is a confession that there is no conclusive reason against their sharing them. And if that be so, how can their admission rightfully depend upon the majority? Why should the woman who does not care to vote prevent the voting of her neighbor who does? Why should a hundred fools who are content to be dolls and do what Mrs. Grundy expects, prejudice the choice of a single one who wishes to be a woman and do what her conscience requires? You tell me that the great mass of women are uninterested, indifferent, and, upon the whole, hostile to the movement. You say what of course you can not know, but even if it were so, what then? There are some of the noblest and best of women, both in this country and in England, who are not indifferent. They are the women who have thought for themselves upon the subject. The others (the great multitude) are those who have not thought at all; who have acquiesced in the old order, and who have accepted the prejudices of men. Shall their unthinking acquiescence or the intelligent wish of their thoughtful sisters decide the question?

[Pg 801]

We can be patient. Our fathers won their independence of England by the logic of English ideas. We will persuade America by the eloquence of American principles. In one of the fierce Western battles among the mountains, General Thomas was watching a body of his troops painfully pushing their way up a steep hill against a withering fire. Victory seemed impossible, and the General—even he a rock of valor and patriotism—exclaimed, "They can't do it; they'll never reach the top!" His chief-of-staff, watching the struggle with equal earnestness, placed his hand on his commander's arm and said softly, "Time, time, General; give them time;" and presently the moist eyes of the brave leader saw his soldiers victorious upon the summit. They were American soldiers. So are we. They were fighting our American battle. So are we. They were climbing a precipice. So are we. The great heart of their General gave them time and they conquered. The great heart of our country will give us time and we shall triumph.

Mrs. LUCY STONE then introduced Hon. George W. Julian, member of Congress from Indiana. "His name," she said, "will always be held in grateful remembrance by good women as the author of the XVI. Amendment."

Mr. JULIAN said that, as a thorough-going radical in politics and a sincere believer in democracy as a principle, he could not see how he was to argue the question of woman suffrage, even if he had the time. Woman's rights, to his mind, rested upon precisely the same grounds upon which men's rights rest; and to argue the question of woman's rights is to argue the question of human rights. Subscribing as he did to the great primal truth of the sacredness of human rights, the same logic which held him to that compelled him—it is inexorable logic—to stand by the legitimate results to which it leads. The issue was between aristocracy and privilege on one side, and democracy and equality of inherent right on the other. Speaking of the XVI. Amendment, he said: "Believing as I do in democracy in the large and proper and full sense of the term, and being unwilling to write myself down a hypocrite or liar by refusing to women equal participation in rights which I insist upon for myself as a citizen of the United States, I thought it was my duty to introduce into the Congress of the United States a XVI. Amendment to the Constitution proposing to give to one half of our citizens who are to-day disfranchised a voice in the system of laws and government by which the other half of the citizens now govern them. Should it succeed, you will have a true and real democracy in this land; a Government emphatically of the people, for the people, and by the people."

Mrs. CELIA BURLEIGH was then introduced, and said: Ladies and gentlemen, I am not generally in favor of compromises, but I come before you to-night to propose a compromise. I had written a speech for the occasion, and—a—I assure you it was a very good speech. As I am compassionate, however, if you will take my word for it that it is a very good speech I will not inflict it upon you.

These remarks brought such thunders of applause, that in response to the manifest desire of the audience, Mrs. Burleigh again came forward, and delivered a highly interesting and eloquent address upon the general subject of woman's improvement, under the epigrammatic title of "Woman's Right to be a Woman." An extract or two will show the spirit with which she treats the question.

[Pg 802]

"I appeal to every true man before me if he has not looked into the faces of well-dressed men so sensual and brutal in their expression, that he would sooner a hundredfold see a sister or daughter laid in her grave than entrusted to the guardianship of such a man. Will you not give to every woman the power to maintain the integrity of her womanhood—the ownership of herself? What means the right of the drunkard's wife to be a woman? It means the power to protect herself from his drunken hate and his more frightful drunken love. It means that she be armed with a vote to repress the horrid traffic that has made her husband a brute, or, failing to save him, that she escape with untarnished honor from his polluting arms. What signifies the right to be a woman to her who must endure the daily contact of a social villain, if it be not to have all human virtue as her ally when she snaps the tie that binds her to him, and vindicates the Divine validity of marriage by breaking the fetters of the fatal sham? What is involved in the right of the Magdalen to be a woman redeemed and disenthralled from the bondage of sin? What but the entire reconstruction of society with purity for a law and charity for the executive; with more of the divine mother in man, more of manly courage and self-respecting dignity in woman; in both more reverence for humanity and a more abiding faith in the indestructible possibilities of good in every human soul."

The Convention then adjourned *sine die*.

THE FIRST ANNUAL MEETING OF THE AMERICAN WOMAN SUFFRAGE ASSOCIATION was held in Cleveland, Ohio, Nov. 22 and 23, 1870.

Col. T. W. HIGGINSON, first Vice-President, called the meeting to order, and addressed the audience substantially as follows:

REMARKS OF COLONEL HIGGINSON.

LADIES AND GENTLEMEN: I heartily congratulate you that you are again called together in this goodly city of Cleveland.

We stand to-day at the cradle of the Association, a child one year old, to celebrate its first birthday. There is nothing in the record of the past year that we have to blush for, or that we have to undo. If our work has been limited in its success, it has been because we have been limited in means. If we have not transformed the entire world it has been because the world has not poured its money into our coffers. But the great fact remains, as much as if we had accomplished a work ten times as large, that we have a great central organization, to which ten States have given a cordial and hearty support. Congress at Washington is but a small body. The amount it annually does and spends is nothing to that done and spent by the State governments. It is the keystone of our great national arch, the string upon which all State governments are strung. And so this Association is the keystone upon which all the auxiliary State organizations depend.

We meet here to-day, in a delegate meeting, for full and free discussion; none are proscribed, none prescribed. If there is anything new to be done, now is the time to do it; if anything wrong was done last year, now is the time to rectify it. This is the great, golden opportunity of this Association. It is especial cause for rejoicing that it is organized for a specific purpose, to secure the ballot to women, everything else being held for the time in abeyance. Early in the movement in behalf of women the broad platform of "woman's rights" was adopted. This was all proper and right then, but the progress of reform has developed the fact that suffrage for woman is the great key that will unlock to her the doors of social and political equality. This should be the first point of concentrated attack. Suffrage is not the only object, but it is the first, to be attained. When we gave our Association that name we escaped a vast deal of discussion and argument, for its object can not be misunderstood. But after that is gained there will be worlds yet to conquer. If the conservatives think that because it is called the Woman Suffrage Association it has no further object, they are greatly mistaken. Its purpose and aim are to equalize the sexes in all the relations of life; to reduce the inequalities that now exist in matters of education, in social life and in the professions—to make them equal in all respects, before the law, society, and the world. With this burden upon our shoulders we can not carry all the other ills of the world in addition, we must take one thing at a time. Suffrage for woman gained, and all else will speedily follow.

[Pg 803]

H. B. Blackwell, Chairman of the Committee on Credentials, presented the report of delegates present.^[188]

On motion of Mrs. Dr. Ferguson, seconded by Judge Bradwell, each delegation was authorized to cast the full vote of the State it represents. The number of votes to which each State was entitled was declared to be that of its Congressional representation.

Mrs. LUCY STONE, Chairman of the Executive Committee, read the

REPORT OF THE EXECUTIVE COMMITTEE.

Annual Report of the Chairman of the Executive Committee of the American Woman Suffrage Association:

The American Woman Suffrage Association was formed in this city one year ago under the most favorable auspices. Its one great object is to secure the ballot for woman. Through the power this will give, she may take her true place, free to use every gift and faculty she possesses, subject only to the law of benevolence. This organization has been vastly influential in securing public sympathy and respect for our ideas. The very names of its officers gave confidence, and through their confidence the cause has received large accessions of strength. We have already nine auxiliary State societies. Each of these has held conventions. Some have employed lecturers, some have organized county and local societies. All have circulated tracts and petitions. Ohio, Indiana, and Massachusetts have been especially abundant in labor. Ohio has thirty-one local societies, Indiana twenty-five, and Massachusetts five. These States have had a force of excellent speakers in the field, who, with rare self-forgetting, have worked as only those can who work with whole-hearted faith for immortal principles.

[Pg 804]

Under the auspices of this Association, a canvass was made in the State of Vermont. The sole reason which induced the Executive Committee to undertake this special work was that the Council of Censors had submitted a proposition that "henceforth women may vote, and with no other restrictions than are prescribed for men." A Vermont State Woman Suffrage Association was organized, auxiliary to the American Society.

The speech of Mr. Curtis at our May mass meeting, so admirable in style and substance we have published in a tract entitled "Fair Play for Women." Thousands of copies have been sent to all parts of the United States. It is doing its silent work by quiet firesides, where hard-working men and women, who can never attend a convention, can find time to read. We have published seven tracts, which had previously been sold at \$5.00 a hundred, at the actual cost of \$2.00 per hundred, and keep them constantly for sale at these low prices. They have been scattered broadcast, and the good seed thus sown will bear fruit in due season.

There has been steady progress in our ideas during the whole year. The *Woman's Journal*, established last January, and since consolidated with the *Woman's Advocate*, of Ohio, is constantly increasing its circulation, more than a thousand new subscribers having been added within a single month.

One of the most significant signs of progress is found in the recent action of the Republican party in Massachusetts. Their State Convention unanimously admitted Mary A. Livermore and Lucy Stone, who were regularly accredited delegates from the towns of Melrose and West Brookfield. A resolution in favor of making woman suffrage part of the platform was reported by the Committee on Resolutions. A change of only 29 votes out of 331 would have made woman suffrage this year a part of the Republican platform of Massachusetts. Thus women have been admitted to represent men in a political State Convention. The next step will be that women will represent themselves.

With all these cheering indications, we have only to keep our question of woman's right to the ballot clear and unmixed with other issues, and the growing public sympathy will soon carry our cause to a successful issue.

Judge Bradwell, of Chicago, presented the following letter to the Chair, which was read to the Association:

To the American Woman Suffrage Association;

FRIENDS AND CO-WORKERS: We, the undersigned, a committee appointed by the Union Woman Suffrage Society in New York, May, 1870, to confer with you on the subject of merging the two organizations into one, respectfully announce:

1st. That in our judgment no difference exists between the objects and methods of the two societies, nor any good reason for keeping them apart.

2d. That the society we represent has invested us with full power to arrange with you a union of both under a single constitution and executive.

3d. That we ask you to appoint a committee of equal number and authority with our own, to consummate if possible this happy result.

Yours, in the common cause of woman's enfranchisement,

Laura Curtis Bullard,	Isabella Beecher Hooker,
Gerrit Smith,	Samuel J. May,
Sarah Pugh,	Charlotte E. Wilbour,
Frederick Douglass,	Josephine S. Griffing,
Mattie Griffith Brown,	Theodore Tilton, <i>ex officio</i> .
	James W. Stillman,

[Pg 805]

Judge BRADWELL made a few remarks on the subject of the letter, advocating the union of the two organizations, and proposing the following resolution:

Whereas, In Article II. of the Constitution of the American Woman Suffrage Association it is stated, "Its object shall be to concentrate the efforts of all the advocates of woman suffrage in the United States," and whereas the Union Woman Suffrage Association, of which Theodore Tilton is President, has appointed a committee of eleven persons with full power to agree upon a basis for the union of the two national associations, now, therefore, be it

Resolved, That the convention for the purpose of carrying out the object of said association, as expressed in said Article II., and concentrating the efforts of all the friends of woman suffrage throughout the Union for national purposes, do hereby appoint.... who, with the eleven persons heretofore appointed by said Woman Suffrage Society, shall compose a joint committee with full power to form a union of the American Woman Suffrage Association and the Union Woman Suffrage Society under one constitution and one set of officers. It is further provided, after notice to all, that a majority of said joint committee shall have power to act.

The above was referred to the Committee on Resolutions.

At the afternoon session Vice-President Higginson invited the Vice-Presidents of the associations of different States to seats upon the platform.

Mrs. LUCY STONE was introduced, and gave an interesting account of the course pursued by her and Mrs. Livermore in a Massachusetts convention. Here the two ladies were received as delegates, took their places among the regular delegates of the convention, and voted with them. After that they urged their lady friends to attend the ward meetings. The women of Massachusetts, she said, paid taxes on \$100,000,000 of property, the women of Boston on \$40,000,000. She thought it good policy to work inside the parties.

Mrs. Dr. FERGUSON, of Indiana, thought it necessary to begin by sowing the seeds of the doctrine. Meetings had been held in different parts of the State. One was held on the sidewalk, was well attended, and was followed by a large meeting. Soon after, conventions were held, and though many women were afraid to take hold of the subject, others advocated it with full force. We have organized fourteen local societies. Some of these are sending out their lecturers.

Col. T. W. HIGGINSON reported that the Rhode Island Society was endeavoring to obtain the appointment of women as superintendents of reform institutions. We should have matrons in all the prisons where women are confined. I would therefore urge upon all women in their respective cities to labor in this direction. Men will vote for placing women upon all these boards.

Judge BRADWELL, of Chicago, made a short report on the condition of the suffrage party in his State.

Dr. CHILD, of Pennsylvania, said: The suggestions of our President are very important. Woman should have a position by the side of man in all public institutions. I am happy to say that in the city of Philadelphia, founded by William Penn, and to a considerable extent still under the influence of Friends, women do participate largely in our benevolent institutions and prisons. Our State organization was formed on the 22d of December last, and is auxiliary to the American Association. Our principal labor has been to increase the circulation of the *Woman's Journal* and circulate tracts.

[Pg 806]

Rev. OSCAR CLUTE, of New Jersey, thought that his State had done more for the cause of woman suffrage than many others. Mary F. Davis and others had resided there.

Mrs. M. V. LONGLEY reported that in Ohio desirable progress was manifested, and that if the coming year was as successful as the past the cause would progress well. Societies, some thirty-two in number, had been organized, and everywhere the work went on well.

Mr. HENRY B. BLACKWELL made a report for New Hampshire, where he was assured by Mrs. White and Pipher, now present, that the cause had never been so strong before.

Owing to the exceedingly inclement weather, the attendance upon the evening session of the Convention was light.

All the States represented having reported except Missouri, Mrs. Hazard, one of the delegates from that State, spoke briefly, showing that the movement is making satisfactory advance.

Judge WHITEHEAD, New Jersey, regarded the woman suffrage question as the most important topic before the American people. The only question to be asked in connection with this movement is, is it right, is it just?—not, is it expedient? With regard to the legal and constitutional conditions of this question, he said that he believed that women had a right to vote without any change in the organic law of the Nation. The speaker proceeded to discuss this question at some length, with the purpose of demonstrating that in virtue of the principle and practice of the Government of the United States in securing the ballot to men, the right to vote equally belonged to women. The speaker continued at length in advocacy of the ballot for woman as a necessity for securing her rights and remedying her wrongs.

The PRESIDENT, with some prefatory remarks, introduced Miss Rice, of Antioch College. Miss Rice announced as the theme of her address, "Woman's Work," and said that the work proper for woman is whatever she has the ability and opportunity to do. Miss Rice embraced in the discussion of her topic, considerations as to the duty of parents in rearing and teaching their children, demanding that the same principle under which boys were reared should be applied to girls, and the duty of society, which must recognize the necessity of women being instructed and taught in all that man has access to. She deprecated as one of the worst evils of our civilization that men and women were being all the time more widely separated. They must be brought nearer together.

Mrs. M. M. COLE said: That we are still so far from enfranchisement is mainly the fault of women themselves. Home talks, not Mrs. Caudle's fault-finding lectures, will do more toward convincing

men of the righteousness of their demand, than all the public harangues to which they can listen. Comparatively speaking, there are few men who do not listen and heed the counsels of a good wife, few who will not yield a willing or reluctant assent to her requests. For every exception, there may be found a wife who has never given evidence of candid, far-reaching thought; and when a man is in possession of such a one, he is not to be censured for wishing to keep the reins in his own hand.

When all women ask for the ballot, they shall have it, say many politicians. In all probability, the wives of these men have never asked it—indeed, they may have refused outright to use it, if granted. And so, blind to the interests of all, deaf to the entreaties of many, they refuse the request, making, in fact, their wives the arbiter of all women. That is not statesmanship, but partisanship, and a partisan is not one likely to comprehend a question in its broadest meaning. Husbands and wives who are not as far apart as the poles, are apt to think alike on all questions except religion and temperance, perhaps I ought to add finance. Social problems they solve by the same rule, public officers they weigh in the same balance, party measures criticise and pronounce wise or unwise with the same verdict. I know of a few advocates of woman suffrage whose husbands, fathers, brothers, or some one dearer, do not directly or indirectly aid them. So far from alienating the married pair, so far from creating domestic disturbance, the discussion of this question has called into activity faculties men never dreamed woman possessed. She has shown more fixedness of purpose, sagacity, and sound judgment, than have ever been attributed to her. Excepting the religion of Christ, which first broke the chains binding woman to a mere animal existence, and sent gleams of love and hope through the darkness in which she groped, there has been nothing which has given such an impetus to her life as the present one, set in motion by her demand for freedom. Never before in the history of the human race, have women stood so high in the estimation of men as they stand to-day.

[Pg 807]

There is but one answer to give to woman-worshippers, and that is, Take away all responsibility from me, shield me from the terrors of war, intemperance and licentiousness, and be my vicarious sacrifice in the world to come, and I'll be the thing you would have me—the echo—the reflection—the soulless divinity.

Is this an extreme view? What! can there be an extreme view, when one is considering individual freedom? Set bounds to the political, social, or religious liberty of a man, and what figures of speech would he employ? The advocates of the XV. Amendment put words into our mouths, and they must answer for them if they seem too extravagant. There is nothing under the sun that will so arouse man or woman as the fact that another, as needy, as finite as himself, sets stakes in the path of his progress, and says, "Thus far shalt thou go, and no farther." It is this assumption of men, most grievous to be borne, that has compelled woman to ask that the stakes be removed, and she be permitted to go where she wills to go.

Mrs. HANNAH B. CLARKE spoke as follows: When I am satisfied that a majority of the women of this country desire the ballot, I shall be in favor of granting the same, says the man of to-day of average ability and culture. Oh! my friend, we shall not allow you to take out a patent for magnanimity on the strength of that confession. When all the women, or even the majority of the women, shall unite in one solemn, earnest appeal for a voice in the framing of the laws which they are compelled to obey, the turf will be green over that political statesmanship which supposes that a question of right, of principle, is a question of majorities. While I do not believe that the fewness of the women in any community who really desire the ballot furnishes any man good ground for throwing his influence in the opposite scale, I do believe that the most serious hindrance to the immediate success of our cause is the opposition of women themselves.

[Pg 808]

It is one of the saddest, the most discouraging, features of any reform to find its worst foes are they of its own household. But the woman movement is not unique in this particular. Other reforms have presented the self-same characteristic. He who is familiar with the history of labor-saving machinery in this country knows that its introduction was fought inch by inch by that very class whose condition it was especially designed to ameliorate. If the Jews were the first to crucify instead of receive their Messiah, we know that the bad precedent which they established has not been lost upon succeeding generations. My friends, every reform begets a vast amount of ignorant opposition before which its advocates must simply possess their souls in patience.

This opposition among women shows itself in two distinct ways. The first kind manifests itself in holding meetings, framing petitions, and soliciting signatures, asking Congress to withhold the right of suffrage from the women of the land. I make no quarrel with that kind of opposition, nay, more, I entertain for it a certain kind of regard, for two reasons: First, because any decision that is candid and the result of reflection, entitles the holder to respect, but secondly and mainly, because it is no opposition at all. These persons are our friends, doing just what we are, no more and no less. For, mind you, it is not the mere dropping of the ballot once or twice a year on the part of woman to which public opinion is such a dead set. It is that which follows the ballot, that which the ballot involves. It is the office holding, the introduction of woman into public life, this stepping outside of what has always been considered her particular sphere. And so these women, who are memorializing Legislatures to deny their sisters the ballot, are doing our work, in that they are breaking the crust of that bitter prejudice which says that a woman's business is to keep house and tend babies, utterly regardless of the fact that every community contains scores of women who have neither houses to keep, nor babies to tend; doing our work in their own way, to be sure, in a way that reflects little credit on their good sense, but we shall not be particular about that if they are not. My verdict for such women is, let them alone. We shall be the losers if they ever find out their mistake.

But that kind of opposition which we dread the most, which takes the courage out of the most courageous, and the heart out of the most earnest, is the opposition of utter insensibility, of stolid indifference, which the mass of women exhibit, not only to this question, but to any question that does not touch their immediate personal interests. If I had a cause, of whatever kind, to advocate on its merits alone, one argument to make that appealed to a reasonable intellect, a discriminating judgment, I should want an audience not of women. It is a sad, a humiliating fact that the great mass of women are not thinkers.

At the morning session Colonel HIGGINSON read a letter from Henry Ward Beecher.

BROOKLYN, N. Y., Nov. 18, 1870.

MRS. LUCY STONE:—My Dear Madam—You were kind enough to ask me to allow my name to be used again in connection with the presidency of the American Woman Suffrage Association. But, after reflection, I am persuaded that it will be better to put in nomination some one who can give more time to the affairs of the society than I can and who can at least attend its meetings, which I find it impossible to do. But, while I detach myself from the mere machinery of the society, I do not withdraw from the cause, nor abate my hopes of its success and my conviction of the justice of its aims. On the contrary, with every year I feel increasing confidence that the ultimate forms of civilized society will surely include women in its political management. I am not so sanguine of the nearness of the day when a woman's vote must be calculated by political assemblies as many are, but little by little the cause will gain and ultimately the result is certain. I wish you an enthusiastic meeting, a harmonious adjustment of all affairs, and a prosperous future.

[Pg 809]

I am very truly yours, HENRY WARD BEECHER.

The Committee on Resolutions^[189] reported later. The first four resolutions were unanimously adopted, the fifth, after full discussion, was rejected by a vote of 112 1-3 to 47 2-3.

MR. HENRY B. BLACKWELL offered the following resolution:

Resolved, That the American Woman Suffrage Association heartily invites the cooperation of all individuals and all State societies who feel the need of a truly National Association on a delegated basis, which shall avoid side issues, and devote itself to the main question of suffrage. Adopted unanimously.

The American Woman Suffrage Association held its semi-annual meeting in Steinway Hall, New York, May 10, 1871. A large audience had already gathered when the Convention was called to order, which was constantly increased during the morning session, until between 800 and 1,000 persons were in attendance. In the absence of the President of the Association, Mrs. H. M. Tracy Cutler, Mrs. M. A. Livermore was called to the chair. She read the following letter from Mrs. Cutler:

To the American Woman Suffrage Association, Steinway Hall New York:

With much self-denial on my part, I remain far from your semi-annual gathering. But in heart I am with you, partaking in your deliberations, and recounting the advances since our meeting one year ago. Mrs. Dr. Patten, wife of the editor of the *Advance*, who believes and does far better than he would make us believe through his paper, is president of a society for sending women as missionaries to India for the express purpose of educating Brahman women. They will deny any belief in the woman suffrage movement, but they are teaching women the alphabet, and that is the first step toward the fullest possession of self, which will yet claim and vindicate all human rights. Among the most significant signs of the influence of this agitation, is the change in the laws of the different States in regard to the rights of women. Conversing with a member of the committee charged with the revision of the laws of California, he said to me: "The most important part of my work is the revisions of the statutes concerning marriage and divorce and the rights of property and of guardianship for married women."

[Pg 810]

The action of Congress shows us clearly, that as soon as there is sufficient pressure from without, it will give a light by which to read the XIV. and XV. Amendments, or it will inspire the passage of a XVI., so that our cause will be won. Knowing that your deliberations will be wise, and that the inspiring spirit will be purity and harmony, I shall the less regret that I am compelled to be absent in person, though present in spirit.

H. M. T. CUTLER.

The Rev. Dr. EDWARD EGGLESTON, of the *Independent*, said: One can not show one's interest in the cause better than by speaking in this opening moment of the Convention. I think every individual in the country should have a voice in the making of the laws. Here is a large and increasing class of women in the country who need the suffrage, and men feel that they need women in politics. A great many people never think of the effect of suffrage on woman without a shudder. I am not one who believes that women are adapted to every kind of work to which a man is. I do not believe that a woman's mind is just like a man's, but the most shameful proscription of all is that which prevents women from doing the work for which they are adapted. It is not necessary for a woman to be a man in order to vote. We want a woman's vote to be a woman's vote, and not a man's vote. It is a singular old heresy that to be able to vote you must be able to be a soldier. The purpose of the ballot-box is not to be bolstered by bullets. It is intended that public sentiment shall make law; and I think women can make public sentiment faster than men. I would back a New England sewing society against any town meeting. If women can not make war, they can at least do something to stop war. There is nothing in the world so absurd as regarding womanhood as some delicate flower that should be shut up in some glass jar for fear it may be injured by contact with the air. The ballot opens the door for every true and needed reform for women, because the ballot is the great educating power. A true, right-feeling woman does not want to be dependent, and the ballot will educate them to independence, because it brings duties and responsibilities to them.

Resolutions^[190] were presented by H. B. Blackwell, chairman of the Committee on Resolutions.

[Pg 811]

Mrs. LUCY STONE then addressed the Convention as follows: The ideas which underlie the question of woman suffrage have reached the last stage of discussion before their final acceptance. They have grown up first through the period of indifference, then that of scorn, and then that of moral agitation; and now they are ushered into politics. In nearly every Northern and Western State, such discussions have been had, and action has been taken upon the subject in some form. Even in South Carolina it has voted itself, with the Governor of the State for its ally. Under the XIV. and XV.

Amendments, several women in Washington attempted to vote, but were refused. They are now trying the question in the United States Courts. In Congress 55 votes were cast in our favor at the last session. Politicians know perfectly well that our success is a foregone conclusion. No coming event ever cast its shadow before it more clearly than does this—that women will vote. It is only a question of time, say all. It is important for us, then, to-day, to suggest such measures as shall win us sympathy, co-operation, and success; and for the first time give to the world an example of true republicanism—a government of the people, by the people, and for the people—man and woman.

If neither of the existing parties takes up our cause, then the best men from both will form a new party, which will win for itself sympathy, support, power, and supremacy, because it gave itself to the service of those who needed justice. I care for any party only as it serves principles, and secures great National needs. But the Republican party made itself a power by doing justice to the negro. When the war was over and the reconstruction of the South became necessary, the Republican party was in the full tide of power, and had its choice of methods and means. It was the golden hour that statesmanship should have seized to reconstruct the Government on the basis of the consent of the governed, without distinction of sex, race, or color.

Mr. BLACKWELL addressed the Convention as follows:

He enumerated the different methods which have been proposed in order to secure the suffrage for women, as follows: By a XVI. Amendment to the Constitution, as suggested by the Hon. George W. Julian; by an Act of Congress enfranchising women in the District of Columbia, as advised by Hon. Henry Wilson; by Amendments to the various State Constitutions, and by litigation for a broader construction of the XIV. and XV. Amendments to the Constitution. Mr. Blackwell said that all these methods are worth trying, but thought there was a swifter and easier method, viz: to induce the State Legislatures to direct that the votes of all adult native and naturalized citizens shall be received and counted in the Presidential election of 1872. This can be done, in Mr. Blackwell's opinion, under the first section of the second article of the Constitution, which says:

Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

[Pg 812]

The great underlying mass of ignorance is always conservative. Hence the difficulty of making constitutional amendments, and the importance of employing an easier method. Let every man or woman who believes in woman suffrage organize within their respective States and endeavor to obtain such an act from their respective Legislatures next winter, and let it be understood that the votes of the woman suffrage party, both men and women, will be cast as a unit within each State for the party which does this great act of political justice.

GILES B. STEBBINS said: It has been stated that women don't want the ballot. Well, suppose they don't. That is the very strongest argument why they should be taught that they do. Fred. Douglass said, "Show me a contented slave, and I will show you a depraved man." We want duties and responsibilities shared equally by all, that man may be more manly and woman more womanly.

Mrs. ELIZABETH K. CHURCHILL, of Providence, said: Can there be an aristocracy meaner and more tyrannical than that of sex, by which a wise, cultured, intelligent woman is made the inferior (for that is what the denial of the ballot implies), the inferior of a base, brutal, degraded man? The divine right of kings is an exploded notion; it is time for the divine right of sex to follow it. The chief value of the ballot is the educational power. He who feels an interest in men and measures will soon feel a responsibility. Everybody knows that women are no better than men. They are no angels floating in an ethereal atmosphere. It is the fashion sometimes to call them "angels," but I observe they are no longer angels when they get aged. I don't know a more unpleasant rôle to play than that of an aged angel. If it is said that woman can't know enough to vote, I can only reply that God made them to match men. But no standard of education was ever fixed for the ballot; and if there had been one, it never could exclude woman, any more than it could negroes.

Mrs. LIVERMORE left the chair for a short time to read a note from a lady inquiring whether, if she thought the woman suffrage movement was condemned in the New Testament, she would abandon the movement. I think she said, that it is not the proper way to put the question. If the question were put to me, if I thought the woman's reform contrary to Christianity, would I throw it overboard? I should answer, Yes, unhesitatingly; I should desire, for one, to stop it; I should renounce it forever. What is it that the woman's reform asks for woman? We ask for the ballot, and we ask it simply because it is the symbol of equality. There is no other recognized symbol of equality in this country. We ask for the ballot that we may be equal to men before the law. The very moment we obtain it the work of this association is done, and it must get out of the way. Then new associations must be formed to take the new work that will come before us, for when the ballot is given to woman then the great work will begin. Then comes the tug of war. For the obtaining of the ballot by woman is but stepping up the first round of the ladder, whose topmost round takes hold of perfection.

OLIVER JOHNSON moved that the resolutions reported in the morning be voted on. The motion was carried, and the resolutions having been separately read, passed unanimously with little discussion till the last two were reached.

[Pg 813]

Mr. KILGORE, of Philadelphia, objected to the seventh resolution, and said, if you don't want to cover this purpose with doubt and uncertainty, which is always an evidence of weakness, claim your right to vote under the XIV. and XV. Amendments to the Constitution.

Mrs. LUCY STONE replied that we all believed we had a right to vote under the original Constitution, as well as under these amendments, but since there was great doubt whether woman suffrage should be reached through these, she thought it best to seek also for a XVI. Amendment.

OLIVER JOHNSON said he didn't want to be included in Mrs. Blackwell's remark that the Constitution gives women the ballot. He thought it not wise to agitate this question. The right to vote under the

Constitution can be reached only under a decision of the courts, and while waiting for that you are diverting the public mind from the true point at issue. Slavery had been put down in such a way that it can never be reconstructed; but if it had been put aside by a decision of the Supreme Court, a triumph of the Democratic party might change the character of the Supreme Court and reinstate it. He thought it wise to have the resolutions as they were, so that persons of all shades of opinions may vote for them.

Dr. MARY WALKER said that the fact of women attempting to vote in Washington had done more for woman suffrage than all the Conventions ever held. We want a declaratory law, she said, passed by the Congress of the United States, giving women the right to vote. This was the only way to save an immense amount of labor in the different States.

DAVID PLUMB, of New York, advocated the seventh resolution. We need a XVI. Amendment to settle woman suffrage on a firm basis. After considerable debate the resolution was unanimously adopted.

The eighth resolution was then discussed, to which Mr. KILGORE also objected, offering a motion that all the resolution coming after the words "special social theories," be stricken out. He was opposed, especially, to the introduction of the words "free love." What was meant by them?

Mr. BLACKWELL said the Convention meant by the use of that phrase exactly what the New York *Tribune* of that morning meant, in its statement that the woman suffrage movement was one for free love.

The PRESIDENT said this great movement was not responsible for the freaks and follies of individuals. The resolutions simply denied that this association indorsed free love, which certain papers charged them with. After considerable discussion, the resolution was adopted by the strong, decided and united voices of nearly a thousand people, voting in the affirmative. At the evening session of the Convention the great hall was filled completely, not a seat on the lower floor being unoccupied, and all the desirable seats in the gallery being taken.

MOSES COIT TYLER, Professor in the Michigan State University at Ann Arbor, was the first speaker: The seaboard is the natural seat of liberty. Coming to you from the inland, where the salt breath of the Atlantic is exchanged for the sweet vapors of the lakes, I say to you, look well to your laurels! What are you seaboard people doing to vindicate your honor? We, in the interior, have at least one National university which opens its gates to the sex which has the misfortune to be that of Mrs. Livermore, Mrs. Howe, and others. One of the keenest and brightest minds of the law in the West animates the head of a woman. In my own State of Michigan, at least two women have succeeded in getting their votes into the ballot-box. These are strifes in which good people may engage, and of the trophies won in such a contest every modest man may boast. This deep, national, resolute demand for a great right withheld, means that woman is really a person, and not merely a lovely shadow. If you can convince the majority of American men, and what is more, the majority of American women, that woman is a person, you will have the ballot to-morrow. We call woman an angel, and it is very easy to do that, because the Constitution of the United States don't take any account of angels. If all citizens who are masculine have the right to vote, it is not because they are males, but because they are persons who are members of the Nation. Therefore women should likewise be given this right because they are also members of the nation, and it is the right of every member to vote. But, after all, we men are rather bashful, you know, and the business is new to us. We have a sort of "Barkis is willin'" feeling, and don't want to be the first to speak. We are like the rustic young man who escorted a young lady home for the first time. Says she, as they reached the garden-gate: "Now, Jake, don't tell any one you beau'd me home." "No," he replied, "I am as much ashamed of it as you be!" [Laughter.] Now, it would have been much better if the young lady had said something more exhilarating, more encouraging. So we are new to the business of escorting women to the ballot, and they must come forward, and, overcoming their natural timidity, meet us half way and speak for themselves.

[Pg 814]

MARY GREW, of Philadelphia, was the next speaker: When I am asked to give arguments for the cause of woman suffrage, it seems like the old times when we were asked to give arguments for the freedom of the slave. It is enough for me to know that the charter of our Nation states that "taxation without representation is tyranny," and that "all just government is founded on the consent of the governed." No woman wrote those words. They were written by men. I stood recently at a woman suffrage meeting in Boston, and I heard a gentleman say, "I am willing, on certain conditions, that women shall vote. When women shall suppress intemperance, I am willing they shall have the ballot." I don't know how he was going to ascertain whether they would suppress it or not. I know that men who have held the ballot all their lives have not suppressed it; and I don't think there is any one here who would say that women would suppress it. What is woman going to do with the ballot? I don't know; I don't care; and it is of no consequence. Their right to the ballot does not rest on the way in which they vote. This, however, must be admitted, and that is, that there are women in this country who will vote much more wisely than some men in New York and Philadelphia. You, my brothers, claim the right to vote because you are taxed, because you are one of the governed; and you know if an attempt was made to touch your right to vote, you would sacrifice everything to defend it. What would money be worth to you without it? You call it the symbol of your citizenship; and without it you would be slaves—not free. Listen, then, when a woman tells you that her freedom is but nominal without it. And when you ask what women are going to do with it, ask yourselves what you want it for and what you are going to do with it. There never was a class of people able to take care of the rights of another class....

[Pg 815]

Mrs. LUCY STONE next addressed the meeting briefly: If you have a man, said she, who is a fool or a felon, you put him over the line alongside of your mother. Every man of you before he sleeps should go on his knees to his mother, and beg her pardon, and you should tell her you are ashamed of yourselves.

The Rev. WASHINGTON GLADDEN, one of the editors of the *Independent*, rose to answer Mrs. Grew's question—why the *Tribune* does not inquire about these ignorant men who are abusing the franchise? He could inform her. It is because they can not afford to. They are all politicians there. They want votes. They can not afford to tell the truth about these ignorant and vicious voters. He

proceeded to give a sad picture of the political world at present and to show how little conscience, culture, or common honesty finds its way to the ballot-box. He didn't think the ballot had done anything for the education of the ignorant foreigner who had come to this country; he doubted whether it would do anything for the education of woman. He didn't wish to be classed with the opposers to woman suffrage, and yet he didn't see his way clear to espouse it as others on the platform did. He believed in impartial suffrage—impartial for men and women, but not universal. He would have men and women fitted for the suffrage before they exercised it.

GRACE GREENWOOD gave a sketch of society in Washington.

Mrs. LIVERMORE, referring to Mr. Gladden's remarks, said there was nothing so painful to her as the lack of faith in republicanism among cultivated American gentlemen. Political atheism seemed to be rife among them. What wonder that political corruption exists to such an extent, when the clergymen, the doctors, professors of colleges, members of churches, the educated and cultivated, refuse to exercise the rights of citizenship by going to the polls to vote—when intelligence and morality are to so great a degree eliminated from public affairs? At a late Presidential election in Massachusetts it was ascertained that but 54 per cent. of the legal voters actually went to the polls. Among the 46 per cent. who staid away were the clergymen, the physicians, and the professional men. There was a fearful political apathy among the educated classes in reference to the discharge of their political duties. If educated and good men, as a body, would interest themselves in the primary meetings and the caucuses, politics would be improved, even before women got the suffrage.

It was proposed that the Convention should adjourn by singing the doxology, "Praise God from whom all blessings flow." The great audience rose and joined as with one voice in singing the grand centuries-old doxology, and then adjourned, many urging that the Convention should hold over another day.

In the autumn of 1871 the American Woman Suffrage Association held conventions at Philadelphia, Washington, Baltimore, and Pittsburgh. The annual meeting in Philadelphia was held in National Hall, and presided over by Mrs. Tracy Cutler, who made the opening address. The number of the delegates to this Convention was sixty-two, representing fourteen States.

[Pg 816]

Mrs. LUCY STONE, Chairman of the Executive Committee, read her report, in which, among other things, she said—Petitions from each of our auxiliary State societies, asking for the ballot, were sent to their respective State Legislatures, and a hearing granted whenever it was asked. This is a great gain upon some previous years, when, as once in Rhode Island, our petitions were referred to "a committee on burial grounds."

The following letter was read from WILLIAM LLOYD GARRISON:

BOSTON, November 18, 1871.

DEAR MR. BLACKWELL—Lest some persons might be disappointed at my non-attendance, I regretted to see myself positively announced among the speakers at the annual meeting of the American Woman Suffrage Association, to be held at Philadelphia next week. I certainly desired and hoped to be present, even to the last moment; but circumstances oblige me to remain at home, and I can do no more (and assuredly no less) than to send a word of cheer by letter. Though I was careful not to commit myself as to my personal presence at the meeting, I am willing to be everywhere known as committed to the cause of Woman Suffrage, with all my understanding, heart, and soul. I regard its claims to be as reasonable, just, and valid as any ever presented in behalf of any portion of the human race, suffering from the exercise of usurped powers. Until it can be shown that women have not, by nature and destiny, the same common rights and interests as men—have not as much at stake in all matters pertaining to an impartial administration of government as men—are not held to the same allegiance as men—and are not made amenable to the same penal laws, even to the extent of being hanged, as men—their right to the ballot, and to an equal participation in all municipal, judicial, and legislative proceedings can not be sensibly denied. The mere statement of the case is its strongest argument, furnishing as it does a self-evident proposition. It is a disgrace to our democratic professions that there is yet a portion—ay, one half of our population, legally discrowned and outraged on account of a natural and necessary distinction of sex, which alters nothing in regard to moral obligations and duties, or to political rights and privileges, in the courts of justice and common sense.

It is amazing to see what insulting flings are made, what ridiculous things are uttered, in derogation of the claim of women to an equal voice in making and administering the laws of the land, in quarters where we had a right to look for perfect courtesy, fair treatment, and an intelligent understanding; to say nothing of the nonsense and ribaldry proceeding from haunts of vice and "lewd fellows of the baser sort." But what great reformatory movement was ever treated any better at the outset? Still, it requires a large stock of patience to be calm under such trying provocations; and the consideration that, after all, they are indispensable to the success of the righteous object sought, can alone impart serenity.

What is the question? Not whether many or few women are demanding political enfranchisement; not whether the marriage institution, as now regulated, is right or wrong; not whether this woman, or that, advocates "free love," so called, or anything else; not whether a wife will continue to be true to her marriage vows, or a mother faithful to her maternal instincts; not whether the cradle will be rocked, the pot boiled, and household affairs dutifully looked after; not whether women are better or worse than men; not whether they will vote wisely or foolishly, if allowed the ballot. These and a thousand similarly absurd issues are but mockeries. The one question to be settled is, shall the principles and doctrines of the Declaration of Independence be reduced to practice, so that taxation and representation shall go hand in hand, and the grand truth be made practically, as well as theoretically valid, that all are equally endowed by their Creator with certain inalienable rights, and that all governments derive their just powers from the consent of the governed?

Letters were also read from George W. Julian, Frances D. Gage, and Oliver Johnson. The Committee on Business then reported the resolutions,^[191] which were unanimously adopted, after a short speech by Col. T. W. Higginson.

[Pg 817]

Mrs. JULIA WARD HOWE referred to the organization of the association and the necessity for it. We had felt that existing associations had failed to represent the methods and convictions which belonged to our way of thinking. No right of a free society is more valuable than the right of free association, in virtue of which those who are able and willing to work can choose their own fellow-workers and adopt the center of activity which best corresponds with their feeling and with their homes. The experience of two years has confirmed our opinion of the propriety of the measures then adopted. We made no attempt to cajole or allure those who did not belong to us.

I am sure that as our work in common has gone on we have grown in good-will. We are fighting our battle still, but do not see our victory yet. We are not opposing men and women, but the enemies of men and women—ignorance, prejudice, and injustice. Many people bring into a new movement the whole intensity and unreason of their personal desires and discontents, and the train of progress must carry all this luggage along with it. Woman suffrage means equality in and out of marriage.

Mrs. Howe referred to the fact that women had been educated not to depend upon themselves, and drew a graphic picture of their condition should the tide of prosperity ebb from under them. Remember, too, I pray you, that power to do ill can not be denied without including the power to do good. The question as to whether men, in case that women should vote, would be less polite to women, was touched upon. The speaker said, "that if ladies wish to retain this deference, they certainly pay a dear price for it." The speaker was opposed to arguing that the right of woman suffrage was guaranteed in the XIV. and XV. Amendments. I go further back and find the spirit of all liberality in every liberal clause, and the spirit of all freedom.

ROBERT DALE OWEN followed, and said woman suffrage was the only means of rectifying the injustice of the laws. His attention was first called to the value of suffrage when he endeavored to get a modification of the property laws for married women in 1836. As a member of the Indiana Legislature, he tried three successive years in vain to obtain for wives a right to their own earnings. He was fifteen years in effecting it. When the law was passed securing married women in their earnings, one of his fellow-members solemnly warned him that homes would be broken up and family happiness ruined, and that for all this unmeasured misery he would hereafter be held responsible. But the law still stood upon the statute book of Indiana, and homes were not destroyed.

The Rev. Mrs. CELIA BURLEIGH was the next speaker. She pictured, in a witty, epigrammatic manner, the progress of freedom in womankind. The picture drawn was of an Asiatic seraglio, where the spirit of revolution crept in, and the ladies commenced their incendiaryism by walking abroad, and then followed up the direful unsexing of themselves by gradually removing the inviolable veil first from one eye and then the other—and last and most horrible of all—from the nose. But it made her none the less lovely.

[Pg 818]

Mr. EDWARD M. DAVIS then spoke briefly, and was followed by Mrs. LUCRETIA MOTT, who gave some interesting reminiscences of the contempt for women manifested by the World's Convention in 1840, from which women delegates were excluded, and of which William Lloyd Garrison, in consequence, refused to become a member.

The President, Mrs. CUTLER, said: It seems clear to me that the XIV. and XV. Amendments recognize our rights. The XIV. Amendment was passed in the interest of a special class, but we must not forget that the passage of a general law for a particular class also guarantees whatever rights can be found to come under that same general idea. [Applause.] First, we have the definition of citizenship, which applies to us fairly and squarely under the phrase all "persons." Then comes the right to vote. Some say it is not a right but a privilege. I maintain the contrary. I say it is an inalienable right. You can not maintain a republican form of government and deny to half the population its right to vote. This may not be settled to-day or to-morrow, but the truth, like a mighty rock, stands there impregnable against all assault. We do not need to be in too much haste. Let the matter be sifted thoroughly. I do not object, therefore, to the phraseology of the resolution.

Mr. CHARLES BURLEIGH said: I have never yet been able to see that the right of voting is secured legally to women under any instrument which is recognized as having the force of law. A republican form of government does not mean universal suffrage. We know that the framers of the Constitution never dreamed that the idea of a republic would include even all the males of the country. If this is not a correct idea I answer that when you make an affirmation you must accept that affirmation as the makers of it understood it. I hold we have no right to go to any use of legal quibbling in the matter. If we stand on simple right, let us stand there; if on constitutional authority, we have no right to warp that authority. So with the question of citizenship. It does not imply a voice in the government, by any means, to be a citizen.

Mr. BLACKWELL, on behalf of the Business Committee, offered some resolutions.^[192]

Dr. H. T. CHILD spoke upon the second resolution. As a peace man and as a temperance man he was in favor of the resolution.

Colonel HIGGINSON said: If the resolution that has just been read commits this body to the peace, temperance, or any other movement, I would oppose it. Every great moral movement must stand by itself. Napoleon said that the next worse thing to a bad general was two good generals. I do not oppose it as an intemperate man, nor as a war man, for I served too long in the army not to wish for peace. I simply want my wife to vote, and how she votes can be dictated by her conscience. I don't believe in hitching the woman question to anything. Emerson said if you want to succeed you must hitch your wagon to a star, but two stars will only cause confusion.

[Pg 819]

Mr. EDWARD M. DAVIS opposed the temperance, etc., resolutions. We had better not, he said, pass anything but suffrage on this platform.

Mrs. GOUGH said the resolution did not indorse the peace and temperance movements. It simply opens up a channel of education. Woman needs the growth and development coming from the exercise of higher powers than she now possesses. The resolutions were then unanimously adopted.

At the afternoon session the officers for the next year were elected. The presidency was accorded to Mrs. Lucy Stone. The speakers at this meeting were Dr. Stone, of Michigan; Mrs. Lillie Devereux Blake, of New York; John Cameron, of Delaware; John Ritchie, of Kansas; Mrs. Margaret V. Longley, Mrs. M. W. Coggins, Miss Matilda Hindman, Mrs. Cutler, Miss Mary Grew, Mrs. Lucas, sister of John Bright, and others.

Mrs. JULIA WARD HOWE, at the evening session offered resolutions of thanks for the hospitality extended to the members of the Association by the citizens of Philadelphia, and also for the able and impartial manner in which the proceedings of the Association had been reported by the press of the city. In a brief address, Mrs. HOWE then summed up the proceedings of the Association, saying that she had never attended a convention where such entire harmony had prevailed, and where such an amount of good work had been accomplished. Every one, she was sure, would go away happy and contented.

The President, Mrs. CUTLER, then made the valedictory address, complimenting the audience for the attention they had shown and the interest they had manifested in the proceedings. She alluded to the fight for freedom in the days gone by—a fight in which nearly all present had taken a part, and prophesied that as they had won that fight they would win the fight in which they were now engaged. In conclusion she said that in the name of justice, in the name of humanity, in the name of love, she demanded that the rights which woman desired should be accorded to her. The Convention then adjourned.

The following extract is from an editorial in the *Woman's Journal*:

The Convention of the American Woman Suffrage Association in Washington [1871] was in every sense a success.

It made a calm, deliberate statement of the reasons that make the exercise of suffrage woman's right and duty. It made a strong and earnest appeal to the intellect and conscience of the country in behalf of equal rights for all. The speakers were selected beforehand, and came prepared to do justice to their subject. Accordingly the proceedings were orderly, harmonious, and effective, and the influence exerted was serious and impressive. The resolution adopted at the annual meeting in Philadelphia, a fortnight before, affirming that woman suffrage, which means equality in the home, means also greater purity, constancy, and permanence in marriage, was reaffirmed.

Hon. Geo. F. Hoar made an admirable argument in behalf of suffrage at the closing session. A large number of Senators and Representatives attended the meetings. Many of these, among others Senators Morton and Wilson, assured us of their hearty sympathy with our movement. The most kindly and genial hospitality was extended to the speakers by the citizens of Washington, and nothing occurred to mar the pleasure or diminish the influence of the meetings, which were very largely attended, the audiences averaging one thousand.

[Pg 820]

We have just reason to complain of the spirit of the Washington press, as manifested in their reports of the Convention. The sole exception was the *Daily Chronicle*, which was fair and friendly. The other reports amounted to little more than a burlesque, and the editorial comments consisted chiefly of denunciation and ridicule. The N.Y. *Tribune*, finding nothing to ridicule in our proceedings, suppressed all mention of the Convention, not publishing even the brief notices of the Associated Press. Having charged woman suffrage with hostility to marriage, the *Tribune* has carefully refrained from informing its readers that the American Woman Suffrage Association, representing thirteen organized State societies, has held for the first time a Convention in Washington, solely to urge the claim of woman to legal and political equality. We wait to see whether the *Tribune* will be equally reticent, hereafter. But neither the silence nor the misrepresentations of our opponents will check the steady growth and progress of the woman suffrage movement.

H. B. B.

The following is a short extract from the able address of Hon. G. F. Hoar, Representative from Massachusetts, who said:

He would prefer the subject left to the leaders on the platform and only be a follower in the ranks, but on command of those having the matter in hand he had come to show his colors. As he understood the subject, it was to assure the American people that it was right to admit women to participate in the affairs of government. They were using the best minds and brains to draw out the arguments on this subject, and some of our wisest fellow-citizens have been unable to see any favorable argument for granting this privilege. He then proceeded to give the ideas entertained by citizens of the different foreign countries as to what was the object of the republic, and said that this country was made up of the aggregate personal worth of the people. There could not be in a State a man having the right to compel another to be subject to him without being unjust. Therefore it is said that all men are created equal. Is it right and safe that the women of this country should have a voice in its administration? The only way to find out would be by having the understanding of those persons who are to accomplish it and carry it into effect. If there was anything in which woman excelled man it was her penetration and correct judgment of persons at first sight. It by no means follows that because woman has the right to vote, that entitles her to hold office. That right is vested in the judgment of our fellow-citizens, who, if they regard us as worthy and capable, will elect us to the offices.

Upon the Convention held in Baltimore, the following editorial appeared in the *Woman's Journal*:

In no one State of the Union has there been a more rapid advance in public sentiment, during the last ten years, upon all public questions, than in the State of Maryland. In 1861 a woman suffrage meeting in Baltimore would have been a failure. In 1871 the Convention of the American Woman Suffrage Association has proved the very reverse. Two evening sessions and two intermediate day sessions were well attended. The speakers were Lucy Stone, Margaret W. Campbell, Elizabeth K. Churchill, and Henry B. Blackwell.

Notwithstanding the disappointment felt by the audience at the unexpected absence of Mrs. Julia Ward Howe and Rev. James Freeman Clarke, great interest was manifested, and the newspapers of the city gave the meetings candid and respectful notices. We were more than gratified by the unusual fairness and courtesy displayed by the press of Baltimore. Indeed, to this and especially to the generous aid of that admirable paper, the Baltimore *American*, are largely due the success of our meetings. We feel all the more bound to notice this frank and generous treatment of a new and unpopular movement by the press of Maryland because we have felt it our duty to condemn the striking contrast exhibited in other quarters. In Baltimore competent reporters made a conscientious abstract of the speeches they professed to report. When this is done in New York and Washington, the woman suffrage cause will have less difficulty in enlisting public attention.

[Pg 821]

We were also exceedingly gratified to find that the laws of Maryland for wives, mothers, and widows, though still far from equitable, are greatly in advance of those of Massachusetts and of most Northern States. We are promised by one of the most eminent lawyers of Baltimore a full statement of the legal status of married women in Maryland. We shall publish it in the *Woman's Journal*, as an evidence that equity and liberality are not bounded by "Mason and Dixon" or any other geographical line.

H. B. B.

A mass convention of the American Woman Suffrage Association at Apollo Hall, New York, on the 9th of May, 1872, was an interesting and successful meeting. Mrs. LUCY STONE presided, and made the opening address. Rev. James Freeman Clarke, Charlotte B. Wilbour, Mary F. Eastman, Rev. Edward Eggleston, Helen M. Jenkins, Henry B. Blackwell, Amanda Deyo, and others addressed the Convention.

Some disappointment was felt at the unavoidable absence of Mr. Garrison, Mrs. Bowles, and Mrs. Livermore, the two former being detained by severe indisposition. In consequence of an error of dates on the part of the proprietors of Steinway Hall, the meeting was held at an unusual place; nevertheless, the number of persons in attendance at the three sessions averaged seven hundred, and was composed, for the most part, of substantial, reliable friends of the movement. The notices of the Press were brief, but respectful. The Convention declined to take any separate political action, arraigned the so-called "Liberal Republicans" for their illiberal exclusion of women, and appealed to the approaching National Conventions at Philadelphia and Baltimore for a recognition of the rightful claims of woman to legal and political equality.

The American Woman Suffrage Association held in 1872 its fourth annual meeting, and celebrated its third anniversary at St. Louis.

Dr. STONE, of Michigan, said: Friends of the cause of universal suffrage—We live in an era of common sense. Sir William Hamilton, who was a great philosopher, and who investigated all the systems of philosophy from Aristotle down to Descartes and Kant, who went to the lowest depths of philosophy, dived deep for pearls, sometimes bringing up also mud and clams, declared after all his survey of the various schools of philosophy, that the great regulating power of the human mind was common sense; that of all the faculties, that which controlled all others was common sense. That was the basis of his system of philosophy. Now it is just as appropriate as friends of social and political reform, that we should rely upon common sense, as it was for this great philosopher, and it is this on which we purpose to rely. Wherever there is a battle to be fought, they who make the best use and most continued exercise of common sense are sure to win. This is not only true in moral contests, in the strife of mind with mind, but it is true in those material contests such as we have recently had. It was true in the great contest between Germany and France. It was this the crusaders lacked, and the reason why they spent so many ages in doing nothing was that they did not exercise their common sense. When the Jews, by their follies, by their obduracy, had destroyed themselves, and the Almighty wished to bring them to their senses, he said, "Come, let us reason together." For he knew if they would exercise their common sense they would no longer be rebellious as they had been. And it is true at the present time. I think if we can succeed in inducing those who differ from us to reason—I mean to exercise that regulating power which the common mind as well as the philosophic mind possesses, if they would exercise their common sense, the battle would be fought and the victory would be won. Sometimes circumstances unexpectedly bring men to their senses in these matters. We know there has been a great deal of discussion on the subject of slavery, and we needed a Dred Scott decision to bring men to their senses. When they contemplated that in all its bearings and ultimate results, common sense said: It can never be endured; we have had enough of this going on. Let us come directly to the point. Is a negro a man? Is he a rational, accountable man or not? If a beast has rights we are bound to respect, and if a man for abusing it may be thrown into the penitentiary, is it possible that he who is made in the image of God is without rights? Does not common sense teach that we have some rights, and if our laws contradict such a decision as this it is time we have better laws, and such as common sense will approve. We want some one to rise in the cause of suffrage to cut the Gordian knot that binds the community, that binds churches, that binds good men everywhere, as well as those who are willing to be mistaken. A single word from Gen. Butler, who, whatever may have been charged against him, is not lacking in common sense, the single word "contraband," wrought a revolution in the midst of our rebellion, and to that we owe to a great extent our success in the war. We want such a gleam of light to burst upon the minds of the community, upon the great American people who are interested in the subject. The field is ours for the next four years, and we will strive to impress the doctrines of common sense upon all men and all women everywhere, until the atmosphere shall be full of it and all shall take it in by absorption.

[Pg 822]

Mrs. LONGLEY, of Cincinnati, said—*Ladies and Gentlemen*: In a country where "No taxation without

representation" is a watchword, and where it is held that "all just governments derive their powers from the consent of the governed," it should be unnecessary to plead for the recognition of the right of half its people to participate in making the laws by which they are taxed and governed. The justice of woman's claim to the ballot is so self-evident, and so entirely in accord with the spirit of our institutions and the fundamental principles upon which they are based, that I often feel as though it were offering an insult to American men to undertake to argue the question. But, every election day reminds us that these fundamental principles which our forefathers fought to establish are outraged. "We, the people," they said, yet nearly a century finds half the people ignored, half the people taxed without being represented, and governed without their consent. I know it is held that the expression "the people" in the Constitution does not include women, and should not be interpreted literally; but it appears to me that if we engage in this method of interpretation of constitutions and laws we shall soon get things mixed. If the expression does not include women in the sense of voters it does not include them in the sense of tax-payers, nor in the sense of criminals, nor does it even include them as being entitled to the enjoyment of "life, liberty, and the pursuit of happiness"—as the Declaration of Independence declares "a people" to be entitled to these.

[Pg 823]

Surely it will not be said that the rights of half the people of the United States were ignored by the men who framed the Constitution of the United States. It was evidently the object of the Constitution to secure equal rights to all. The Constitution of the United States recognizes the great principle of human equality, and the rights of women can not be delegated to or represented by their husbands. Women who believe that they are responsible to God only, are not willing to be circumscribed by men.

MRS. HANNAH M. TRACY CUTLER said that this was a progressive, a growing, and a glorious country. All people came here and found protection under its generous shelter, more or less. We had been digging away at this suffrage question until, in her opinion, we are getting pretty near the foundation of government. We are pulling up the old ideas and throwing them out of the way and making room for the grand tree of liberty to grow. That tree has already grown to considerable size, and flourished more or less under the generous protection of our institutions—less a good deal, the negro said a few years ago, though now he begins to realize that it is more.

We women are quite well protected. Sometimes we are protected a great deal more than we want to be. [Several ladies in the audience, "That's so!" and laughter.] The American men are the best men under the sun. Each one of them is a prince of the blood royal. That's a reasonably good compliment. Now, gentlemen, turn round and say to the women of America, "You are each and every one of you a princess by divine right, and we will give you even the half of our kingdom." That is all we ask. But they say, "Show us the precedent. The thing never has been done before. The women have been ignored in government from the earliest days until now," etc. Why, gentlemen, away back in the remote ages of history—so far that the memory of man runneth not distinctly thereto—we find that women not only lived and gave men to the world, but that they lived and gave laws to the world.

Mrs. STONE, the President, said she would like to speak to the delegates and friends, because she knew those who were here had been working in this cause for years. They are short of time, but all give it that deep, earnest baptism of work for the principles that underlie republican institutions. They would work until that end is achieved, or until death relieved them from their labor. She felt cheered on seeing the progress they had made. It was about twenty years since the speaker came to this city to deliver a course of lectures for woman's rights. They called it woman's rights in those days. They did not use the word suffrage at all; and, as she stood there now, her mind ran back over a score of years. When she counted the gains they had made, it seemed as if she had been in some fairy palace, and by charms the old wrongs had dropped away and new good had sprung up. They had fought for woman's rights, and had taken hold of the hands of little girls growing out of girlhood into womanhood—girls who must stand on their own feet and earn a living for themselves. When there was no father's hand or brother's arm to help, what could woman do? She looked out into the great thoroughfares of industry open to all men, and almost all were shut against her. Woman was a teacher at a dollar a day, and had to board round. She was a seamstress with still smaller pay, or she was a housekeeper at her own house or somebody's else, where, so far as material gains were concerned, the results were small. Other industries were shut to her. The world is as full of women as men. They have to eat, drink, and be clothed, and, until other opportunities are obtained, their supplies are infinitely smaller than those offered to men. Why should women, whose supple fingers can set type—why should not they be type-setters? The printers joined together in bands and swore by all the gods they knew that women should not be printers. They joined together in a body and printed in a book that they would not work for any man who employed women as printers. They thought it would degrade the labor of man. The reformers asked for what was honest, good, and true, and found a response in the business interest of men, and the way was opened for women printers. Instead of brothers talking of supporting their sisters and making themselves poor they now worked side by side. A paper which they would have here for subscription—the *Woman's Journal*—came from an office where all the printers, with two exceptions, were girls; and the man who managed the office said it was an advantage, because the girls are always sober and never go on a spree. He could always be sure of having the paper out at the right time. The steady, honest, little women printers are always there. They asked why the women could not go into the stores and sell shoes, cloth, and dry goods, and why should not men build cities and sail ships and do what larger muscles fit them for? and they quoted the words of King Solomon, who spoke of a good wife sending out ships and dealing in merchandise. Women entered stores and became not only clerks but merchants, and some of the best stores she knew to-day were owned by women, who do not look to the time when they are to go to the workhouse or some worse place even, but were laying by some means to give them comfortable maintenance in their old age. Fathers who had daughters looked forward with more courage, because there were more avenues for woman's industry and better pay to reward it.

[Pg 824]

When Chicago was burned, the telegraphic dispatches most promptly forwarded and accurately worded were sent by women, and a generous public appreciated the fact. In medical matters they said, "Here is a department—here is a field for which women are peculiarly adapted, and to which they would be welcomed in the hour of peril." They were laughed at and called "she doctors" by

those who thought women would be scared by their vulgarity; and some young doctors threw stones and mud, literally, and tried to prevent women being physicians. But gentlemen who had wives and daughters looked in the faces of those half-bearded boys mocking at women wishing to study medicine, and asked, "Are these the fellows who wish to come to our homes and practice?" And when those boys knew they would not be welcome to those houses, they smoothed down their anger, went back to their studies, and have behaved better ever since. The speaker mentioned the case of a sister of the Fowlers who kept a horse and carriage, and a man to drive. She has a large practice, with \$15,000 a year. They next asked that there should be women lawyers. She believed the day was not far off when women would as worthily fill that as any other profession. What they asked was, that woman should have a wider sphere of activity.

[Pg 825]

The speaker next alluded to the fact that the captain of a ship going to California had fallen sick and died. The captain's wife, who had been on many voyages, asked the sailors over the dead body of her husband to be as loyal to her as they had been to him, and every man swore fealty to the woman, whom they knew to be worthy of command. When she brought the ship safe to port, the grateful underwriters made up a purse for the woman who had saved the ship.

After relating a similar anecdote in relation to a ship that sailed from China, the speaker narrated the progress made by women in being admitted to the Christian ministry. When they had so many rights, they were sure they could earn their own bread; and they must have the right to vote in this Government, where they were taxed, and where their sons could be sent to fight in war. In a republican government they were entitled to vote; and now the Republican party—the great Republican party that had swept the country by such a magnificent vote—had made the cause its own and could carry them on to triumph; giving them the suffrage as it had given it to the negroes. The Convention at Philadelphia listened respectfully to their claim, and the Republican party of the State of Massachusetts had put it in their platform. In the last campaign the suffragists won five hundred thousand votes of men who were bound to vote for them by and by, and they were sure to win. She believed the final hour of victory could not be far away.

Mrs. HOWE, chairman of the Executive Committee, gave a long and deeply interesting report. Mr. BLACKWELL read the following letters:

MRS. LUCY STONE:—*Dear Madam*—I should be glad to meet with you at St. Louis and to add my testimony to that of the noble band, who, after so long a conflict for another step in the advance of humanity, seem on the eve of seeing their wishes fulfilled. I have never been sanguine as to the near and rapid accomplishment of the admission of women to the right and duty of suffrage, but I have never doubted of its ultimate accomplishment, because I believe that every movement, founded in justice and wisdom, will at length prevail. The cause of woman suffrage never seemed to me more worthy of the consideration of thoughtful men than now. What it has suffered, all causes that strike at deep principles must expect to suffer in their early history. And it has been relieved of its hindrances sooner than might have been expected. The action of political conventions, State and National, has been significant. If the articles on suffrage are vague as to principle, they are striking as the record of the conclusions of observant politicians in respect to the currents and tendencies of the public mind. They felt the need of saying something, and if they did it reluctantly, it is all the more significant. While then I can not be with you personally, I am with you in sympathy, and in the firm faith of the justice of your cause and of its final victory.

Very truly yours,

HENRY WARD BEECHER.

BROOKLYN, *November 9, 1872.*

My Dear Mrs. Howe and Lucy Stone:—I am sorry that I must decline your kind invitation to attend the annual meeting of the American Woman Suffrage Association at St. Louis. I am too old (approaching seventy-six) and infirm to make long journeys. Let woman be of good cheer. She will not have to wait for the ballot much longer. The arguments are unanswerable and will soon be crowned with success. Allow me to send you the enclosed twenty-five dollars toward defraying the expenses of the meeting. With great regard,

Your friend,

GERRIT SMITH.

PETERBORO, N. Y., *November 15, 1872.*

DEAR LUCY:—I am glad to hear that the American Woman Suffrage Association is to meet at St. Louis this month. The more women are brought to think on this subject, the more they will be convinced that their spiritual growth has been stunted by customs and opinions which have no real foundation in nature and truth; and the frank, free West is more courageous than the East in carrying its convictions promptly into practice. I rejoiced in the recent political action of women in Massachusetts and elsewhere—first, because it was salutary for women themselves as all things are which promote the activity of their minds on important subjects; and, secondly, because the promptness and earnestness with which they almost universally took the right side has greatly helped to convince those who needed convincing that women are competent to examine into affairs of National interest and to form rational conclusions therefrom.

[Pg 826]

Although I feel grateful to the Republican party for treating our claims with more respectful consideration than any other party has done, yet my principal reason for earnestly desiring its continuance in power is, that it is essentially the party of progress. It owes its existence to progress, and its vitality has been preserved by its practical support of progressive ideas. It embodies a very large portion of the culture, the conscientiousness, and the enlightened good sense of the nation, and its elements are so harmonized as to produce a safe medium between old foggism and radical rashness. It is natural for such a party to respect our claims, because they have become accustomed to respect what is founded on principles of justice. It was the learning of that lesson which originally made them a powerful party, and they can not be false to ideas of true progress without committing suicide. Of course, with changing events, party names will change; but I hope women will carefully notice what principles underlie these changes, and will conscientiously give their influence to whatever party proves itself most

friendly to the largest freedom regulated by wise and equal laws.

With a cordial greeting to our sisters of the West and to our brothers also, I wish you God-speed on your mission of enfranchisement to half the human race.

WAYLAND, *November 12, 1872.*

L. MARIA CHILD.

The Business Committee reported resolutions,^[193] which after much discussion were adopted. Officers^[194] for the ensuing year were then proposed and elected.

[Pg 827]

Miss EASTMAN was announced. As she stepped to the front she was received with applause. She gave an able address, answering the questions, "What is to be gained and what is to be lost, by giving women the ballot?" She confined her attention to the latter question principally, by reviewing the condition of women in the past, and their condition in foreign countries. She answered the charge that women are unfit to use the ballot. There was quite an array of facts in her discourse, and extreme beauty in her language, though the latter covered at times exquisite sarcasm that was relished by all. She made a decided impression upon the audience, and concluded amid demonstrations of applause.

LUCY STONE made the closing speech, and said that after the golden words to which we had been listening, silence was most fitting; what she had to say, therefore, would be brief and without preliminary. The distinctions which are made on account of sex are so utterly without reason, that a mere statement of them ought to be sufficient to secure their immediate correction.

For example, here are twins, a baby boy and girl; they rock in the same cradle; the same breast blesses their baby lips; the same hand guides their first tottering steps. A little later they play the same plays, recite the same lessons and hold the same rank as scholars. They ask admission to Harvard college. The boy is received, and the girl refused. Can any one tell me a good reason why? At twenty-one their father gives them each a house. They both pay taxes on this real estate, but the young man has a voice, both in the amount of tax and its use, all of which is denied to the young woman. Can any one tell a good reason why?

[Pg 828]

They assume the marriage relation. The young husband can sell his house, give a good title, convey his stocks, will his property according to his pleasure, have the guardianship and control of his children. The young wife can not sell her house, or give a valid title; can not convey her stocks, or make a will of her property with the same freedom that the husband can, has no equal right to the control and guardianship of her children. Can any one tell a good reason why?

The man becomes a widower, but the house, the land, the furniture, and the children are all undisturbed. The woman becomes a widow. The property is divided in fractions, the contents of the cupboards and closets counted, valued, divided, and the widow's thirds (commonly known as the widow's incumbrance), are left to this woman. Can any one give a good reason why there should be such a difference between the rights of the widow and the widower? or why woman as a student, a wife, a mother, a widow, and a citizen, should be held at such a disadvantage?

The mere statement of the case shows the injustice, and the wrong which needs to be righted. There is only one way to remove this, and that is for woman to use her right to the ballot, and through it, protect herself. Oh, men of St. Louis! will you not use the power you hold, and the opportunity to make the application of our theory of government sure as far as in you lies, to each man's mother, sister, and daughter?

On motion of Mr. Blackwell, it was

Resolved, That the thanks of this Convention are extended to the citizens of St. Louis for the kind hospitality they have extended to the delegates of this Convention. Also to the representatives of the press for the candid and respectful reports which have appeared in the daily papers of the city.

The American Woman Suffrage Association held an introductory anniversary meeting Monday, October 13, 1873, in the large hall of the Cooper Institute. A fine audience attended, the hall being nearly filled. Fully two-thirds of this audience were men. Colonel T. W. HIGGINSON, the President of the Association, said:

This is my last service as President of this association. Unlike other bodies, it only has a man for that office every other year, and this is the end of the other year. We meet here as a family, men and women, each ready to do his or her share of the talk. We stand here to speak neither for one nor the other, but for that great movement which is to sweep through the land and arouse one sex to its rights and the other to its duties. Not to arouse man against woman, but in favor of the civilization which is to come. It is more than twenty years since the Woman Suffrage Association came up in an organized form. We entered into this movement with no ideas of immediate success. We had behind us only a few years of agitation after long centuries of prejudice and distrust. Look through the long record of the great reforms of the world, and what a series of delays and discouragements you find! It is a history of defeats before victories. Men sometimes come to us with sympathy because we have been defeated in this Legislature or that convention. Sympathy! We thank heaven that it had got there to be defeated; that we are strong enough to be in a minority! Defeat is victory afterward. We have been defeated again and again, and again, and each time we find ourselves growing stronger.

[Pg 829]

Miss MARY F. EASTMAN, in an able address, stated the progress of the movement in different States, and insisted on the right of women to the exercise of the franchise, as a consequence of the Declaration of Independence. The elective franchise was the greatest blessing enjoyed by a free people, and the inability of any class to exercise it indicated a description of servitude. She said that the person was trying to erase God's finger mark upon the human soul who would prevent anybody, man or woman, from following natural bent and ability in any avocation. In the founding of Harvard and other early colleges, some provision was made for the education of Indians, but none for women. Already at Yale and West Point colored men have a fair chance, not yet the women. Miss

Eastman thought that suffrage was the highway to all other reforms.

Mrs. LUCY STONE said: *Mr. President, Fellow-workers, Ladies, and Gentlemen:*—Our cause is half won when we find that people are willing to hear it, as you seem to be willing to hear it now. One of the best things we can have in meetings like this is to create a discontent that women are not permitted to enjoy all their rights. To-night while we are here, there are gathered in Plymouth Church, women who are laying plans to take part in the celebration of the Centennial, in 1876. At this point in the speaker's remarks, some confusion arose from the entry into the hall of about 200 young women.

Mr. DENNIS GRIFFIN rose and said these women were not the Cooper Institute class; they were parasol-makers who had been forced out of employment by their employers, and they had come, not as women suffragists but as women suffering, to ask of the audience their sympathetic support, and if when the lady had finished her speech the audience would permit the President of this Association of working women to speak from the platform, she would explain their grievances.

Mrs. STONE then proceeded, saying that if one thing was surer than another, it was that woman suffrage would help every suffering sewing woman. It had been said that the ballot was worth fifty cents a day to a man; and, if so, it was worth just as much to a woman. All over the Union, as this night in Plymouth Church, women were preparing to take part in the coming Centennial to celebrate the Fourth of July, 1876. When she heard this she asked herself what part women had in such a celebration? Just as men were oppressed previous to 1776, so were women oppressed to-day. I say that women should resolve to take no part in it. Let them shut their doors and darken their windows on that day, and let a few of the most matronly women dress themselves in black and stand at the corners of the streets where the largest procession is to pass, bearing banners inscribed, "We are governed without our consent; we are taxed without representation." The Declaration of Independence belonged to men. Let them have their masculine celebration and masculine glory all to themselves, and let the women, wherever they can get a church, go there and hold solemn service and toll the bell. "It will give us a chance for moral protest," she continued, "such as we shall never have again, for before another hundred years it must surely be that the growth of public sentiment will sweep away all distinctions based solely on sex."

[Pg 830]

At the close of Mrs. Stone's remarks, the Chairman invited the representative of the parasol-makers to state her case, introducing her as Miss Leonard, of New York, President of the parasol-makers.

Miss LEONARD advanced to the front of the platform, and appeared to be much embarrassed at fronting so large an audience. The hearty applause with which she was greeted assuring her of a kindly reception, she became a little more at ease, and in a low tone of voice spoke as follows:

My Worthy Friends, Ladies and Gentlemen: I was not prepared to meet an audience like this. In consequence of being oppressed by our employers we were obliged to leave their employ, because we can not earn our bread. Consequently we held a meeting up stairs to-night, and knowing that you were here we thought we would let you know that there are hundreds of women suffering, not for the ballot but for bread. I have never wanted the ballot. I believe it belongs to the men who have it; but I come to ask you in the name of humanity if there can be any society organized that will repress the unscrupulous employers and let the public know they are oppressing the poor girls. Men are strong; they can get together and ask what they want; they can organize in large bodies, but the working women are the most oppressed race in the United States. I am thankful to you, gentlemen and ladies (I should have put the ladies first), for giving me your attention. I don't intend to detain you long, because your meeting is here for a different purpose, but I hope you will give me your sympathies. I can not make you an eloquent speech, for I, as a working woman, have had to labor eighteen hours a day for my bread, and therefore have had no time to educate myself as an orator.

HENRY B. BLACKWELL said: This audience is composed mostly of men. I have a word to say to men especially. Why is it that labor is oppressed and that working women and working men are in some respects worse off than ever before? I answer; because our Government is Republican only in name. It is not even representative of men. The primary meetings which nominate the candidates and control the policy of parties are neglected by the voters. Not one man in fifty attends them. They are controlled in every locality by rings of trading politicians.

Now there is only one remedy for this. You must somehow contrive to interest the mass of the people in public business. You must reform the primary meetings by securing an attendance of the intelligent classes of the community. There is only one way to do this. The same way you have already adopted in the churches, in charitable associations, in society, everywhere except in politics, you must enlist the sympathy and co-operation of women. Then the men who now stay away will go with their wives and sisters. The reason the better class of men neglect to attend the primaries is this—civilized and refined men spend their evenings in the society of women; they go with them to church meetings, to concerts, to lectures. They do not break off these engagements to go down to some liquor saloon, or other unattractive locality, there, amid the fumes of tobacco and whisky, to find everything already cut and dried beforehand. They try it once or twice and then retire for life disgusted. We ask suffrage for women because they are different from men. Not better nor wiser on the whole, but better and wiser in certain respects. They are more temperate, more chaste, more economical. Their presence will appeal to the self-respect of men. Thus both will be improved, and politics will be redeemed and purified.

[Pg 831]

The second session of this Convention was held in Brooklyn, in Plymouth Church. At this meeting the Chairman of the Executive Committee, Mrs. Lucy Stone read her annual report, and then the delegates from the different States gave accounts of the cause in all parts of the Union, as carried on by means of the State societies. At the opening of the afternoon session Col. HIGGINSON read the following letters:

ANDOVER, MASS., Sept. 29, 1873.

MY DEAR MRS. STONE:—My regret at not being able to attend the meetings of the American Suffrage Association this year, is not consoled by the pleasure of expressing, by letter, my warmest sympathy with their objects; but, if we can not do the thing we would, we must do the

next best thing to it.

To say that I believe in womanhood suffrage with my whole head and heart, is very imperfectly to express the eagerness with which I hope for it, and the confidence with which I expect it. It will come, as other right things come, because it is right. But those forces which "make for righteousness" make haste slowly. Do we not often trip up ourselves in our pilgrimage toward truth, by attributing our own sense of hunger and hurry and heat to the fullness and leisure and calm in which the object of our passionate search moves forward to meet us? There is something very significant to the student of progress, in the history of the forerunners of revolutions. Their eager confidence in their own immediate success, their pathetic bewilderment at the mystery of their apparent failures, are rich with suggestion to any one who means work for an unpopular cause. No reform marches evenly to its consummation. If it does not meet apparent overthrow, it must step at times with the uneasiness of what George Eliot would call its "growing pains." But growing pains are not death-throes. In the name of growth and decay let us be exact in our diagnosis!

I have fallen into this train of thought, because there seems to have been a concerted and deliberate attempt, this past year, on the part of certain of those opposed to the thorough elevation of women, to assert that our influence is distinctly losing ground. Irresponsible assertion is the last refuge of the force whose arguments have fallen off in the fray, and "unconscious annihilation" is as yet a very agreeable condition. It might be replied, in the language of the hymn-book:

"If this be death,
'Tis sweet to die!"

Perhaps to the onlookers this has not been one of our fast years. No one actually engaged in the struggle to improve the condition of women can for an instant doubt that it has been a strong one. A silent, sure awakening of women to their own needs is taking place on every hand; and it is becoming evident that until the masses of women are thus awakened, the movement to enfranchise them must not anticipate any very vivid successes. Let us be content if our strength runs for a time to the making of muscle, not to the trial of speed.

I am, Madam, very sincerely, ELIZABETH STUART PHELPS.

CONCORD, Oct. 1, 1873.

DEAR MRS. STONE:—I am so busy just now proving "woman's right to labor," that I have no time to help prove "woman's right to vote."

When I read your note aloud to the family, asking "What shall I say to Mrs. Stone?" a voice from the transcendental mist which usually surrounds my honored father instantly replied, "Tell her you are ready to follow her as leader, sure that you could not have a better one." My brave old mother, with the ardor of many unquenchable Mays shining in her face, cried out, "Tell her I am seventy three, but I mean to go to the polls before I die, even if my three daughters have to carry me." And two little men, already mustered in, added the cheering words, "Go ahead, Aunt Weedy, we will let you vote as much as ever you like."

[Pg 832]

Such being the temper of the small Convention of which I am now president, I can not hesitate to say that though I may not be with you in body, I shall be in spirit, and am as ever, hopefully and heartily yours,

LOUISA MAY ALCOTT.

Letters from William Lloyd Garrison and Lydia Maria Child were also read, expressing deep sympathy and hope for the cause.

Mr. BLACKWELL, as Chairman of the Business Committee, reported the resolutions, of which the last was:

6. *Resolved*, That the woman suffrage movement, like every other reform of the age, laments the loss and honors the memory of its most powerful advocate, John Stuart Mill.

MATILDA J. HINDMAN, of Pittsburgh, made an address explaining the origin of the movement for woman suffrage, asserting its verity and necessity. She gave many reasons for woman's needing the ballot.

Mrs. LUCY STONE gave instances of oppressive laws with reference to statutes relative to widows which are in force in some New England States, and which bear very hard upon women because they can not vote.

Mrs. ABBA G. WOOLSON, of Massachusetts, author of "Woman in American Society," gave an exceedingly interesting description of her tour through Wyoming, her hour and a half conversation in the cars with Gov. Campbell, whose testimony was positive in favor of all the new privileges given to women, by which Wyoming has distinguished herself. Mrs. Woolson came home happy to have for the first time set her foot on Republican soil; "for," said she, "no State in the Union is a republic, but it is to me an absolute monarchy."

Rev. CELIA BURLEIGH, demonstrated that this Government is not a republic, but an aristocracy so long as the suffrage is denied to woman.

Mrs. MARY A. LIVERMORE found much encouragement for the cause in various signs of the times. She would have women act as if they already bore the responsibilities of voters; would have them put off frivolity and every other cause of offense to opponents, and put on a soberness of spirit and a gracious gravity of mien as behooved those in whose hearts a great work lay. She exhorted them to remember that they were not arrayed against men as foes, but that they were working with fathers, brothers, husbands and sons for the best interests of the whole race.

An audience of at least 1,200 persons was present at the closing session.

The following letter from Miriam M. Cole was read:

OTTERBEIN UNIVERSITY, WESTERVILLE, O., Oct. 4, 1873.

DEAR MR. BLACKWELL—Much as I wish to be with you the 13th and 14th, I can not. My work in the University can not be given to another, and I have no right to leave it undone. I hope your meeting will be profitable and successful. It is said, "Interest in woman suffrage is dying out." This is not true, so far as I know. There is more sober, candid talk on the subject in private circles, here in Ohio, than ever before. Our students in the University are asking questions, with a desire for intelligent answers, and at home, in Sydney, before I left, many experienced politicians confessed it to be the one thing needful. I am sure it is gaining ground among our quiet, sensible people. The stir may not be so demonstrative in cities as formerly, but through the country there is a general awakening. If we can only have patience to wait, we shall not be disappointed. Right, sooner or later, will come into its kingdom. Women are no longer children to be frightened by imaginary bears, neither will they be satisfied with playthings, who ask for better. The distance between men and women is lessening every year. Colleges are bringing them on to the same plane, and the agitation of this question of woman's right to a voice in the government, has given and is giving men new ideas respecting the strength of woman's intellect and her determination to be more than a doll in this busy world.

[Pg 833]

Whether we are made voting citizens or not, let no man beguile himself with the thought that the old order of things will be restored. They who step into light and freedom will not retrace their steps. This end is equality, civil, religious and political—there is no stopping-place this side of that. My best wishes are with you and yours.

MIRIAM M. COLE.

Miss HULDAH B. LOUD, of East Abington, Mass., was the first speaker: Scorned by the Democrats and fawned upon by the Republicans, who profess but to betray, under these circumstances we come again to the fight. We believe in liberty in the highest degree, such liberty as our fathers fought for, and this struggle will go on until that liberty is gained; liberty is the pursuit of life, health, and happiness. We look in vain for honesty in political life. We turn in disgust from the meaningless platitudes of the Republican Convention at Worcester, from the incidental admission of a plank in the platform which means nothing.

If we would be recognized as a power by political parties, every suffragist should withhold his ballot, and thus politicians would be brought to their senses. If we labor for anything, if we mean anything, we mean woman suffrage, and let us not give a moral or material support, politically, to the man who is not in harmony with the principle of free suffrage in its broadest significance.

We are called unwomanly for our advocacy of this priceless boon to women. We are willing that our womanly character should stand by the side of those who oppose this movement. Do you call Lucy Stone, the woman reformer of the world, with her eloquence, her soft voice, her matchless, unwearied work for all that is good, with her motherly appearance, do you call such a woman unwomanly? Or Margaret Fuller, or Julia Ward Howe, do you call these women unwomanly? Then let us take our place by them, cast in our lot with them and be called unwomanly. It is said, and it is sadly true, that many women do not want the ballot; and it is no less sadly true that many of our most bitter opponents are our sister women. But if they do not want the ballot, if you deprive me of the right you do me a grievous wrong. It is said that if we were given the privilege of the ballot, we would not use it. Is it any reason if I do not choose to avail myself of my rights that I should be deprived of them? Why do you consult women if this right shall be given them? You did not consult the slave in regard to his freedom, but you said he was wanted for the salvation of the country, and you took him and forced freedom upon him.

Mrs. JULIA WARD HOWE and Mrs. MARY A. LIVERMORE spoke alike with great force and earnestness upon the moral and religious phases of the movement.

Mrs. FRANCES WATKINS HARPER, of Philadelphia, made the closing speech. She showed that much as white women need the ballot, colored women need it more. Although the women of her race are no longer sold on the auction block, they are subjected to the legal authority of ignorant and often degraded men. She rejoiced in the progress already made, but pleaded for equal rights and equal education for the colored women of the land.

[Pg 834]

The PRESIDENT said—Ladies and gentlemen, the letters have been read, the reports accepted, the resolutions adopted, the officers^[195] for the ensuing year chosen, and there being no further business before the Convention, it is moved and seconded that we adjourn *sine die*.

The Sixth Annual Meeting of the American Woman Suffrage Association assembled at the Opera House in Detroit, Tuesday morning, Oct. 13, 1874.

Col. W. M. FERRY, of Grand Haven, Chairman of the State Executive Committee of the Michigan Suffrage Association, called the meeting to order, and made a brief address of welcome. He spoke of the pleasure the Convention afforded many of the advocates of woman suffrage in this city who have the cause deeply at heart. He then alluded to the authoress of the well-known hymn, "The Battle Hymn of the Republic," Mrs. Julia Ward Howe, and introduced her as the President of the American Woman Suffrage Association.

The Rev. Mrs. GILLETTE, of Rochester, Mich., opened the meeting with prayer.

The President, Mrs. HOWE, then delivered the Annual Address:

Ladies and Gentlemen of the American Woman Suffrage Convention:

It is my office on the present occasion to welcome you to this scene of our happy and harmonious meeting. In this great country many families do not gather their members together oftener than once in a year. When they accomplish this they ordain a festival, and call it Thanksgiving Day. This Association is in some sense a family, whose members are widely scattered. East, West, North and South claim and contain us. But when the sacred call for our Annual Meeting is issued, distances are forgotten, business and pleasures are interrupted. Like the wave of a magician's wand, the touch of a common sympathy summons us and keeps us in sight. Our first feeling, I suppose, is one of great pleasure at looking each other in the face again. This is our Suffrage Thanksgiving, and we hope to keep it right cordially. Welcome, dear friends, faithful sisters and brothers. Welcome, one and all. In this world of death we still live. In this world of doubt we still believe in even-handed justice, and in pure law. So, with one breath, we give God thanks for our continued life and faith, and wish each other and our great cause Godspeed.

But we are met for something more than a mere expression of feeling, however cordial and timely that might be. We meet here to take counsel for the spiritual welfare to which each one of us stands pledged. How goes the good fight? Let each department of our little army tell. What victories have been achieved, what defeats suffered with patience? How shall we improve the one? What shall we learn from the other? Oh! let us feel that these rare moments of our meeting are precious. Here we must compare notes and learn what has been done. Here, too, we must briefly survey what is yet to do and how it is to be done. May no moment in this too brief season be wasted! May we all speak and act in view of great necessities and of high hopes. We may take for our text the words: "Now is our salvation nearer than when we believed." But we must also acknowledge that the end is not yet.

Every year that sees us banded together in pursuit of our present object sees a wonderful growth in its prominence and recognized importance. Opposition has grown with our efforts. People at first said, "Nobody will resist you." This was when people thought we were in fun. But when it appeared that we were in sad and bitter earnest, opposition was not wanting. Wherever we came to plead the cause of human freedom, the enemies of human freedom met and withstood us. All the professions have befriended—all, too, have opposed us. We have stood before powers and dignitaries to maintain what we believe; and while we have asked that the right of suffrage be recognized in the persons of women, women learned and unlearned have stood up to ask that our petition should not be granted. We need not say that for one woman who has done this, hundreds and thousands have risen up to bless the woman suffrage cause and its champions. And for every doctor, lawyer and priest who has shrieked forth or set forth our presumptive disabilities, a tenfold number of men in all of these callings have arisen to do battle for the right, and to tell us on the authority of their special knowledge and experience, that the reform we ask for is congenial to nature and founded on right. Goldwin Smith, a man knowing naught of woman, airs his irrational views in the English *Fortnightly*, and Frances Power Cobbe and Prof. Cairnes, and a host of others, unravel the net of his flimsy statements. Drs. Clarke and Maudsley dogmatize from their male view of the female constitution; and from men and women throughout the country an indignant protest rises up. Men and women say alike: "It is not education that demoralizes and diseases our women. It is want of education, want of object, want of right knowledge of ends and methods." And how shall we acquire this unless we are taught? And how shall we be taught unless provision is made for us? And how shall provision be made for us unless we make it ourselves by voting for it?

[Pg 835]

Some mention is due to the place in which we meet. We are in the State of Michigan, a State in which the question of impartial suffrage has been carefully canvassed and presented during the past year. Within a short distance from us is the University of Michigan, liberal to men and to women, whose scholarly claims and merits its Professors and its President openly and earnestly attest. We claim that institution as our potent ally. It furnishes the remedy to all that we complain of. Equal education for the sexes is the true preparation for equality in civil and social ordinances. Even at this distance we breathe something of that pure air in which the woman grows to her full intellectual stature, untrammelled by artificial limitation of object and of method. We boast our own Boston, its culture and its conscience, but while Harvard persistently closes its doors to women, we blush too for New England, and sorrowfully wish it better enlightenment and better behavior.

Having spoken of the East and the West, let me say how welcome to us of the East are occasions which make us better acquainted with our fellow-workers and believers of the West. The late Mr. Seward once said that slavery was sectional and freedom National. This was true in a larger sense than that in which he said it. All that is slavish tends to keep up sectional prejudice and isolation. All that is liberal tends to sympathy and union. East and West are the two hands of this mighty country—let the harmony of the present occasion show that they have but one heart between them. Are not all our chief possessions held in common? We gave you Sumner and you gave us Lincoln. We fought together the war of our late enfranchisement, and when God shall give us impartial suffrage as an established fact, it will be hard to discriminate between our work and yours. But the two hands will then be clasped, and the one heart uplifted with a throb of thankfulness that shall make our whole Nation one, and that forever. For the present moment, while we workers for woman suffrage can make no boast as to the final adoption of our method, we can yet rejoice in the results which already crown our work. Christ, in the very infancy of his mission, looked abroad and saw the fields already white with the harvest.

The different agencies employed by this and kindred associations have plowed and furrowed the land far and near. They have dropped everywhere the seed of a true word, of a right feeling. How small a thing may this dropping of a seed seem to a careless observer! Yet it is the very life of the world which the patient farmer sows and reaps. So, our laborious meetings and small measures; our speeches, soon forgotten; our writings, soon dismissed; our petitions to Legislatures, never entertained; all these seem small things to do. The world says: "Why do you not labor to build up fortunes and reputations for yourselves if you will labor? Why do you waste your time and efforts on this ungrateful soil?" But we may reply that we have the joy of Christ in our hearts. In every furrow, some seed springs up; from every effort, some sympathy, some

conviction results. When we look about us and see the number of suffrage associations formed in the different States, we too can say that the fields are white already to harvest.

White already. Yet centuries of martyrdom lay between the sowing of Christ and the harvest which we reap to-day. All of those centuries brought and took away faithful souls who continued the work, who gathered and reaped and sowed again. And we, too, know not what years of patient endeavor may yet be in store for us before we see the end of our suffrage work. We know not whether most of us shall not taste of death before we do see it, passing away on the borders of the promised land, with its fair regions still unknown to us. And yet we see the end as by faith. By faith we can prophesy of what shall come. The new state, in which for the first time ideal justice shall be crowned and recognized; the new church, in which there shall be neither male nor female; but the new creature that shall represent on either side free and perfect humanity. Like a bride coming down from Heaven, like a resurrection coming out of the earth, it shall appear and abide. And we, whether we shall see it as living souls or as quickening spirits, shall rejoice in it.

Miss EASTMAN read the following letter:

LARAMIE CITY, W. T., Sept. 22, 1874.

Mrs. LUCY STONE, *Chairman of the Executive Committee*.—Your favor of the 12th inst. is received. I wish I could be with you at your meeting in Detroit next month, but I am so crowded with engagements here that I do not think I can get away. We have just had another election, and at no time have we had so full a vote. Our women have taken a lively interest, and have voted quite as universally as the men. Their influence has been felt more than ever and generally on the side of the best men. Several candidates have been defeated on account of their want of good characters, who expected success on party grounds. It is the general sentiment with us now that it will not do to nominate men for whom the women will not vote. Is not this a great step in advance? When candidates for office must come with a character that will stand the criticism of the women or be sure of defeat, we shall have a higher tone of political morals.

I hear it urged abroad that woman suffrage is not popular in Wyoming, but I hear nothing of the kind here. All parties now favor it. Those who once opposed it oppose it no longer, while its friends are more and more attached to it, as they see its practical benefits and feel its capacity for good. No one that I hear of wishes it abolished, and no one would dare propose its repeal. The women are beginning to feel their power and influence, and are growing up to a wider and stronger exertion of it. I think I can see a conscious appreciation of this in a higher dignity and a better self-respect among them. They talk and think of graver subjects and of responsibilities which ennoble them. A woman will not consent to be a butterfly when she can of her own choice become an eagle! Let her enjoy the ambitions of life; let her be able to secure its honors, its riches, its high places, and she will not consent to be its toy or its simple ornament.

Very respectfully,

J. W. KINGMAN.

Miss EASTMAN said that this letter presented just the evidence on the result and experience of woman suffrage that was wanted. She said that women were very inconsiderate and indifferent to this question. Women, until they are brought to think upon the matter, generally say they do not want to vote. She spoke of the laws of some States which allow the taking away from a mother of her children, by a person who had been appointed as their guardian, in place of her dead husband, and of the laws severe in other respects which States have made in relation to women. She wished all persons had the question put to them conscientiously whether woman had all the power she wanted. We do want, she said, every legitimate power, and we shall never be content with a tithe less than we can command.

Gen. A. C. VORIS, of Ohio, read letters from the following persons, regretting their inability to attend the Convention: Bishop Gilbert Haven, D.D., of the Methodist Episcopal Church; from Elizabeth Stuart Phelps, Judge Wm. H. West, of Ohio; Hon. C. W. Willard, of Vermont; Hon. G. W. Julian, of Indiana; Hon. D. H. Chamberlain, of South Carolina; William Lloyd Garrison, George William Curtis, the Smith sisters, Richard Fiske, Jr.

Rev. Mrs. GILLETTE, of Rochester, Mich., said every woman as well as every man should speak for what she believes to be necessary for her own well-being and for the well-being of the community. Charles Sumner once said that a woman's reason was the reason of the heart. She would give a few womanly reasons why she wanted the voters of Michigan to give the ballot to women. The want of the ballot prevents woman from possessing knowledge and power. If a woman performs the most menial services for the sake of her children, to eke out for them a subsistence, she does not do it because the law demands it, but because there is no other way open to her to obtain a livelihood. She did not ask for the ballot because the laws of the State are barbarous. She did not believe that men can make laws that will answer to the needs of women. Only when men and women together make laws can they be just and equal, and for that reason there should be both men and women in the Legislature.

Mrs. BLACKWELL read some additional resolutions^[196] to those that had been adopted at an earlier stage of the Convention.

At the first evening session Mrs. Lucy Stone presiding, Mrs. JULIA WARD HOWE, of Boston, was the first speaker. In opening she spoke of the silent weary work, of the results of which the afternoon's reports told, and showed that the equal suffragists' labor is not comprised in facing pleasant audiences and listening to the applause which so many say is the one thing for which the women in this movement work. Her entire speech was in a tone that could not fail to convince all, that she, at least, works for something higher.

Mrs. STONE said that in every time of need, wherever the womanly workers for woman go, they find men to whom their gratitude flows as the rivers flow to the sea—they are the men who stand up to speak in woman's name in behalf of woman's rights. As one of these men she introduced Gen. Voris,

of Ohio, the champion of equal suffrage in the Ohio Constitutional Convention. The speech of Gen. Voris was a close, logical argument. It reviewed the entire question of suffrage, and bristled with points. He was so frequently interrupted by applause that he was obliged to ask the audience to withhold their tokens of approbation till he got through, but it was to little purpose, for enthusiastic suffragists couldn't help letting their hands tell their ears how good the General's hard hits at the anti-suffragists made them feel, and the applause would still break out once in a while.

Mrs. MARY A. LIVERMORE was next introduced. She was greeted with applause, and commenced by an allusion to the Scandinavian origin of our race, and their characteristic bravery, vigor, and love of freedom. The Scandinavians were distinguished from other races by their regard for their wives. With them the woman stood nearer to heaven than the man. She was in some sense a priest, a law-giver, and a physician, and she was worthy of the position. Is it strange that with such foremothers we should love liberty? Something of this spirit has always marked the race. And now women ask for the right of suffrage, not because they are abused, but because they are half of humanity—the other half of man. They want simply equality, not superiority. She spoke of laws in the statute-books which do absolute injustice to men, and asked whether if the men could not legislate better than that for themselves, it was not a little ridiculous for them to assume to legislate for themselves and the women too? Mrs. Livermore spoke of some of the injustice of the law to women. The law is not for you, gentlemen, who are a law to yourselves, and who care for your wives so that they forget the injustice of the law. They are for the poor and down-trodden women, the wives of drunkards and wife-beaters. Make them what they should be. But the main claim of women to the ballot is that it is the symbol of equality. Women can never be made men. There is no danger of woman losing her womanhood. In fact we do not dream yet what womanhood can be. Women are now obsequious. Many who want to vote, in awe of husbands, fathers, sons, the pulpit, the press, ruled by men, do not say so. They have been taught through all the centuries that patience is the highest attribute of woman. She spoke of the division of masculine and feminine attributes. They complement each other, and together make the perfect whole. The assertion that women are slaves is nonsense. The great reason for woman suffrage is that it will aid a higher and grander civilization.

The following letter was read:

BOSTON, 148 Charles Street, October 10, 1874.

H. B. BLACKWELL, Esq.: My dear sir—I am sorry my first letter never reached you, for I said in that just what I wanted to express of my own convictions touching suffrage for women. My opinion will go for very little, but whenever an opportunity occurs I wish to say just this if nothing more. It is my firm conviction that all who oppose so just a cause as woman suffrage know not what they do; and, if they are not dead within five years, will repent their opposition in deep and mortifying self-reproach.

"The seed of the thistle," says Tyndall, "always produces the thistle," and our opponents will have a prickly time of it with their own consciences, when the day dawns in righteousness over the American ballot-box. God prosper the struggle and give you heart and hope, for your triumph is sure as sunrise, and will win that final mastery which heaven unflinchingly accords to everlasting truth. Cordially yours,

JAMES T. FIELDS.

Short speeches were then made by Giles B. Stebbins, Mrs. Blakeman, Miss Strickland, Miss Patridge, and Mrs. Dr. Mary F. Thomas. Mr. BLACKWELL reported the list of officers^[197] for the ensuing year.

Afterward addresses were made by Mr. Blackwell, Mrs. Elizabeth R. Churchill, Mrs. Samm, Miss M. Adele Hazlett, and Gen. Voris.

Mrs. MARGARET W. CAMPBELL, of Chicago, said she came before the audience to speak upon the most important question of the day, important to one half, and through them to the other half of the community. This movement is no crusade of women against men, but an honest effort of both men and women to make one sex equal in all respects with the other. When our forefathers attempted to secure their own liberty they adopted the principle that all men are created free and equal, and are endowed with certain inalienable rights. Notwithstanding this, the Government allowed the maintenance of slavery for over three-quarters of a century. Rights are God-given. If any man can tell where a man gets his right to vote, he will find that woman obtained hers in the same place. The ballot, she claimed, was a means of educating the class who exercise the power of such ballot.

Mrs. MARGARET V. LONGLEY, of Ohio, said this question of woman suffrage was one that was claiming the attention of the best minds of Europe and America. Women think they have as good a right to the ballot as men, and this right they want to exercise. Lunatics and idiots are deprived of the ballot because they do not know how to use it. Criminals are denied it because they are outcasts of society and have proved themselves unworthy of it. Women are deprived of it because of their womanhood. The sexes, she said, were never made to be antagonistic. Experience proves that what is of interest to women is of interest to men. There is no branch of business or of industry in which concession is granted to women on account of their sex. Nobody will pay more to a woman for any work than they will to men for the same work, and in the making of a suit of clothes it is seen that they pay a man more than double the amount they will to a woman for the same work.

Prof. ESTABROOK said that he was a recent convert to this movement. He had read the Bible, Bushnell, and Fairchild, and some others, and was convinced that women ought not to vote. When the question was submitted to the people by the Legislature, he commenced to read the Bible and Bushnell and others again. He found that Bushnell proved too much, and that the objections urged against women voting were equally good against nine-tenths of the men. The question of propriety—whether women should go to the polls—was another question which he considered. He did not now see why it was improper for woman to go where her husband or her son must go; and if the polls are not good places, decent men ought not to go there. He had all his life debated the question whether the University should be opened to ladies, and his first vote, cast as a Regent of the University, was in favor of the admission of women to the University. He was then opposed to their entering the

medical department. But they next applied for admission to the law department, and he voted for that, and then, when they applied for admission to the medical department, he had to vote for that. He had never found out what right a man possesses to the ballot that a woman has not; and if anybody could convince him that the right of woman to vote did not come from the same source as man's right came from, he would be glad to have it done.

[Pg 840]

Miss MARY F. EASTMAN said it was a hard thing to stand and demand a right to which we were all born. It has been said by Dr. Chapin that woman's obligations compel her to demand her rights. There is a great cry going up from humanity, and only woman's nature can answer it. As she recently stood at the corner of the five streets which make the Five Points of New York, and looked at the crowd of miserable people about her, she was aghast. But she took courage when she learned that the mission-house and the long block of tenement houses on one side of the street were built by women, who daily feed 400 poor children, and that this was done by women, who took up the work after the Methodist Church had made a vain effort to do something to ameliorate the condition of those poor starving creatures.

On motion of Mr. H. B. Blackwell a vote of thanks was tendered to the citizens of Detroit, to the Detroit Suffrage Association and to the press of the city for favors and courtesies shown to the Association and its members during its meeting in this city, and for the full and fair reports of the Convention. The Association then adjourned.

The seventh Annual Meeting of the American Woman Suffrage Association was held at New York, in 1875. There was a large audience,^[198] not less than 1,000 persons were present.

Bishop GILBERT HAVEN, President of the Society, took the chair, and called upon Rev. Dr. THOMPSON, of Brooklyn, to open the meeting with prayer. After which Mr. HAVEN said: In appearing before you to-night as the official head, for a very few hours, of the society which holds its annual meeting here, I deem it proper to burden you before you get at the richness of the feast that will follow, with a few thoughts that are in my own mind connected with this reform. The inevitable effect of every true idea is that it shakes off everything that hinders it and rises far superior to all associations. Woman suffrage has reached that development, and the public of America and England are beginning to appreciate it. Now, what is this idea? It is simply this—that the right of suffrage has no limitation with the male portion of the human race; that it belongs alike to the whole human family. I am a Democrat, a Jeffersonian Democrat, and I believe in the right of every man to have a voice in public affairs. It is a right that belongs to the very system of our government. Monarchical governments recognize the nation as belonging to a family; but the democratic system recognizes a government by the people and for the people, and, if this be the government, every person in the nation has a right to participate in its administration. There is no partiality possible in such a conception of the system of government under which we live.

[Pg 841]

Charles Sumner said that "equality of rights is the first of rights," and this will reveal itself in every department of citizenship. Our Government requires the expression of the views of the whole people upon every national question; it is a human right belonging to the political status of every individual, the woman as well as the man. The history of Christianity has been a history of the gradual enlarging of the sphere of woman; and this meeting to-night is one of the effects of Christianity. We stand now at the beginning of a new century; the last has been one of great development, and yet the very root fact of our national being lies in the first line of the Declaration. When we declared ourselves to be a Nation, we declared equality for all men, and we never meant by that, equality simply for all males. Jefferson never had that narrow view of human nature. He knew it meant all the people of America. Every one had a right to life, liberty, and the pursuit of happiness, the woman as well as the man.

It is said women can not rule. Not rule! look through history. Where are Cleopatra and Semiramis, and Zenobia and Catharine, and Elizabeth and Victoria? Not rule? Did not Joan of Arc save France when the king had fled, and the armies were scattered, and English soldiers did their will in all that land? So Elizabeth picked up a prostrate nation, lowest of the low, despised of emperor, king, and Pope, and made it the sovereign power of Europe. So Victoria held back Palmerston and Russell and Gladstone and Derby, who would have plunged England into war with us, and left us free to subdue our enemy. Had not a woman ruled England we should have had a harder task than we did by far. Christianity has lifted woman to a level with man. It has given her liberty of movement, of faith, of life. It also demands her political deliberation. May this beginning of our second Centennial see the perfection of our political system, in this admission of woman to all the rights and duties of citizenship. It has worked well in Wyoming. It will everywhere. Let it come.

Rev. ANTOINETTE BROWN BLACKWELL, of Somerville, N. J., said: A few days ago, in one of the New York dailies, I saw the announcement that one subject which now occupies the minds of the American people can never be settled till it is settled right. Knowing that this Convention was just at hand, I mentally exclaimed, "It is certainly woman suffrage!" But no! it was the question of the National currency. Well, the currency question did suggest great moral issues, and it was vital enough in character to justify the editorial claim. I believe it never can be settled till it is settled right. But what is the currency problem to a direct question of human rights, involving the highest moral and civil interests not only of all the women in the country, but of all the men likewise? This suffrage question never can be settled till it is settled right. So surely as the law of justice must yet prevail, it will continue to vex and trouble the whole nation continually.

Because the sexes are so unlike in their natures and in all their relations to the State, there is imperative need of representation for both. Women in beleaguered cities have again and again stood heroically side by side with men, suffering danger and privation without a murmur, ready to endure hunger and every form of personal discomfort rather than surrender to the enemy. What women have done in the past they would willingly do again in the future in like circumstances. They are everywhere as patriotic as men, and as willing to make sacrifices for their country.

[Pg 842]

But their relations to the government in war are of necessity widely unlike. If men as good citizens are bound to peril their lives and to endure hardships to aid the country in its hour of need, yet women peril their lives and devote their time and energy in giving to the country all its citizens, whether for peace or war. And if the liberties of the nation were in real peril, they would freely devote their all for its salvation. In any just warfare it is fitting that the young men should first march to battle, and if all these were swept away, then the old men and the old women might fitly go out together side by side, and, last of all, the young mothers, leaving their little children to the very aged and to the sick, should be and would be ready in their turn to go also, if need be, even to the battle-field rather than suffer the overthrow of a righteous government. But woman's relations to war are intrinsically unlike man's. Her natural attitude toward law and order and toward all public interests must always differ from his. Women would never be the producers of wealth to the same extent with men. The time devoted by the one class to earning money would be given by the other to rearing children. Yes, this question touches too many vital interests ever to be settled till it is settled right. We mean to live, to keep well and strong, and to continue to trouble the whole country until it is settled and settled to stay. There can be no rest from agitation till this is done.

LUCY STONE spoke particularly of the need of using the opportunity the Centennial gives, to show that, if it was wrong for George III. to govern the colonies a hundred years ago without their consent, it is just as wrong now to govern women without their consent; that if taxation without representation was tyranny then it is tyranny now, and no less tyranny because it is done to women than if it were done to men; that the usurpation of the rights of women is as high-handed a crime as was the usurpation of the rights of the colonists by the British Parliament, and will be so regarded a hundred years hence. She claimed that this occasion ought to be used to show men that the deeds of their ancestors, of which they are so proud, are worthy of their own imitation; she urged women to refrain from joining in the Centennial, and to show no more respect for the power which governs them without their consent, than did their brave ancestors a century ago.

The PRESIDENT said—I understand there is among the audience the famous Democrat of England, CHARLES BRADLAUGH, and I will call upon him to say a few words.

Mr. BRADLAUGH at once came forward from the rear of the hall, where he had been sitting, and mounting the platform, said: I only came forward in obedience to a call which it would be impertinence to refuse here to-night. I came to be a listener and with no sort of intention of making any speech at all, and the only right I should have upon this platform is, that for the last twenty-five years of my short life I have pleaded for those rights which you plead for to-night. The woman question is no American question, no national question; it is a question for the whole world, and the best men of every country and of every age have held one view upon it, and the worst men have naturally held the other view. It is not a question of mere taxation; it is a question of thorough humanity; a question not of mere geographical limitation, not of America, not of England, not of France, not of Italy, not of Spain; but, were it a question in any of these countries, a woman would stand up to show you that woman can do woman's work of making man truer and purer; and there is no age of the world in which you can not find some woman who has shone out in the darkness of night to show you that, though other stars were obscured, she could still shine; and whenever woman suffrage is debated, my voice is at their service, for the grander woman is made, the purer will man be.

[Pg 843]

At the next session the report of the Executive Committee was made by the Chairman, Mrs. Lucy Stone. After which letters were read from Lydia Maria Child, Mrs. H. M. Tracy Cutler, Elizabeth Stuart Phelps, Hon. H. A. Voris, and Miss Lavinia Goodell. The Committee on Resolutions^[199] reported a long list of stirring appeals to those who have the real interests of humanity at heart. Their adoption was urged in an able speech by Mr. Blackwell. The following session was principally devoted to the hearing of the reports from the auxiliary societies. The delegates, 159 in number, represented twelve States.

[Pg 844]

Rev. CHARLES G. AMES, of Pennsylvania, in reply to Mrs. Stone, said he thought it both impolitic and unreasonable to come into collision with the awakening spirit of the country in the matter of the Centennial. The American Revolution did great things for us all, woman included; and although it did not give her a political status, yet it established organic principles which make woman suffrage possible, logical and ultimately certain. No event has yet brought suffrage to woman; shall she therefore regard all history up to date as a failure, as if there were nothing in it worth celebrating? Rather may we rejoice that all the past is a series of steps leading up to the present; and still we mount! Woman suffrage is present in the institutions of our country as a germ; it is growing. In not affirming it the fathers did no conscious or intentional wrong; and only a few cultivated women of the Revolutionary period, like Mrs. Adams and a lady friend of Richard Henry Lee, felt the inconsistency of affirming the equality of all human beings and then ignoring half of them. But in days of war and slavery, Mr. Seward said, "Liberty is in the Union"; so we may say, Suffrage is in the Union. The negroes who fought for the Union, while it was only a white man's Union, were winning their own enfranchisement; the women who celebrate American Independence are doing honor to principles which will some day bring justice to all the inhabitants of the land.

The discussions on this subject of suffrage have disclosed to the American people their own low estimate of the ballot, as a coarse and uncertain instrument for procuring only coarse and doubtful benefits. They ought to thank us for bringing to light this dangerous skepticism, and for compelling attention to those deeper principles of justice and equality which alone can work the timely cure. To refuse to follow those principles when their new application becomes obvious, is to give up the Republic.

Yet there has been a relative decline of politics. The "powers that be," or the ruling forces of the country are not seated alone at Washington and the State capitals; new and mightier lawgivers have arisen. Civilization has come to include and employ other than political agents for the maintenance of order and the promotion of welfare. The power of opinion as generated by education, literature, religion, business or social life, and as announced through the press, and propagated in the widening circles of personal influence—this rules the rulers and masters the country. Thus, within the nation and fostered by its freedom, there has grown up a grander republic of thought and

sentiment, which has also blossomed into many a fair institution. Of this more glorious republic, woman is a welcome and unquestioned citizen. Her opportunities for self-help and for helping others, her share in the common burdens and her dividend of the common benefits, must be far larger, in our country and now, than in any other land or time. All this, the thoughtful friends of suffrage will gladly admit.

But does this concession belittle the importance of woman's political rights? Exactly not! A part in the government becomes important to any class in proportion as they become large stockholders in common affairs and as they become aware of their own interests and their own powers. The ballot is of little value to an unawakened, unaspiring people; their masters will look after matters. But American women are not unawakened or unaspiring. To many of them, life has grown painful, because their advancing ideal is dishonored by a sense of violated justice. Along with large freedom has come developed faculty, awakened desire, conscious power and public spirit. Precisely because their actual freedom is so large and sweet, they are galled by every rusty link of the old political chain. Not the mere handling of a ballot do they crave, but the position of unchallenged and unqualified equality, and the removal of the old brand of inferiority, which weakens alike their self-respect and their hold on the respect of others.

[Pg 845]

At present, the position of woman in the State is false, contradictory and uncomfortable. She has ceased to be a nobody; but she is not yet conceded to be a somebody. As she has gained many rights which were once denied, the old theory which made her a slave is overthrown; as she has not gained the absolute and chartered right of self-government, the new theory of her equality is not yet established. Of that equality suffrage is the symbol, as in this country it is now the symbol for men. She demands to be the custodian of her own affairs, and not to hold them by sufferance. She demands to be equal behind the law and in the law, as well as before the law.

The Committee on Nominations reported the list of officers^[200] for the ensuing year.

Miss EASTMAN said: There are many questions of profound interest occupying the minds of the community, and people come together to unravel if possible the complications of business and human obligations; questions of railroads, of tariffs, of the protection of dumb animals, and, most important of all, of the delicate relations of society to the unfortunate classes, and of equity between man and man. All these need the consideration which is made possible by the accumulated wisdom of centuries and the insight which eighteen hundred years' study of Christian principles have developed. But I shall never get over a sense of anachronism, of being out of time, in arguing at this late day a claim for so fundamental a thing as human freedom. I rub my eyes to make sure that I have not been in a Rip Van Winkle slumber for a few centuries, and am not coming before a nineteenth century audience with an untimely protest against a wrong long since abolished, and of which children only hear nowadays in their study of history, or when their parents draw a picture of the sad old times when an injustice prevailed against one half the people, and these the mothers, wives, and daughters. But no! we have none of us been permitted to betake ourselves to a mount of delight and to rest in enchanted slumber while the great wrongs righted themselves. We are here on the hither side of the conflict and must put our puny human strength into the work. Though this is the nineteenth century after Christ, we are here—in the most civilized, or perhaps I should better say, the least uncivilized country on the face of the globe—to urge the right of one half the human race to the same personal freedom and voice in the control of its own and the general interests as are possessed by the other half.

[Pg 846]

Mrs. FRANCES WATKINS HARPER was the last speaker. She said that she had often known women who wished they had been born men, but had known only one man who wished he had been born a woman, and that was during the war when he was in danger of being drafted into the army. He then not only expressed the wish that he had been born a girl, but even went further, and longed to be a girl-baby at that. Mrs. Harper gave a touching description of the disabilities to which women, and especially colored women, are subjected, and looked forward to their enfranchisement as the dawn of a better era alike for men and for women. At the conclusion of Mrs. Harper's address the Convention adjourned *sine die*.

The anniversary of the recognition of the equal political rights of women by the Constitutional Convention of New Jersey, July 2, 1776, celebrated in 1876 by the American Woman Suffrage Association, was as bright and beautiful as the fact it commemorated. Notwithstanding the heat of the weather and the varied attractions of the Exhibition and the great procession, an intelligent audience assembled at Philadelphia in Horticultural Hall. It contained many representatives of Pennsylvania, but was mainly composed of several hundred friends of woman suffrage from all parts of the country. The meeting was called to order by Henry B. Blackwell, Secretary of the Society, who read the call and introduced Mrs. LUCY STONE as Chairman of the meeting. Mrs. Stone prefaced her address by a historical statement of the interesting facts of woman's enfranchisement and disfranchisement in New Jersey.^[201]

The HUTCHINSON family sang with thrilling power and sweetness "The Prophecy of Woman's Future."

Mr. BLACKWELL said: The Philadelphia newspapers are discussing the question whether the second or the fourth day of July is the real anniversary of American Independence. I give my vote for the second of July for a reason which has not been generally named. On this day the men of New Jersey, for the first time in the world's history, organized a State upon the principles of absolute justice. For the first time, they established equal political rights for men and women. This was a greater event than the Declaration of Independence. The Declaration only announced the principle that "governments derive their just powers from the consent of the governed," but the men of New Jersey applied the principle alike to women and negroes. By as much as practice is worth more than theory and life more than raiment, by so much is the event we celebrate more glorious than any other in the annals of the Revolution. It was the prophecy and the guarantee of our national future.

Some people say that we celebrate a failure, because thirty-one years later the franchise was taken

away from the women of New Jersey. But the generation which enacted woman suffrage did not repeal it. New Jersey was first settled by the Puritans and Quakers—educated and intelligent, full of the spirit of liberty. Soon after the State was organized, this population was overwhelmed by an ignorant immigration from Continental Europe. Slavery became a power. Free schools did not exist. Another body of men supplanted the intelligent founders of the State and lowered its institutions to meet the lower level of character and purpose.

[Pg 847]

Another lesson we should never forget is, that the women of New Jersey lost the franchise because they voted against extending this right to others. The women were generally Federalists. They were said to have given the electoral votes of the State to John Adams against Thomas Jefferson in 1800. The Democratic party was bent upon enfranchising the poor white men who were excluded by a property-qualification. The women, then as now conservative in character, opposed this extension of suffrage. In 1807, when the Democrats got possession of the State Government, they put out the women and colored men and introduced the poor white men. With this warning before us, let us rejoice that American women have taken so warm an interest in the emancipation and enfranchisement of the slaves—that every colored delegate whom I met at the National Republican Conventions of 1872 and 1876 recognized the women as their friends, and were ready to help put a woman suffrage plank into the platform.

Also, let me congratulate you that the Prohibitionists and Republicans have each adopted our principle of equal rights for women in their party creeds, and that in the nomination of Rutherford B. Hayes, a woman suffragist, we have a man whose first public reputation was won as the champion of a wronged and friendless woman.

The HUTCHINSONS gave a spirited song. Mr. RAPER, of England, was then called, and gave an interesting sketch of the progress of woman suffrage in England. The afternoon meeting was opened by a song, "One Hundred Years Hence," by the HUTCHINSONS.

CHARLES G. AMES said: This meeting stands for something good and necessary—better than anything we can say. The advocates of impartial suffrage are the most consistent friends of the principles upon which our institutions are founded, because they alone propose to apply them. All others shrink from this application. They distrust human nature. They are afraid to move for fear of what may follow. They are like the Frenchman, who, being a little drunk, had dropped his hat and apostrophized it thus: "If I try to pick you up, I shall myself fall down. If I fall down, you can not pick me up. Therefore I will go on without you." But woman's enfranchisement will open every college door and every avenue of employment. Every woman will be cared for, as every man is now cared for. A government without justice is tyranny, piracy, and despotism. A society without justice would be a hell. The lower elements of appetite and passion exist in society. They must be overcome by the higher elements of justice. With justice will come heavenliness, purity, and peace. Thus, in opening the proceedings of this afternoon, we represent in 1876 the principles of 1776—the principles which will triumph more clearly and gloriously in 1976.

Mrs. HOWE said: Heaven gives each of us two human hands. One is meant to receive the gifts of Providence, and one is meant to give largely of what we receive to others. Ignorant, selfish human beings too often hold out but the one hand. They receive, and are satisfied with that; but they do not give. They seem to say to divine Providence, "What is yours is mine, and what is mine is my own." Nevertheless, in the order of this same Providence, what we give is as important to our happiness as what we receive. The rich man who has done nothing to enrich the community in which he lives, has really profited very little by the wealth he has amassed and inherited. Himself commanding the means of refinement and luxury, he lives surrounded by poverty, barbarism, and crime; and these, from the beginning of his career to the end, poison the very sources of his life. As much worse is it with those who receive liberty and do not give it, as liberty is better than money. "Give me liberty or give me death!" says Patrick Henry. He receives it. Does he give it to his slave? No. To his wife? Still less. What does he have of it, then? Only one half—the selfish half of possession, not the joyous and generous side of sympathy and participation.

[Pg 848]

These Jerseyites, it seems, were wiser than any in their day and generation. They saw the anomaly, the contradiction between a free manhood and an enslaved womanhood. They saw it taking effect at the sacred hearth, beside the tender cradle. And they saw their way out of it. What they received and valued as the greatest of God's gifts, they gave to their women, rational, human creatures like themselves, bone of their bone and flesh of their flesh, only made to exemplify that peaceable and loving side of human nature whose beauty has been always felt, and whose triumph is written among the eternal prophecies which time only fulfills. Honor then, to-day, to those truly brave and generous men who, with their own hands unbound, were not afraid to unbind the hands of their wives and mothers! Honor, too, to the women who were intelligent enough to appreciate the gift, and wise and brave enough to use it. No scandal accompanied its exercise. There was no talk in that time of the women deserting their household fires, their tender children, to fulfill their duty to the State. In that State, in those women, culminated the success and significance of the American Revolution. Remember the other States did not think so, neither did the men or the women who planned the International Exhibition of to-day think so. But it was so, none the less. And we to-day must light our torches at that very topmost flame of freedom, or they will smoke instead of burning.

Mrs. ANTOINETTE L. BROWN BLACKWELL said she came as a representative from New Jersey, her adopted State, whose unique suffrage endowment, one hundred years ago, we are here to celebrate. The ebb and flow which is the law of all progress, has temporarily deprived our women of the franchise. But it will be restored in the near future. "I have neighbors, whose mothers and grandmothers voted, and who are beginning to recall the fact with pride and satisfaction." Ex-Governor Bullock, of Massachusetts, has well said that "Historically, woman, in America, is now at the acme of her power." But at our next Centennial, men and women will stand together, acknowledged peers, at the acme of human achievement.

Mrs. ELIZABETH K. CHURCHILL said: The right of suffrage is always either inherited or earned. The women of America have earned their right by their work in the Revolution and in the Civil War. The inertia of women themselves is the greatest obstacle of our movement. But, in order to perform the duties which fall upon them in humane and charitable work, women need that their rights should be

Miss HINDMAN urged the importance of suffragists working inside the churches. Here is where the sympathies of society center. We have eight million professed Christians, church-members; three-fourths of these are women. Miss Hindman gave very encouraging accounts of success in enlisting the pastors and women of the churches in the suffrage work, also of the growth of woman suffrage sentiment among the temperance women of the West.

The HUTCHINSONS sang "The Star Spangled Banner," the audience joining in the chorus.

Mrs. STONE uttered her dissent for the words and spirit of the song so long as women are without political rights. In conclusion she offered the following resolutions:

1. *Resolved*, That on this Centennial Anniversary of American Freedom, we re-affirm the principle that "Governments derive their just powers from the consent of the governed"—and that "Taxation without representation is tyranny." Yet women are governed without consent, and taxed without representation.
2. *Resolved*, That we celebrate the establishment of woman suffrage in New Jersey, a hundred years ago, as the prophecy and forerunner of the American future. We point with pride to the existence of woman suffrage in Wyoming and Utah, and we declare that as the first century of Independence has achieved equal rights and impartial suffrage for men, so the next century will achieve equal rights for all American citizens irrespective of sex.

The resolutions were unanimously adopted, and the meeting adjourned.

The Eighth Annual Meeting of the American Woman Suffrage Association commenced on October 2, 1876, at Handel and Haydn Hall, Philadelphia. Mrs. MARY A. LIVERMORE presided and made the opening address.

The Committee on Credentials made a partial report, showing one hundred and three delegates present, representing twenty-three States and Territories. Two other States reported themselves at the close of the morning meeting, making in all twenty-five States and Territories^[202] represented. Brief addresses were made by Mrs. Howe and Mrs. Frances W. Harper. Letters were read from William Lloyd Garrison, and J. W. Kingman, of Wyoming. The Chairman of the Committee on Resolutions reported the following, which were accepted for separate consideration:

The American Woman Suffrage Association affirms: That woman's right to vote already exists in theory under a government based upon the consent of the governed; that her right to vote implies her right to take part in the nomination of her representatives in the primary meetings of the parties, and that this right can be granted at any time, by the State Convention of any party, without any change of constitution or laws.

We therefore recommend the suffragists of each State to address a memorial to every political convention, asking for the adoption of a resolution. "That hereafter, women who are identified in principle with the party, and who possess the qualifications of age and residence required of male voters, are invited to take part in its primary meetings, with an equal voice and vote in the nomination of candidates and the transaction of business."

Resolved, That we congratulate the National Prohibitory Reform party upon its adoption of woman suffrage in its platform, and upon the similar action recently taken by that party in several States; also upon the admission of women to the Prohibitory caucuses of Massachusetts by the unanimous invitation of its State Convention, and upon the subsequent nomination of the same candidates by the woman suffragists of that State.

Resolved, That we rejoice at the beneficent results of woman suffrage in Wyoming, and at its successful establishment in the Granges, in the Good Templar Lodges, and in other co-operative organizations.

WHEREAS, The Constitution of Colorado provides that the question of extending suffrage to women shall be submitted to the voters; therefore,

Resolved, That the American Woman Suffrage Association will extend to the Association of Colorado all the aid possible to secure the desired result.

Rev. B. F. BOWLES, of Philadelphia, was opposed to the adoption, of the first resolution on the ground that the attempt to obtain for women a voice and vote in the party caucuses was unwise and impracticable. Until women were voters no such right should be demanded. To do so was to begin at the wrong end. A caucus was and ought to be a conference of voters.

Dr. JOHN CAMERON, of Delaware, doubted the propriety of the action recommended in the first resolution. Mr. BLACKWELL spoke briefly in its support.

Mrs. SMITH, of Pittsburgh, stated that as a member of the Prohibition party of Pennsylvania, she had repeatedly taken part in the caucuses, and that the same was true elsewhere. By general consent the further discussion was postponed. Dr. CAMERON, of Delaware, at the evening session, said that on a more careful consideration he was convinced that the action proposed was right, and he should vote in its favor.

Mrs. ABIGAIL SCOTT DUNIWAY supported it by a story of the mice who planned to bell the cat.

Mr. BLACKWELL spoke at length in favor of making a concerted effort to secure the admission of women to the nominating caucuses, and predicted the success of any party which should adopt that measure, and all the resolutions were then adopted.

Mrs. JULIA WARD HOWE spoke of the determination which exists in the present age for investigating everything to its utmost extent, but questioned, however, whether this system of investigation was not carried too far, when woman suffrage was refused on the ground that it was not known what women would do with it when they had it. She said that John Bright was opposed to woman suffrage, but he did not show any reason why it was not a good object.

It was said that his opposition arose from the fact that he had married a woman who was opposed to woman's rights, and if this were the case, it was an additional reason why women should work among their own sex in promotion of this object. One important feature of the British Parliament is, that if the men of the country are dissatisfied with its action, they have the power to put the Government out of office, but the women of the country had only to sit passively by if they are not satisfied with the administration. Freedom with its concomitants does not promote despotism in either sex. The ignorant women of to-day, left in their ignorance, will continue to bring forth slavery, and to educate their children as the tools of despotism. It was said that inequality of property is complained of among women, but that it exists just as much among men. But what is complained of among women is not inequality of property, but absence of representation.

[Pg 851]

Addresses were made by Rev. John Snyder, of St. Louis; Lucy Stone; Mrs. Duniway, of Oregon, and Mrs. Livermore; after which the audience rose and united in singing the doxology, and the meeting adjourned.

In November, 1877, the American Woman Suffrage Association issued the following:

TO WOMAN SUFFRAGISTS.—We mail to every subscriber of the *Woman's Journal* a blank petition to Congress for a XVI. Amendment. Also, in the same envelope, a woman suffrage petition to your own State Legislature—Please offer both petitions together for signature. Thus, with the same amount of labor, both objects will be accomplished.

Respectfully,

LUCY STONE,
Chairman Ex. Com., Am. Woman Suffrage Assoc.

BOSTON, NOV. 24, 1877.

Later appeared in the *Woman's Journal* a paragraph to the effect:

Every subscriber has received from us, by mail, two forms of petitions; the one addressed to the State Legislature, the other to Congress. We consider State action the more important, but signatures to both petitions can be obtained at the same time.

These petitions should be circulated at once, and sent back to No. 4 Park St., Boston, by the middle of January. We hope for more signers than ever before. Friends of woman suffrage, circulate the petitions!

The result was a petition, sent by the Executive Committee of the American Woman Suffrage Association into Congress, enrolling 6,000 names.

The Ninth Annual Meeting of the American Woman Suffrage Association assembled in Masonic Hall at Indianapolis, in 1878. There was a full attendance of delegates. The evening before the convention an informal reception was held at the residence of Mr. and Mrs. M. H. McKay. Among those who called in the course of the evening to pay their respects, may be named: Judge Martindale, Mr. and Mrs. George W. Julian, Mr. and Mrs. Addison Harris, Mrs. Henry Bowan, Governor and Mrs. Baker, Professor and Mrs. Benton, Professor Brown, and Professor Bell.

The convention was called to order by Mrs. Dr. Thomas, of Richmond, President of the State Suffrage Association. The services of the day were formally opened with prayer by Dr. J. H. Bayliss, of Roberts Park Church. The resolutions^[203] were presented by the Business Committee.

Mrs. I. C. FALES, of Brooklyn: What is needed is an amelioration of the nature and conditions of man by a powerful moral influence brought to bear upon all classes and conditions so that the conscience and the intellect may both be quickened to perceive and redress the wrongs, with their consequent sufferings, which inhere in the social structure. The moral sentiment must go into harness and be thoroughly trained in order to do its work effectually. The corruptions of to-day are the legitimate results of the want of woman's influence in the formation of public opinion. That influence is comparatively ineffectual because it is narrowed to the small sphere of domestic life. No one can suppose that an opinion unsupported by authority can have weight enough to grapple with evils which have their root in the lawless part of man's uneducated, undeveloped nature. The most that such a sentiment can do is to enlarge itself by discussion, and every other available method, until it is strong enough to incorporate itself into legislative enactments, from whence it may shape and modify daily life.

[Pg 852]

While much can be done in molding and directing public opinion, the consummating force of legislation must be brought into play. If woman possessed the elective franchise, her influence would be greatly strengthened by her political power. The desire of reform would naturally express itself in the selection of candidates who would embody those ideas. Legislators chosen by men and women together, would represent a higher level of thought, and would tend to legislate more directly in favor of reform than if chosen by men alone, for woman represents the moral principle, even as man the intellectual, and knowing that the tone of legislation rarely, if ever, rises higher than the moral level of the people by whom the legislators are chosen, we insist upon the absolute necessity of that principle being allowed to officially express itself. Maudsley justly remarks "that great as is the intellect, the moral nature is greater still;" that "the impulses of evolution which move the world come not from the intellect, but from the heart."

Long and cordial letters were read from William Lloyd Garrison and Mrs. Frances D. Gage. At the first evening session addresses were made by Mr. Blackwell, Mrs. Stone, and Mrs. Campbell, of

Maine. The reports from the different State societies were listened to the next morning. After the report from Massachusetts had been given by Mr. Blackwell, Miss LELIA PATRIDGE, of Pennsylvania, spoke as follows: To one advocating this matter of equal suffrage, one of the noticeable things is the monotony of the objections brought against it, although each one is brought forward as if just evolved from the inner consciousness of the objector and never thought of before. One of these most commonly heard is that women do not want to vote. Suppose they do not, gentlemen; that is no excuse for you, for it is a matter out of their jurisdiction—a thing which you control, and as they have no power, they have no responsibility, and you can not shift it thus from your shoulders. But they do want it; the best, most intelligent, thoughtful women—those of whom we are proud—do want it, and it is only those who are either ignorant or selfish who say, "I have all the rights I want." This sounds hard, but it is true. Because a woman is so shut in, protected and happy that she does not feel the need of the ballot for herself, it is sadly selfish for her to fail to consider that all women are not so fortunate. But if she could once experience the great gain which woman suffrage would be to all the great questions of morals and reform which have seemed to belong particularly to those who are wives, mothers and sisters, she would hesitate no longer, but hasten to join that grand army of noble women who are pleading for equal political rights. There is hardly a large-brained, large-hearted woman either in this country or England who is not a pronounced suffragist. How can women who are indifferent upon this subject, so keep back the coming of right and justice to their sex, when such women as Lucy Stone and others are giving their lives to the cause? She is no more a woman than we. Some men say, with the one in Colorado: "Now, I'm agin suffrage. I believe that the Almighty made one spear for wimmin and one spear for men, and I b'l'ieve that the wimmin orter keep to her'n, and the men ort to keep to his'n;" and I agree. But who shall decide as to "spears?" Are the men alone to say?

[Pg 853]

At the afternoon session LUCY STONE presented to the audience Prof. R. T. BROWN, who has never failed to lift his voice in favor of the recognition of woman's equal right to a collegiate education, and who received the public thanks of many ladies of this city recently, as a testimonial of their appreciation of the step taken by him in resigning his chair in the Medical College Faculty, because women were to be henceforth debarred entrance thereto.

Dr. BROWN said: I have been engaged in this work for forty years. When I began, I stood absolutely alone. I worked ten years and made only one proselyte, and that was my wife. All mathematicians know that if they can establish one or two points in a curve, they can project that curve to its completion. In this way we have established several points in our great work of suffrage, and now we can see how to complete it. The work must go on. Truth is immortal and will prevail. From the boasted civilization of ancient Greece and Rome, which was nothing but an aristocracy, we trace the gradual development of woman up to the present time. During all that time the right of suffrage has been extended, and now we have a male oligarchy. And we call this a republic! This is not a popular government, as it has been called. Only one half its citizens have a voice in its management. Now, we are trying to make this a strictly popular government, and, to do this, the right of suffrage must be extended to woman. The great object of all government is the higher development of its citizens. The government can not be an entire success until women have the same rights as men.

Mrs. Dr. MARY F. THOMAS, of Indiana, said: In behalf of the woman doctors of the State, I will say that Prof. Brown has stood up for their advancement for the last twenty-five years. A few years ago the women of Indiana petitioned for a local-option temperance law. To-day I believe that they demand a prohibitory law, and nothing short of that will satisfy them. I am in favor of woman suffrage. To secure to us this right we must work for it. What women can do when they try, was shown by the women's exhibit at the late State Fair. Public sentiment is increasing on our side, and we intend to show our power at the next Legislature.

Mrs. H. M. TRACY CUTLER said: Many of us have grown old in this work, and yet some people say, "Why do you still work in a hopeless cause?" The cause is not hopeless. Great reforms develop slowly, but truth will prevail, and the work that we have been doing for thirty years has paid as well as any work that has ever been done for humanity. The only hope of a nation's salvation from miserable demagoguery lies in woman suffrage. With the advancement in education and civilization, I say to myself—the glory of the Lord is shining on women. With the advance in womanhood there will be an advance in manhood, and this will be one of the grand results of equal suffrage.

[Pg 854]

A long argument was then made by Hon. George W. Julian. After the Convention was called to order at the evening session, the Committee on Nominations^[204] reported.

Miss MARY F. EASTMAN, of Massachusetts, spoke as follows: It has been said that the greatest study of mankind is man. I do not know but we shall all believe, before we get through the three days' session of this congress, that the greatest study of womankind is woman! Indeed, from being a good deal overlooked in various ways, she has come to be almost the topic of the age, and strangely enough is she considered. According to the standpoint of the observer, woman is a riddle to be solved, a conundrum to be guessed, a puzzle to be interpreted, a mystery to be explained, a problem to be studied, a paradox to be reconciled. She is a toy or a drudge, a mistress or a servant, a queen or a slave, as circumstances may decide. She is at once an irresponsible being, who must accept the destiny which comes to her with as little power of resistance as the thistle-down upon the wind, or the sea-weed which the tide leaves to bleach on the rocks or sucks back to engulf in its own unfathomed depth—or she is responsible for everything, from Adam's eating of the apple in Paradise to the financial confusion which agitates us to-day; the first because she coveted so much knowledge, the second because she wants so many clothes. I wish we could, as speedily as possible without a general crash, lay aside this nonsense (regardless of the great loss of sirens and angels, which really never seemed to me exactly adapted to earthly conditions), and learn to regard woman as simply a human being, plus the powers and gifts peculiar to her sex, just as man is a human being, plus the powers and gifts peculiar to his sex. Here is a common basis of likeness sufficient to give community of interests and pursuits, with a variation which makes them mutually attractive and serviceable, each recognizing in the other the complement of himself and herself....

Speeches were also delivered by Mrs. S. E. Franklin, Rev. Fred. A. Hinckley, and Mrs. J. Ellen Foster. The Rev. John Snyder, of St. Louis, the last speaker of the evening, although the hour was

The Tenth Annual Meeting of the American Woman Suffrage Association was held at Cincinnati, November 4th and 5th, 1879. The hall had been tastefully decorated. Over the platform in large letters were inscribed, "Equal Work;" "Equal Wages;" "Welcome;" while around the entire hall ran evergreens in loops and circles. Elias Longley, the constant and true friend of suffrage for women, had taken charge of the advertising, and it was most effectively done. The newspapers showed good will in advance by pleasant local notices. Mrs. Margeret V. Longley, who has been a member of the American Association from the time it was organized, who is clear-eyed and true-hearted, took charge of arrangements for entertainment and hospitality. She was aided in this by Mrs. E. A. Latta, who has come later to the work, but who has brought her heart and conscience to it, and in her church and out of it she remembers the rights of women; Mrs. Morse, of Walnut Hills, and other ladies co-operated, so that as delegates arrived they were assigned to pleasant homes. At the appointed hour on Tuesday evening a full hall greeted the speakers. The Cincinnati *Gazette* said:

[Pg 855]

The first meeting of the American Woman Suffrage Association at the Melodeon Hall last evening, was one that would do credit to any cause. The large hall was nearly filled with people who would rank high in intelligence and good standing in this cultured community. And the fact that the larger portion were women meets the objection often made to this movement, that the women themselves are not in favor of suffrage for themselves.

Rev. W. C. WENDTE, the first speaker of the evening, said: Woman should not only be allowed a fair chance so far as business and the administration of an estate is concerned; every woman ought to have the ballot. Many will say, I believe woman ought to have the right to equal education, wages, carry on business, and choose any vocation she wants, but doubt after all whether it is best to put upon her the responsibility of the ballot. We have not a very exalted opinion of our right to vote, and this objection is often made with a kindly, honest, and earnest fear that she will drag herself down to the low filth of politics. Leave out the ballot, and woman's rights is like a pyramid without the apex, or, better still, like building a temple without the corner stone. I have no Utopian notions concerning the immediate effect of woman's voting. I do not think the millennium is coming when she can vote. But if women could vote it would not be possible for those disreputable shows on Vine street, the foulest and filthiest that ever disgraced a Christian city, to continue one day longer. They would be put down by the overwhelming power of moral sentiment of the mothers, sisters, wives, and sweethearts, expressed at the ballot-box; and the men who are now so derelict, careless and indolent, will be wakened up to some earnestness against those exhibitions.

I will say, in conclusion, that I most heartily welcome these women among us, some of whom, like Mrs. Lucy Stone, have labored long and faithfully. I would say that you may come up like Moses of old, and see the promised land, and unlike him, unless all signs fail, you shall enter and receive the just reward of all your toil. The time is coming when women will have the ballot. State after State is wheeling into the line. In Massachusetts they have the right of the ballot for school committee. Step by step they are climbing up, and soon the time will come when the American people will rise up in new-found manhood and say: "My sister, we will not ask you to receive the ballot from our hands as a condescending privilege, but will ask you to go forward and take it as your inalienable right."

Mrs. REBECCA N. HAZARD, of St. Louis, President of the Association, spoke as follows: As one after another the milestones are reached which mark the progress of our cause, we pause to examine the ground upon which we stand. If to our impatient vision in looking forward the journey seems long, we have only to look back to see how much of the way has been left behind. To those who have borne the burdens of this undertaking the work may appear to move slowly. But this is always the case where enduring principles are to be planted. "What the ancients said of the avenging gods, that they are shod with wool," says Lieber, "is true of great ideas in history. They approach softly. Great truths always dwell a long time in small minorities." Growing in unobserved places, they take root and become strong before their spreading branches attract the public gaze.

[Pg 856]

To many the pursuit of an abstract principle under so many difficulties seems an absurdity. They therefore impute motives more or less unworthy to those who are willing to immolate themselves for an idea. There are always at least two ways of looking at any question, and I have sometimes placed myself in the position of those who take an unfavorable view of woman suffrage, and who reason in this wise: "These women are discontented. They must have been unfortunate. They seek to overstep the limits which nature and circumstance have placed about them. Not content with the round of domestic duties which has hitherto constituted the sum total of woman's life, they seek to perform the functions which custom has allotted to man. They desire to be independent, self-sustaining—strong, while the more attractive ideal woman is fragile, clinging, dependent. Why should they desire to overturn the existing order of things? The world gets on pleasantly enough, why introduce these disquieting questions, when by patient acquiescence we might have tranquillity, and, perhaps, more of the pleasant things of life?" or as I once heard it formulated by a lady: "Why should Mrs. A. want to vote when she has such an indulgent husband." This is one view of the subject and there are times in the life of every woman when such reasoning has more or less weight.

But there is another side to this question, and how changed the picture. The whole scope and meaning of this wonderful woman's movement here dawns upon us. We find a new order of things indeed. We behold amid the changing dynasties of the world a new government arise—a republic based, not upon the will of the strongest, not upon property, but upon the rights of the individual. With a code of political ethics more perfect than any the world has yet seen, we find it still hesitating to put these principles to the test. As a consequence it struggles in the waves of political disorder like a ship without ballast. Recognizing as vital doctrines the equality of the race, and the value of the family as the political unit, we find the woman principle, the mother element, subdued, subjected, deprived of any fair expression in the conduct of the government. As a result we have corruption in high places, fraud, public distrust, and their host of accompanying evils. We find forces at work which threaten the security of our homes, the manhood of our sons, the purity of our daughters; in a word, the whole social structure of society. Reflecting on these things we begin to

understand the meaning of the ballot for woman. Scrutinizing closely, we find that it means justice, integrity, peace, purity, temperance, sweeter manners, wiser laws.

Lucy Stone made the next and last speech of the evening, on "The Meaning of the Woman Suffrage Movement, the What and the How."

The session of Wednesday morning was devoted to business, the election of officers,^[205] and hearing of reports of the auxiliary societies. At the afternoon session, Dr. Mary F. Thomas, of Indiana, Dr. Hannah Tracy Cutler, of Illinois, Rev. Thomas J. Vater, of Ohio, and Rev. Sarah M. Perkins, of Vermont, made earnest and able addresses. Mrs. Perkins had come fresh from the Women's Christian Temperance Union in Indianapolis, baptized with its earnest spirit of work. Rev. T. J. Vater appealed to the women to strive for solid excellence, leaving forever the tinsel and the show which have been held as appropriate to woman. His speech excited discussion, and added much interest to the afternoon session. The Business Committee reported the following resolutions:

Resolved, That in the death of Wm. Lloyd Garrison, who signed the "Call" for the meeting which formed this Association, who was an officer in it from the beginning, and its President last year, the cause of equal rights has suffered an irreparable loss.

Resolved, That suffragists everywhere owe a debt of gratitude to the memory of Angelina Grimke Weld, lately deceased, who as one of the first women speakers, prepared the way and opened wide the door for all other women to be heard in their own defense.

Dr. Mary F. Thomas and Lucy Stone spoke feelingly to these resolutions, which were adopted by a standing vote of the meeting. At the last evening, Mrs. Cutler read a letter from Mrs. Frances D. Gage.

Friends of the American Woman Suffrage Association, of my dear native State, Ohio:

WITH what joy and gladness I would lift my heart to the All-good, All-true, and All-beautiful, if I could be with you to-day, and speak my emphatic yes and amen in the behalf of all true efforts for woman suffrage. But what word can I speak that will not be better spoken? What argument is not already familiar to the reading and thinking mind? Are not "the truths as self-evident" to-day to the intelligent public as they were a century ago? That all people, "not men only," are born equal and endowed by the Creator with inalienable rights, among which are those to life, liberty, and pursuit of happiness. Has the human race ever been made more miserable for one progressive step toward liberty since the days when Christ was hung upon the cross for daring to say, "Whatsoever ye would that men should do unto you do ye the same unto them." What else does woman suffrage mean? What else is needed but this principle to settle the vexed question of "Solid North" or "Solid South"? What else but its recognition to drive every liquor-saloon from the land, making temperance universal? What but this to bring about the great system of social morality—making it as heinous a crime for man to do wrong as for woman....

Bunker Hill, McCoupin Co., Ill., Oct. 23, 1879.

FRANCIS D. GAGE.

Mrs. Cutler continued in a pertinent speech. Miss Hindman followed with an able argument to show why and where women need the ballot. Mrs. E. Dickerson, of St. Louis, Dr. Wilson, of Cincinnati, and Lucy Stone followed. Each of these in their special way showed how to secure justice to women. Mrs. Dickerson answered objections, and put phases of the law as applied to women in fine contrast with the law as applied to men. Dr. Wilson, in a wide-awake lively speech, advised women to try a new method, and starve out the men who would not concede their rights. He said, "Give them no coffee for breakfast, nor steak for dinner, and nothing good for supper until they put the ballot in your hands." He gave deserved blame to women for not being more active in their own behalf. This breezy speech was often applauded, and good-natured criticism followed, putting the heaviest duty on the shoulders of men who have the power to free women, but still do not do it. The last speech of the evening was made by Lucy Stone, who showed the dreary helplessness implied in disfranchisement, and who sought to arouse women to a proper resentment against such degradation of position. Then was sung, "Praise God, from whom all blessings flow," and thus closed the tenth annual meeting of the American Woman Suffrage Association.

The Eleventh Annual Meeting of the American Woman Suffrage Association held its sessions in 1880 at Washington, D. C. Delegates were present from Massachusetts, New Hampshire, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Ohio, Indiana, Missouri, and Iowa. A large and intelligent audience nearly filled the body and galleries of the large hall. The meeting was called to order by the President, HENRY B. BLACKWELL, who said: Fellow-citizens, Ladies and Gentlemen: The Annual Meeting of the American Woman Suffrage Association is not a mere mass meeting of individuals. It is a body of delegates from State and local societies assembled in a representative capacity, and as such I welcome you to-night. We meet for the first time in this capital city of the republic, to promote a great social and political change. We propose to substitute for the existing political aristocracy of men alone, a government founded upon the united suffrages of men and women. We urge the enfranchisement of women, not in a spirit of antagonism between man and woman, but as the common interest of both. We urge the enfranchisement of woman as an act of political justice, and also as a measure of the highest expediency. Women need the ballot for their own protection and self-respect. Men equally need the votes of women as an added power for order, temperance, purity, and peace.

Mr. BLACKWELL read a dispatch from Gov. Hoyt, of Wyoming Territory:

GREEN RIVER, W. T., Dec. 15, 1880.

To the Committee on Woman Suffrage:—Your kind invitation was delayed, so that my acceptance is impossible. Understand, however, that I fully recognize the justice of the cause you represent, and wish you and your co-laborers God-speed in the great work of its furtherance.

Mrs. LUCY STONE was the last speaker. She spoke with a quiet earnestness that showed the depth of her convictions, and how greatly her heart was in her work. Her address was an entirely argumentative one, abundant illustrations being used to clinch her statements. She said that she felt keenly the degradation of being disfranchised. To bring about a change in the present state of affairs, she would have every mother impress upon her children, when they were as young as nine years of age, that women have as much right to govern as their fathers; then the boys would grow up on the side of their mothers and the girls would become advocates of the cause. Personally she cared more for woman suffrage than anything else under the sun. In conclusion, she urged the people of Washington to help them in obtaining from Congress a XVI. Amendment to the Constitution, giving women the right to vote, and for the enactment of a law giving women suffrage in the Territories.

The following letter was read:

WASHINGTON, Dec. 5, 1880.

MY DEAR MRS. HOWE:—My time is to be so crowded with occupations for the next ten days that I must decline your courteous invitation to speak at the annual meeting of the American Woman Suffrage Association.

I shall be very glad to take some fitting opportunity publicly to reaffirm my conviction, which grows stronger with every year's experience, that the admission of woman to her full and equal share in the Government is essential to a perfect republic.

I am, yours very truly,

GEO. F. HOAR.

Letters were read from W. G. Elliot, President of the University of Missouri, Lorepiza Haynes, Frances D. Gage, Emma C. Bascom, Mrs. Mary F. Henderson, and George B. Loring.

[Pg 859]

Mrs. HELEN M. GOUGAR, of Lafayette, Ind., read a carefully prepared statement of objections, and answered them with force and spirit. Her address was happily conceived and gracefully delivered. Her voice is a clear soprano, distinct, well modulated, with not a little melody in its pure, soft tones.

Miss EASTMAN read a form of memorial which had been prepared to be presented to Congress to-day. It was adopted.

Miss GREW moved that the President of the association be requested to take steps to present it at once. Adopted.

To the Senate and House of Representatives in Congress assembled.—The American Woman Suffrage Association at its annual meeting of delegates, convened in Washington, Dec. 16, 1880, respectfully pray your honorable bodies to enact a law securing to women, citizens of the United States, resident in the Territories, the same political rights as are exercised by the male citizens of the United States resident therein.

(Signed)

H. B. BLACKWELL, *President.*
LUCY STONE, *Chairman Ex. Com.*
MATILDA HINDMAN, *Secretary.*

(The names of the Executive Committee, thirty in number, were also added).

Mrs. LUCY STONE, chairman of the Executive Committee, read the tenth annual report of the American Woman Suffrage Association. After which reports from the different States were given. At the afternoon session, after a statement by Mrs. STONE, in regard to the finances of the meeting, an invitation was extended to become members of the Association by the payment of \$1. Mrs. Antoinette Brown Blackwell, of Somerville, N. J., made an address upon the right and necessity of granting woman suffrage. Mrs. Blackwell read from her manuscript, and made a quiet but effective appeal for the cause.

Miss MARY GREW, of Pennsylvania, was the next speaker. She maintained that the chief reason women were disfranchised was that men did not think about it, and the women did not either. She urged her hearers hereafter to think about it. This right should be conferred on women in accordance with the principles of this Government. But it is asked: What do you want of the ballot? And the speaker said that she wanted it to do with it the same as men did, and for the protection of her rights and those of other women. She could not say how women would vote if they got the ballot, but she supposed they would use it much as other citizens had done.

At the evening session, before the regular programme of speeches was begun, the resolutions^[206] were read and adopted.

[Pg 860]

As the last resolution was put, Mrs. Lucy Stone arose and paid very graceful and eloquent tributes to the memories of Lucretia Mott, Mrs. Child, and Mr. Nathaniel White.

Marshal DOUGLASS was then introduced, and said he was not there to make a speech, but to show his sympathy with the cause. He was so entirely in love with it that he thought it deserved the highest eloquence and the profoundest earnestness it could command to advance it. He knew of no reason why a man should vote and a woman not. The republic needed the good qualities of its citizens to help it, and recognizing the intelligence and heart of women he was in favor of opening every avenue by which their moral worth could be utilized for the benefit of the country. It was an injury to keep any person in this country from the ballot when suffrage was universal. It was a degradation. If you want to keep a man out of the mud, black his boots. If you want to develop woman's best qualities, give her the ballot.

Mrs. MARY E. HAGGART, of Indiana, followed with a bold and brilliant argument, presenting the claims of her sex to the ballot.

Mrs. MARY A. LIVERMORE asked how it was that women to-day are exposed to a hotter fire than ever before. Women are not as much toasted at banquets or flattered with extravagant compliments as a few years ago. She warned her hearers that if woman continued to make of herself a peg to hang millinery goods on, she would be riddled with the shafts of ridicule. If she entered the sphere of man, and sought, by the cultivation of her intellect, to elevate both herself and man, she would equally expose herself to satire. The times were different now from the past. The question of woman suffrage in one form or another was constantly coming up everywhere.

Officers^[207] were elected for the ensuing year.

Mrs. LIVERMORE said, as this was a political meeting of men and women, she hoped it would be closed after the usual fashion, by singing the doxology. The whole audience rose and sang it, and the Convention adjourned.

A memorial, signed by the officers of the American Woman Suffrage Association, asking Congress to establish suffrage for women in the Territories, was presented to the Senate by Hon. George F. Hoar, and referred to the Committee on Territories, which was to give a hearing to a committee from the Suffrage Association. But no quorum of the Senate Committee came together, and the opportunity was lost.

On Friday afternoon Mrs. Hayes received the members of the Suffrage Association with a cordiality and grace most becoming to her, and most delightful to us; our hearty sympathy with her good stand for temperance opened the way for conversation, and a very pleasant two hours were spent at the White House. Mrs. Hayes took us through the large conservatories, which, she said, had few flowers, as she "had most of them cut off for the Children's Hospital Fair." But there were a great many rare and beautiful flowers remaining. She cut and distributed some among us, and showed us the private family rooms, the new china ordered for the White House, and the writing desk made from the wreck of the ship that went in search of Sir John Franklin, which was presented by Queen Victoria to the President of the United States. In numberless ways she showed herself a fine hostess, as well as an accomplished lady. When at last we separated it was to carry away the memory of this pleasant visit, and of an excellent meeting.

[Pg 861]

Nothing could have been finer than the reception given by Louisville to the American Woman Suffrage Association, which met in that city October, 1881. The need of extending the outposts, and of winning new friends to the cause, had decided the executive committee of the Association to hold its Twelfth Annual Meeting in Louisville. It was an experiment which the result more than justified. Success was due in a great degree to the fairness and friendliness of the press. Mr. Watterson, of the *Courier-Journal*, said in advance that his paper would give full and accurate reports. Mr. Clark, of the *Commercial*, personally expressed his purpose to deal justly by the proceedings of the meetings. This was all that was needed. Any true statement of the claim of suffragists is sure to command the respect of right minded people.

The first session was for business. It was thinly attended by the citizens of Louisville, there being not more than a hundred and fifty or two hundred people present. But each succeeding session increased in numbers until on the last evening, the Grand Opera House had not seats to hold the great and sympathetic audience, which completely filled the body and galleries of the house, and left rows of men and women standing all around against the walls. The *Courier-Journal* gave nine columns of verbatim report of the first day and evening, together with philosophic and friendly editorials. The *Commercial*, not so large in size, and hence with less space to use, yet did editorially and by its reports excellent service, by giving to its readers a true idea of the work which was sought to be done.

Delegates had come with encouraging reports in most cases, of the work in twelve States by auxiliary societies. Local societies in towns sent letters, and letters from individuals—a very large number—came to hand, all showing how widely woman suffrage ideas are spreading, and how earnestly its advocates strive to advance their cause. All these reports the Louisville *Courier-Journal* published entire, together with the letters of Gov. Long, Gov. St. John, John G. Whittier, Wendell Phillips, President Bascom, President Eliot, and others, along with full reports of each session to the last, and crowned the whole by friendly editorials the morning after the close of the meetings.

Col. J. W. Ward, of Louisville, had kindly attended to preliminary arrangements, seconded by Mrs. Sylvia Goddard and Mrs. Col. Carr. At the opening session, Col. Ward called the meeting to order, and introduced Dr. Mary F. Thomas, of Indiana, the President of the association. Rev. Mr. Jones opened the meeting with prayer. The speaking was excellent; the tone of the meeting just what we should desire. Col. Ward, Mrs. Mary B. Clay, and Miss Laura Clay, daughters of Cassius M. Clay, took part. The two first-named arraigned the laws of Kentucky for their injustice to women. The old Common Law to a great extent prevails there still. Dr. T. S. Bell, one of the oldest and most justly celebrated physicians of Louisville, sat on the platform, supporting the cause by his presence. People from New Albany and Evansville, Indiana, crossed the river to attend the sessions. Lawyers, physicians, clergymen, the educated, the wealthy and the plain people made up the audiences which crowded the Opera House, where the earlier and the later advocates of this sacred cause united to forward it in this new field. At the last of the six sessions, Rev. Mr. Ashill, in a brief speech, indorsed our principles, and after prayer by Rev. Mr. Fyler, and the singing of the doxology, the meeting, which had been one of the most successful ever held, adjourned, having elected for its president next year, Hon. Erasmus M. Correll, of Nebraska, who so nobly championed the suffrage amendment in the State Legislature last winter, and who now, by speech and pen, devotes himself to secure its final success.

[Pg 862]

The seed sown had fallen on good ground—as appears in the fact that at the last session an invitation was given to all who desired to form a woman suffrage society to meet in adjoining rooms the next morning at nine o'clock. At the appointed time, a fine group of men and women came together, who proceeded at once to the organization of a "Kentucky Woman Suffrage Society." A

constitution was adopted, which was subscribed to by every person present, with a dollar membership. Miss Mary B. Clay was chosen president, and the society made auxiliary to the American Woman Suffrage Association. The formation of this strong and live society is of great value, as the organized beginning of the movement at the South.

The citizens and public institutions of Louisville extended unsolicited courtesy to the members of the association, who were officially invited to the Home for the Widows and Orphans of Masons, the only home of the kind in the United States; to the House of Refuge; to the Hospital for Women and Children; and to the High School. Not the least pleasant thing was an interview with Henry Watterson, the morning after the close of the meetings. His friendly attitude, his comprehensive view of the whole situation and question, with his position of large influence as editor of the *Courier-Journal*, made even those who have grown old in the service of this cause hopeful of living to see it victorious. Another mile stone is passed, and the end of this long bloodless strife comes daily nearer. Let us thank God and take courage.

FOOTNOTES:

[179]The history of this Association from its formation is compiled by Harriot E. Stanton, from reports in *The Agitator* and *Woman's Journal*.

[180]Mrs. Mary A. Livermore, of Chicago; Mrs. Caroline M. Severance, of Boston; A. J. Boyer, of Dayton; Mrs. H. T. Hazard, of Missouri; Mrs. C. G. Ames, of California; and H. B. Blackwell, of New Jersey.

[181]Mrs. Frances D. Gage, of N. J.; George W. Curtis, of N. Y.; George F. Downing, of the District of Columbia; Rev. Henry Blanchard, of Indianapolis; William Lloyd Garrison, of Boston; Mattie M. Griffith, of Iowa; Rev. R. Fisk, Canton, N. Y.; A. N. Fretz, of Virginia; Rev. Edward Eggleston, of Chicago; Hon. Sharon Tyndale, and Hon. George Fisher, of Illinois.

[182]New Hampshire—Nathaniel White, Armenia S. White, Miss Dr. Hunt, of Concord; Miss H. A. Simons, of Manchester. Massachusetts—Julia Ward Howe, Rev. Rowland Connor, Boston; Mrs. Caroline M. Severance, T. C. Severance, West Newton; Rev. Phebe A. Hanaford, Reading; Stephen S. Foster, Worcester; Rev. A. Bronson Olcott, Concord; Miss Ellen E. Miles, Waltham; F. B. Sanborn, Springfield. Rhode Island—Col. T. W. Higginson, Newport. New York—Mrs. Celia Burleigh, Mrs. Anna C. Field, A. E. Bradley, Miss Mary Hillard, Mrs. A. E. Bradley, N. Y. City; Mrs. Jennie F. Culver, Syracuse; Ira E. Davenport, Buffalo. New Jersey—Mrs. Lucy Stone, Henry B. Blackwell, Newark; Mary F. Davis, Andrew Jackson Davis, Orange; Antoinette Brown Blackwell, Somerville; John Gage, Portia Gage, Vineland. Pennsylvania—John K. Wildman and Mrs. Charles Pierce, Philadelphia. Delaware—Dr. John Cameron, Isabella H. Cameron, and Samuel D. Forbes, Wilmington. Ohio—Dr. Hannah M. Tracy Cutler, Mrs. D. R. Tilden, Miss Edwards, Mrs. Dr. Merrick, Mrs. H. H. Little, Miss Deane, Cleveland; Mrs. M. V. Longley, Miss Helen J. Wolfe, Cincinnati; A. J. Boyer, Dayton; Mrs. M. M. Cole, Sydney; Jane O. DeForest, Findlay; Rev. H. J. McConnel, Yellow Springs; Mrs. Joshua R. Giddings, Ashtabula; Mrs. Esther Walters, Oberlin; Mrs. Lucinda Poole, Brownville; Rev. G. S. Abbott, Willoughby; Mrs. Jennie R. M. Eagleson, Cadiz; Mrs. Mercy B. Lane, Braceville; Mrs. C. T. Crain, J. J. Belville, Dayton; Mrs. E. D. Stewart, Springfield; Mrs. Lyon Jefferson. Indiana—Amanda M. Way, Rev. Charles H. Marshall, Mrs. Emi Swank, Indianapolis; J. T. Sage, Danville; Miss Lizzie M. Boynton, Crawfordsville; Dr. Alice B. Stockham, Lafayette; Nettie M. Pease, New Albany. Illinois—Myra Bradwell, Hon. James B. Bradwell, Mrs. E. J. Loomis, Mary A. Livermore, Chicago; Rev. J. B. Harrison, Bloomington; Mrs. A. Steward, Plano; Mrs. M. S. Severance, Dixon. Michigan—Rev. Dr. J. B. Stone, Mrs. L. H. Stone, W. S. Blakeman, Mrs. D. C. Blakeman, Kalamazoo; Giles B. Stebbins, Catharine A. F. Stebbins, Mrs. Dr. S. L. Jones, Mrs. Booth, Detroit; Mr. and Mrs. T. J. Sanford, Ann Arbor. Wisconsin—Lillie Peckham, Julia Ford, Milwaukee; E. L. Cassels, Lone Rock; Harriet Leland, Elkhorn. Minnesota—Mrs. Addie L. Ballou. Iowa—Capt. Judson N. Cross, Lyons. Missouri—Mrs. W. S. Hazard, Mrs. Ida S. Fialla, Miss Ellen Palmer, St. Louis. Florida—Henry S. Campbell, St. Augustine. Kansas—Gov. J. P. Root, Lawrence. California—Mrs. C. G. Ames and Mrs. Jennie B. Ritter.

[183]From Ohio—Dr. Hannah M. Tracy Cutler, Chairman. Florida—Henry T. Campbell. Indiana—Amanda M. Way. Illinois—Mary A. Livermore. Massachusetts—F. W. Sanborn. Rhode Island—Colonel T. W. Higginson. New York—Celia Burleigh. New Jersey—Henry B. Blackwell. Pennsylvania—Mrs. C. Pierce. Michigan—Rev. Dr. Stone. Wisconsin—Lillie Peckham. Minnesota—Addie L. Ballou. Missouri—Mrs. W. T. Hazard. California—Mrs. C. G. Ames. New Hampshire—Mrs. A. White. Delaware—Dr. John Cameron.

[184]*President*—Thomas Wentworth Higginson, of Rhode Island.

Secretaries—Mrs. Myra Bradwell, of Illinois; Mrs. Mary F. Davis, of New York.

Vice-President—Hon. Nathaniel White, of New Hampshire; Mrs. Caroline M. Severance, of Massachusetts; Mrs. Annie C. Field, of New York; Rev. Antoinette Brown Blackwell, of New Jersey; John K. Wildman, of Pennsylvania; Dr. John Cameron, of Delaware; Rev. Charles H. Marshall, of Indiana; Hon. James B. Bradwell, of Illinois; Rev. H. K. McConnell, of Ohio; Mrs. Addie L. Ballou, of Minnesota; Miss Lillie Peckham, of Wisconsin; Dr. L. H. Jones, of Michigan; Mrs. Ida Fialla, of Mississippi; Mrs. Ritter, of California; Captain Judson F. Cross, of Iowa; Mrs. Henry F. Campbell, of Florida.

Treasurer—William N. Hudson, of the Cleveland *Leader*.

[185]The discussions were participated in by Rev. Antoinette Brown Blackwell, A. Bronson Alcott, Messrs. Bellville, Foster, Gage, Blackwell, Marshall, Connor, McConnell,

[186]Rev. James Freeman Clarke, Rev. Oscar Clute, Mrs. and Miss Beecher, Lucy Stone, Henry B. Blackwell, Julia Ward Howe, T. W. Higginson, Mary A. Livermore, Rev. Phebe A. Hanaford, Celia Burleigh, Antoinette B. Blackwell, Miriam M. Cole, Margaret V. Longley, Elizabeth K. Churchill, Margaret Campbell, Mrs. Oscar Clute, Agnes Kemp, Mary F. Davis, Andrew Jackson Davis, G. B. Stebbins, H. M. Tracy Cutler, Oliver Johnson, A. J. Boyer, Aaron M. Powell, Hon. George W. Julian, "Grace Greenwood," and others.

[187]WHEREAS, the Democratic party, in the days of Jefferson, abolished the political aristocracy of wealth and established "a white man's government;" and

WHEREAS, the Republicans have recently abolished the political aristocracy of race and established "manhood suffrage;" therefore

Resolved, That the progressive tendencies of the age demand the abolition of the political aristocracy of sex by a XVI. Amendment to the Federal Constitution, extending suffrage to women.

Resolved, That pending the adoption of the XVI. Amendment, we urge the friends of woman to work in their respective States for the establishment of this reform by State legislation, especially as the ratification of any Constitutional Amendment must finally depend upon the State Legislatures.

Resolved, That the American Woman Suffrage Association seeks a thorough organization of the friends of the cause throughout the country by the following method, viz.: A central organization (already existing), organized by delegates from State societies; they in turn being organized by delegates from local societies, and the whole originating in primary meetings of the friends of woman suffrage in every locality.

Resolved, That we remonstrate against the proposition now pending in the Senate of the United States to disfranchise the women of Utah, as a movement in aid of polygamy, against justice, and a flagrant violation of a vested right.

Resolved, That we congratulate the friends of woman suffrage upon the unexampled progress of the cause during the past year; upon the enfranchisement of women in Wyoming and Utah; upon the submission of the question in Vermont; upon its discussion in eleven State Legislatures, in numerous public meetings and in newspapers; upon the introduction of the XVI. Amendment in Congress; upon the extension of municipal suffrage to the women of Great Britain, and the passage of a bill to a second reading in Parliament removing all political disabilities on account of sex, and upon the rapid growth of public opinion in favor of woman's equality throughout the civilized world.

[188]Ohio—Mrs. M. V. Longley, Mrs. M. M. Cole, Mrs. J. O. De Forest, Mrs. R. A. S. Janney, Mrs. Mary Graham, Mrs. Harvey Sharpe, Mrs. Mary L. Strong, J. J. Belville, Mrs. H. M. Little, Miss Rebecca Rice, Mrs. Currier Brown, Mrs. Emmett, Mrs. Esther Wattles, Mrs. S. E. Newton, Mrs. E. Calt, Mary A. Currier, Olive C. Atkinson, Rebecca Ream, A. J. Boyer, Mrs. Hannah M. Clarke, Mrs. Agnes Cook; New York—Mrs. Celia Burleigh, Mrs. Rogers; Massachusetts—Margaret W. Campbell, Mrs. Hewitt, Lucy Stone, H. B. Blackwell; Rhode Island—T. W. Higginson; New Hampshire—Armenia S. White, Mrs. S. C. Pipher; New Jersey—Judge Whitehead, John Gage, Rev. Oscar Clute, Miss E. L. Bush; Missouri—Mrs. W. T. Hazard, Fanny Holy; Pennsylvania—John K. Wildman, Gulielma M. Jones, Dr. H. T. Child, Mrs. Ellen M. Child, Sarah Pearce, Miss M. W. Abbott, Mrs. E. S. Chapel, John Finlayson; Indiana—Mrs. Dr. Ellen B. Ferguson, Miss M. F. Burlingame, Miss Amanda M. Way; Michigan—Catharine A. F. Stebbins, Sarah C. Owen; Illinois—Hon. J. B. Bradwell, William D. Babbitt, Mrs. E. O. G. Willard, George M. Campbell; Delaware—S. D. Forbes, Mrs Forbes; Louisiana—Laura L. D. Jacobs; Nevada—Mary C. Hart. Total number of States represented, fourteen.

[189]1. *Resolved*, That the ballot in government means power and freedom for all; that adult citizens in this republican country can not be free without it, or be properly clothed with the necessary means for their own protection; that woman needs this power and freedom, and therefore should be enfranchised.

2. *Resolved*, That the primary object of the American Woman Suffrage Association is to secure the ballot for woman, and its general object includes the establishment of her equality of rights in all directions.

3. *Resolved*, That the officers of this Association and of each of the auxiliary State Associations be requested to memorialize Congress for a XVI. Amendment to the Federal Constitution, prohibiting political distinction on account of sex. Also, that each State society be requested to memorialize its Legislature for a change in the organic law, so as to secure the extension of suffrage to women.

4. *Resolved*, That the ballot for woman means stability for the marriage relations, stability for the home, and stability for our republican form of government.

5. *Resolved*, That we recommend the appointment of a Committee of Conference, of like number with the one appointed by the Union Suffrage Association, with a view to the union of both organizations.

[190]3. *Resolved*, That it is the duty of every woman to resent the cowardly indignity which classes educated, virtuous women as the political inferiors of the meanest and most degraded men; and that she should demand the ballot in order to help to make good laws and elect worthy representatives.

5. *Resolved*, That we recommend a concerted effort on the part of the woman suffragists to obtain from their respective Legislatures an act authorizing women to vote at the next Presidential election under the authority conferred by the first section of the second article of the Constitution of the United States.

6. *Resolved*, That we cordially approve of the effort to obtain suffrage for women in the District of Columbia, in Michigan, and elsewhere, under the provisions of the XIV. and XV. Amendments.

7. *Resolved*, That we urge upon Congress the passage of a XVI. Amendment, prohibiting political distinctions on account of sex, and also of a law conferring legal and political equality.

8. *Resolved*, That the claim of woman to participate in making the laws she is required to obey, and to equality of rights in all directions, has nothing to do with special social theories, and that the recent attempts in this city and elsewhere to associate the woman suffrage cause with the doctrines of free love, and to hold it responsible for the crimes and follies of individuals, is an outrage upon common sense and decency, and a slander upon the virtue and intelligence of the women of America.

[191]8. *Resolved*, That the Executive Committee be instructed to address memorials in behalf of woman suffrage to Congress, and to the national conventions of every political party.

[192]*Resolved*, That suffrage means equality in the home, and therefore means greater constancy and greater permanency in marriage.

Resolved, That the agitation of the peace, temperance, and other reforms of the day is valuable as a means of creating a public sentiment in favor of woman suffrage, not only by convincing the men engaged in them of the necessity of co-operation at the ballot-box, but by educating woman to a sense of her obligation to avail herself of every power to secure their consummation.

Resolved, That the Executive Committee of the American Woman Suffrage Association be requested to appoint a deputation to address the Legislatures of the several States on the subject of woman suffrage, with the co-operation of the State societies.

[193]3. WHEREAS women, as a class, have special interests to protect and special wrongs to remedy, and, as individuals, have peculiar feminine characteristics and developments in which they differ from man; therefore,

Resolved, That a government of men alone is neither republican nor representative, but is an aristocracy of sex inconsistent alike with the highest welfare of man, of woman, and of society.

4. And WHEREAS, The National Republican platform of 1872 affirms that the admission of woman to wider spheres of usefulness is viewed with satisfaction, and the honest demand of woman for additional rights should receive respectful consideration; and

WHEREAS, The Republicans have a large majority in both houses of Congress; therefore,

Resolved, That we call upon Congress to enact a law establishing impartial suffrage for all citizens irrespective of sex, in the District of Columbia and the Territories; also to declare woman eligible to all offices under Government, with equal pay for equal work; also to submit a XVI. Constitutional Amendment prohibiting political distinctions on account of sex.

5. *Resolved*, That we demand from the State Legislatures laws establishing equal suffrage for women in choosing electors of President and Vice-President of the United States, also in choosing municipal and State officers, in every case where the qualifications of voters are not restricted by the State Constitutions; also to amend the State Constitutions so as to establish equal rights for all.

6. And WHEREAS, many women have recently applied for registration as voters, and in some cases, have actually voted, and are now being prosecuted on the charge of having voted illegally; therefore,

Resolved, That we call upon the State and Federal courts to interpret all legal provisions that will admit of such a construction in favor of the equality of women.

8. *Resolved*, That the Executive Committee be instructed to address memorials to Congress, and State Legislatures, and National Conventions of every political party, in behalf of the legal and political equality of woman.

9. *Resolved*, That we rejoice at the recognition of the rights of woman in the National Republican platform, and at the explicit indorsement of woman suffrage by the Republican Convention of Massachusetts; we congratulate the Republican party upon having enlisted the heart and intellect and conscience of woman in its support, and we call upon the party, in this hour of victory, to consolidate its supremacy by establishing impartial suffrage for all citizens, irrespective of sex.

[194]*President*—Thos. Wentworth Higginson, R. I.

Vice-Presidents at Large—Julia Ward Howe, Hon. Henry Wilson, Mary A. Livermore, Wm. Lloyd Garrison, Mass.; Hannah M. Tracy Cutler, Ill.; Geo. Wm. Curtis, N. Y.; Mrs. M. T. Hazard, Missouri; Margaret V. Longley, Ohio.

Chairman of Executive Committee—Lucy Stone, Mass.

Foreign Corresponding Secretary—Kate N. Doggett, Ill.

Corresponding Secretary—Henry B. Blackwell, Mass.

Treasurer—John K. Wildman, Pa.

Recording Secretaries—Mary Grew, Pa.; Amanda Way, Kansas.

Vice Presidents Ex Officio—Mrs. Oliver Dennett, Me.; Armenia S. White, N. H.; Hon. C. W. Willard, Vt.; Jas. Freeman Clarke, Mass.; Elizabeth B. Chace, R. I.; Celia Burleigh, Conn.; Oliver Johnson, N. Y.; John Whitehead, N. J.; Passmore Williamson, Pa.; Mrs. Elizabeth Smith, Del.; Miriam M. Cole, Ohio; Mary F. Thomas, M.D., Ind.; Robert Collyer, Ill.; Augusta J. Chapin, Wis.; Stephen L. Brigham, Mich.; Mrs. A. Knight, Minn.; Mrs. Helen E. Starrett, Kansas; Amelia Bloomer, Iowa; Mrs. Beverly Allen, Mo.; Hon. Guy W. Wines, Tenn.; Seth Rogers, Fla.; Gen. Rufus Saxton, Oregon; Rev. Charles G. Ames, Cal.; Hon. John C. Underwood, Va.; Rufus Leighton, Wash. Ter.; A. K. P. Safford, Arizona; Sarah Jane Lippincott (Grace Greenwood), D. C.; Hon. D. K. Chamberlain, S. C.

Executive Committee Ex Officio—Mrs. T. B. Hussey, Me.; Hon. Nathaniel White, N. H.; Albert Clarke, Vt.; Margaret W. Campbell, Mass.; Mary F. Doyle, R. I.; Phebe A. Hanaford, Conn.; Anna C. Field, N. Y.; Mrs. C. C. Hussey, N. J.; Annie Shoemaker, Pa.; John Cameron, Del.; Mrs. Rebecca A. S. Janney, O.; Martha N. McKaye, Ind.; Myra Bradwell, Ill.; Mrs. Frank Leland, Wis.; Lucinda H. Stone, Mich.; Abby J. Spaulding, Minn.; Hon. Isaac H. Sturgeon, Mo.; John Ritchie, Kan.; Mrs Lizzie B. Read, Iowa; Rev. Charles G. Woodbury, Tenn.; Miss Lottie Rollin, S. C.; Fannie B. Ames, Cal.; Col. Edward Daniels, Va.; Mrs. Matilda G. Saxton, Oregon; Rev. Frederick Hinckley, D. C.; Mrs. C. I. H. Nichols, Cal.; Hon. John A. Campbell, Wyoming.

[195]Mrs. Howe was elected President.

[196]*Resolved*, That our thanks are due to the twenty-two United States Senators who, at the last session of Congress, voted and paired in favor of woman suffrage in the Territory of Pembina, and we rejoice at the submission of woman suffrage to the people by the Legislatures of Michigan and Iowa, as acts of enlightened statesmanship, which can not fail, whatever may be the immediate result, to hasten the day of woman's enfranchisement.

Resolved, That the recent indorsement of woman suffrage by the Methodist Convention of Michigan, by the Conferences of Iowa, and by various other religious bodies of these and other States, is evidence that the value of woman's work in the churches begins to be recognized, and in view of the fact that three-fourths of American church members are women, we cordially invite the aid of Christians of all denominations in securing woman's enfranchisement.

Resolved, That the recognition of the right of women to vote and hold office, by the Patrons of Husbandry in their Granges, by the Sovereigns of Industry in their Councils, and by the Good Templars in their Lodges, entitles us to regard these societies as practical auxiliaries of the woman suffrage movement.

Resolved, That we protest against the appropriation by Congress or by State Legislatures of one dollar of the public money, which is paid in part by women who are taxed without consent, for the purpose of celebrating the Centennial anniversary of a political independence in which women are not allowed to participate.

[197]President—Bishop Gilbert Haven, D.D.

[198]Among those on the platform were Bishop Gilbert Haven, Mrs. Lucy Stone, Miss Mary F. Eastman, Mrs. S. R. Hewitt, Mrs. Maria F. Walling, Thomas J. Lothrop, and H. B. Blackwell, of Mass.; Mrs. Rebecca Morse, Mrs. Margaret E. Winchester, Mrs. Halleck, Mrs. Frances D. Gage, Rev. Dr. Thompson, of New York; Mrs. Mary F. Davis, Rev. Antoinette Brown Blackwell, Mrs. Henrietta W. Johnson, of New Jersey; Mrs. Margaret V. Longley and Miss Jane O. De Forest, of Ohio; Mrs. Emma Malloy, of Indiana; Lelia E. Patridge and C. C. Burleigh, of Pa.; Mrs. Armenia S. White and Hon. Nathaniel White, of New Hampshire; Mrs. Frances E. W. Harper, of Md.; S. D. Forbes, of Delaware; and Charles Bradlaugh, of England.

[199]1. The American Woman Suffrage Association, in its seventh annual meeting assembled, re-affirm the great self-evident principle of equal rights for women, and demand its practical application in the public and private life of the nation. We declare that women who obey laws should have a voice in their enactment; that women who pay taxes should have a voice in their expenditure. We protest against the subjection and disenfranchisement of woman as injurious to society, destructive of morals, corrupting to politics, and a reproach to civilization. We attribute the alarming increase of insults and personal outrages inflicted upon women to a public sentiment hostile to their individuality and equality of rights. We affirm that a Government of the people, by the people, for the people, must be a Government composed impartially of men and women, and that the co-operation of the sexes is essential alike to a happy home, a refined Society, a Christian Church, and a Republican State.

2. In view of the approaching Presidential election, in which a great party will struggle to retain possession of power, while all the elements of opposition are organizing for its overthrow, we urge our friends in each State to petition their Legislature for the enactment, next winter, of a law enabling women to vote in the Presidential election of 1876.

3. In view of the evident disintegration of parties, we rejoice at the steady growth of the new issue of woman suffrage, at its successful establishment in Wyoming and Utah, in England, Holland, Austria, and Sweden, and at the recent promise of the Republicans of Massachusetts, at their State Convention, that they "will support all measures regarding the promotion of equal rights for all American citizens, irrespective of sex."

And whereas, on the second day of July, 1776 (two days before the Declaration of Independence), the Provincial Congress of New Jersey, assembled at Burlington, extended suffrage to all inhabitants, men and women; therefore,

Resolved, That in commemoration of that notable event we hold a woman suffrage Centennial celebration at Burlington, N. J., on the 2d day of July, 1876, or at such other place as the Executive Committee may select.

Resolved, That heroic deeds done for justice and human rights deserve and should receive commemorative tribute from all those who love justice and respect human rights; that a Centennial celebration on the Fourth of July next, of the one-hundredth Anniversary of the Independence of the United States is in the highest degree proper, and is due to the brave dead who periled all they had to secure the right to govern themselves; nevertheless,

Resolved, That men who use their political and personal power to deprive women of their right to govern themselves, can not with consistency have any share in that Centennial celebration.

[200]President: Mrs. Mary A. Livermore.

[201]These facts are given in the chapter on New Jersey, Vol. I.

[202]Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Ohio, Indiana, Kentucky, Illinois, Missouri, Texas, Michigan, Iowa, Minnesota, Colorado, California, Oregon, District of Columbia.

[203]WHEREAS, The United States Courts have affirmed that the regulation of suffrage belongs exclusively to the States, and that "women are citizens and, as such, may be made voters by appropriate State legislation;" and,

WHEREAS, A sixteenth amendment to the Federal constitution abolishing political distinctions on account of sex, although just and necessary, can be more easily obtained when several States have set the example; therefore,

3. *Resolved*, That we urge every existing State association to renewed effort upon the next and each following State Legislature; and in every State where no such association exists, we urge individual effort and the immediate formation of a State Society.

[204]President—Mrs. Rebecca N. Hazard, of Missouri.

[205]The President chosen for the ensuing year was Henry B. Blackwell.

[206]1. *Resolved*, That we urge upon Congress the performance of three important duties in behalf of the women of America—

First, To enact a law giving women citizens of the United States, resident in the Territories, the same political rights as are exercised by the male citizens of the United States resident therein.

Second, To reform the laws affecting the rights of married women in the District of Columbia and the Territories.

Third, To submit to the States a constitutional amendment prohibiting political distinction on account of sex.

2. *Resolved*, That we advise our auxiliary State societies to petition their respective Legislatures to enact a law this winter conferring suffrage on women in Presidential elections under Section 2, Article 2, of the Federal Constitution.

WHEREAS, Since the last annual meeting of the Association, three eminent advocates of the claim of women for equal political rights have passed away—Lucretia Mott, Lydia Maria Child, and Nathaniel White—therefore,

3. *Resolved*, That the American Woman Suffrage Association records its grateful appreciation of their invaluable service and its sense of irreparable loss, now that the eloquent voice is silent, the ready pen dropped, and the generous hand is cold in death. In the wealth of their matured character and great achievement they have left us the permanent inspiration of a noble example.

[207]President, Dr. Mary F. Thomas, of Indiana.

ANNA ELLA CARROLL.

March 3, 1881.—Committed to the Committee of the Whole House, and ordered to be printed.

Mr. Bragg, from the Committee on Military Affairs, submitted the following Report (to accompany bill H. R. 7,256):

The Committee on Military Affairs, to whom the memorial of Anna Ella Carroll was referred, asking national recognition and reward for services rendered the United States during the war between the States, after careful consideration of the same, submit the following:

In the autumn of 1861 the great question as to whether the Union could be saved, or whether it was hopelessly subverted, depended on the ability of the Government to open the Mississippi and deliver a fatal blow upon the resources of the Confederate power. The original plan was to reduce the formidable fortifications by descending this river, aided by the gun-boat fleet, then in preparation for that object.

President Lincoln had reserved to himself the special direction of this expedition, but before it was prepared to move he became convinced that the obstacles to be encountered were too grave and serious for the success which the exigencies of the crisis demanded, and the plan was then abandoned, and the armies diverted up the Tennessee River, and thence southward to the center of the Confederate power.

The evidence before this Committee completely establishes that Miss Anna Ella Carroll was the author of this change of plan, which involved a transfer of the National forces to their new base in North Mississippi and Alabama, in command of the Memphis and Charleston Railroad; that she devoted time and money in the autumn of 1861 to the investigation of its feasibility is established by the sworn testimony of L. D. Evans, Chief-Justice of the Supreme Court of Texas, to the Military Committee of the United States Senate in the 42d Congress (see pp. 40, 41 of memorial); that after that investigation she submitted her plan in writing to the War Department at Washington, placing it in the hands of Thomas A. Scott, Assistant Secretary of War, as is confirmed by his statement (see p. 38 of memorial), also confirmed by the statement of Hon. B. F. Wade, Chairman of the Committee on the Conduct of the War, made to the same Committee (see p. 38), and of President Lincoln and Secretary Stanton (see p. 39 of memorial); also by Hon. O. H. Browning, of Illinois, Senator during the war, in confidential relations with President Lincoln and Secretary Stanton (see p. 39, memorial); also that of Hon. Elisha Whittlesey, Comptroller of the Treasury (see p. 41, memorial); also by Hon. Thomas H. Hicks, Governor of Maryland, and by Hon. Frederick Feckey's affidavit, Comptroller of the Public Works of Maryland (see p. 127 of memorial); by Hon. Reverdy Johnson (see pp. 26 and 41, memorial); Hon. George Vickers, United States Senator from Maryland (see p. 41, memorial); again by Hon. B. F. Wade (see p. 41, memorial); Hon. J. T. Headley (see p. 43, memorial); Rev. Dr. R. J. Breckinridge on services (see p. 47, memorial); Prof. Joseph Henry, Rev. Dr. Hodge, of Theological Seminary at Princeton (see p. 30, memorial); remarkable interviews and correspondence of Judge B. F. Wade (see pp. 23-26 of memorial).

[Pg 864]

That this campaign prevented the recognition of Southern independence by its fatal effects on the Confederate States is shown by letters from Hon. C. M. Clay (see pp. 40-43 of memorial), and by his letters from St. Petersburg; also those of Mr. Adams and Mr. Dayton from London and Paris (see pp. 100-102 of memorial).

That the campaign defeated National bankruptcy, then imminent, and opened the way for the system of finance to defend the Federal cause, is shown by the debates of the period in both Houses of Congress (see utterances of Mr. Spalding, Mr. Diven, Mr. Thaddeus Stevens, Mr. Roscoe Conkling, Mr. John Sherman, Mr. Henry Wilson, Mr. Fessenden, Mr. Trumbull, Mr. Foster, Mr. Garrett Davis, Mr. John J. Crittendon, etc., found for convenient reference in appendix to memorial, pp. 47-59. Also therein the opinion of the English press as to why the Union could not be restored).

The condition of the struggle can best be realized as depicted by the leading statesmen in Congress previous to the execution of these military movements (see synopsis of debates from *Congressional Globe*, pp. 21, 22 of memorial).

The effect of this campaign upon the country and the anxiety to find out and reward the author are evidenced by the resolution of Mr. Roscoe Conkling, in the House of Representatives 24th of February, 1862 (see debates on the origin of the campaign, pp. 39-63 of memorial). But it was deemed prudent to make no public claim as to authorship while the war lasted (see Colonel Scott's view, p. 32 of memorial).

The wisdom of the plan was proven, not only by the absolute advantages which resulted, giving the mastery of the conflict to the National arms and evermore assuring their success even against the powers of all Europe should they have combined, but it was likewise proven by the failures to open the Mississippi or win any decided success on the plan first devised by the Government.

It is further conclusively shown that no plan, order, letter, telegram, or suggestion of the Tennessee River as the line of invasion has ever been produced, except in the paper submitted by Miss Carroll on the 30th of November, 1861, and her subsequent letters to the Government as the campaign progressed.

It is further shown to this Committee that the able and patriotic publications of memorialist, in pamphlets and newspapers, with her high social influence, not only largely contributed to the cause of the Union in her own State, Maryland (see Governor Hicks' letters, p. 27, memorial), but exerted a wide and salutary influence on all the Border States (see Howard's report, p. 33 and p. 75 of memorial).

These publications were used by the Government as war measures, and the debate in Congress shows that she was the first writer on the war powers of the Government (see p. 45 of memorial). Leading statesmen and jurists bore testimony to their value, including President Lincoln, Secretaries Chase, Stanton, Seward, Welles, Smith, Attorney-General Bates, Senators Browning, Doolittle, Collamer, Cowan, Reverdy Johnson, and Hicks, Hon. Horace Binney, Hon. Benjamin H. Brewster, Hon. William M. Meredith, Hon. Robert J. Walker, Hon. Charles O'Connor, Hon. Edwards Pierrepont, Hon. Edward Everett, Hon. Thomas Corwin, Hon. Francis Thomas, of Maryland, and many others found in memorial.

The Military Committee, through Senator Howard, in the Forty-first Congress, third session, document No. 337, unanimously reported that Miss Carroll did cause the change of the military expedition from the Mississippi to the Tennessee River, etc.; and the aforesaid Committee, in the Forty-second Congress, second session, document No. 167, as found in memorial, reported, through the Hon. Henry Wilson, the evidence and bill in support of this claim.

Again, in the Forty-fourth Congress, the Military Committee of the House favorably considered this claim, and General A. S. Williams was prepared to report, and being prevented by want of time, placed on record that this claim is incontestably established, and that the country owes to Miss Carroll a large and honest compensation, both in money and honors, for her services in the National crisis.

In view of all the facts, this Committee believe that the thanks of the nation are due Miss Carroll, and that they are fully justified in recommending that she be placed on the pension rolls of the Government, as a partial measure of recognition for her public service, and report herewith a bill for such purpose and recommend its passage.

[Pg 865]

Hon. E. M. Stanton came into the War Department, in 1862, pledged to execute the Tennessee campaign.

Statement from Hon. B. F. Wade, Chairman of the Committee on the Conduct of the War, April 4, 1876.

DEAR MISS CARROLL:—I had no part in getting up the committee; the first intimation to me was that I had been made the head of it. But I never shirked a public duty, and at once went to work to do all that was possible to save the country. We went fully into the examination of the several plans for military operations then known to the Government, and we saw plainly enough that the time it must take to execute any of them would make it fatal to the Union.

We were in the deepest despair, until just at this time Colonel Scott informed me that there was a plan already devised that if executed with secrecy would open the Tennessee and save the National cause. I went immediately to Mr. Lincoln and talked the whole matter over. He said he did not himself doubt that the plan was feasible, but said there was one difficulty in the way, that no military or naval man had any idea of such a movement, it being the work of a *civilian*, and none of them would believe it safe to make such an advance upon only a navigable river with no protection but a gun-boat fleet, and they would not want to take the risk. He said it was devised by Miss Carroll, and military men were extremely jealous of all outside interference. I plead earnestly with him, for I found there were influences in his Cabinet then averse to his taking the responsibility, and wanted everything done in deference to the views of McClellan and Halleck. I said to Mr. Lincoln, "You know we are now in the last extremity, and you have to choose between adopting and at once executing a plan that you believe to be the right one, and save the country, or defer to the opinions of military men in command, and lose the country." He finally decided he would take the initiative, but there was Mr. Bates, who had suggested the gun-boat fleet, and wanted to advance down the Mississippi, as originally designed, but after a little he came to see no result could be achieved on that mode of attack, and he united with us in favor of the change of expedition as you recommended.

After repeated talks with Mr. Stanton, I was entirely convinced that if placed at the head of the War Department he would have your plan executed vigorously, as he fully believed it was the only means of safety, as I did.

Mr. Lincoln, on my suggesting Stanton, asked me how the leading Republicans would take it—that Stanton was so fresh from the Buchanan Cabinet, and so many things said of him. I insisted he was our man withal, and brought him and Lincoln into communication, and Lincoln was entirely satisfied; but so soon as it got out, the doubters came to the front, Senators and Members called on me, I sent them to Stanton and told them to decide for themselves. The gun-boats were then nearly ready for the Mississippi expedition, and Mr. Lincoln agreed, as soon as they were, to start the Tennessee movement. It was determined that as soon as Mr. Stanton came in the Department, that Col. Scott should go out to the western armies and make ready for the campaign in pursuance of your plan, as he has testified before committees.

It was a great work to get the matter started; you have no idea of it. We almost fought for it. If ever there was a righteous claim on earth, you have one. I have often been sorry that, knowing all this, as I did then, I had not publicly declared you as the author. But we were fully alive to the importance of absolute secrecy. I trusted but few of our people; but to pacify the country, I announced from the Senate that the armies were about to move, and inaction was no longer to be tolerated, and Mr. Fessenden, head of the Finance Committee, who had been told of the proposed advance, also stated in the Senate that what would be achieved in a few more days would satisfy the country and astound the world.

As the expedition advanced, Mr. Lincoln, Mr. Stanton, and myself, frequently alluded to your extraordinary sagacity and unselfish patriotism, but all agreed that you should be recognized for your most noble service, and properly rewarded for the same. The last time I saw Mr. Stanton he was on his death-bed; he was then most earnest in his desire to have you come before Congress, as I told you soon after, and said if he lived he would see that justice was awarded you. This I have told you often since, and I believe the truth in this matter will finally prevail.

[Pg 866]

B. F. WADE.

FROM HON. ELISHA WHITTLESEY.

Found among his private papers, and transmitted to Miss Carroll in 1874.

TREASURY DEPARTMENT, COMPTROLLER'S OFFICE, }
February 20, 1862. }

This will accompany copies of two letters written by Miss Anna Ella Carroll to the War Department.

Having informed me of the contents of the letters, I requested her to permit me to copy her duplicates. When she brought them to me she enjoined prudence in their use. They are very extraordinary papers as verified by the result. So far as I know or believe, our unparalleled victories on the Tennessee and Cumberland Rivers may be traced to her sagacious observations and intelligence. Her views were as broad and sagacious as the field to be occupied. In selecting the Tennessee and Cumberland Rivers instead of the Mississippi, she set at naught the opinions of civilians, of military and naval men.

Justice should be done her patriotic discernment. She labors for her country and her whole country.

ELISHA WHITTLESEY.

LETTERS TO MISS CARROLL FROM HON. BENJAMIN F. WADE.

Hon. Benjamin F. Wade, who during the war was Chairman of the Committee on the Conduct of the War, and during the last period of his services, after the assassination of President Lincoln had elevated Andrew Johnson to the Presidency, was acting Vice-President and President of the Senate, was a friend of Miss Carroll. He addressed the following letter to her in 1869, just before the close of his last Congressional session:

WASHINGTON, *March 1, 1869.*

MISS CARROLL:—I can not take leave of my public life without expressing my deep sense of your services to the country during the whole period of our National troubles. Although a citizen of a State almost unanimously disloyal and deeply sympathizing with secession, especially the wealthy and aristocratic class of her people, to which you belonged, yet, in the midst of such surroundings, you emancipated your own slaves at a great sacrifice of personal interest, and with your powerful pen defended the cause of the Union and loyalty as ably and effectively as it has ever yet been defended.

From my position on the Committee on the Conduct of the War, I know that some of the most successful expeditions of the war were suggested by you, among which I might instance the expedition up the Tennessee River.

The powerful support you gave Governor Hicks during the darkest hour of your State's history, prompted him to take and maintain the stand he did, and thereby saved your State from secession and consequent ruin.

All those things, as well as your unremitted labors in the cause of reconstruction, I doubt not, are well known and remembered by the members of Congress at that period.

I also well know in what high estimation your services were held by President Lincoln: and I can not leave the subject without sincerely hoping that the Government may yet confer on you some token of acknowledgment for all these services and sacrifices.

Very sincerely, your friend,

B. F. WADE.

On the 28th of February, 1873, three years after his leaving public life, Judge Wade addressed the following letter:

To the Chairman of the Military Committee of the United States Senate:

DEAR SIR:—I have been requested to make a brief statement of what I can recollect concerning the claim of Miss Carroll, now before Congress. From my position as Chairman of the Committee on the Conduct of the War, it came to my knowledge that the expedition that was preparing, under the special direction of President Lincoln, to descend the Mississippi River, was abandoned, and the Tennessee expedition was adopted by the Government in pursuance of information and a plan presented to the Secretary of War, I think the latter part of November, 1861, by Miss Carroll. A copy of this plan was put into my hands immediately after the fall of Forts Henry and Donelson. With the knowledge of its author I interrogated witnesses before the Committee to ascertain how far military men were cognizant of the fact. Subsequently President Lincoln informed me that the merit of this plan was due to Miss Carroll; that the transfer of the armies from Cairo and the northern part of Kentucky to the Memphis and Charleston Railroad was her conception, and was afterwards carried out generally, and very much in detail, according to her suggestions. Secretary Stanton also conversed with me on the matter, and fully recognized Miss Carroll's service to the Union in the organization of this campaign. Indeed, both Mr. Lincoln and Mr. Stanton, the latter only a few weeks before his death, expressed to me their high appreciation of this service, and all the other services she was enabled to render the country by her influence and ability as a writer, and they both expressed the wish that the Government would reward her liberally for the same, in which wish I most fully concur.

[Pg 867]

B. F. WADE.

We give extracts from letters written Miss Carroll by Judge Wade, after his retirement from public life:

JEFFERSON, OHIO, *Sept. 9, 1874.*

This Congress may be mean enough to refuse to remunerate you for your services, but thank heaven they can not deprive you of the honor and consciousness of having done greater and more efficient services for the country in the time of her greatest peril than any other person in the Republic, and a knowledge of this can not long be suppressed, though I do not underrate the mighty powers that may be arrayed against you.

B. F. WADE.

JEFFERSON, OHIO, *Aug. 14, 1876.*

I rejoice that you are to have the testimony in your case published by Congress, as I can not but believe that Congress, when they have the facts properly before them, will be shamed into doing you justice, though late.

I fully appreciate and deeply regret the injustice done you as though the case were my own. The country almost in her last extremity was saved by your sagacity and unremitted labor; indeed your services were so great that it is hard to make the world believe it. Many have been most generously rewarded for services having no more proportion to yours than a mole hill to a mountain—and that all this great work should be brought about by a woman is inconceivable to vulgar minds, but I hope and believe that justice will triumph at last.

B. F. WADE.

JEFFERSON, OHIO, *Oct. 3, 1876.*

The truth is, your services were so great that they can not be comprehended by the ordinary capacity of our public men, and then again your services were of such a character that they threw a shadow over the

reputation of some of our would-be great men. No doubt great pains has been taken in the business of trying to defeat you; but it has been an article of faith with me that truth and justice must ultimately triumph.

Ever yours truly,

B. F. WADE.

FROM REVERDY JOHNSON.

WESTMINSTER PALACE HOTEL }
LONDON, *Nov. 29, 1875.* }

MY DEAR MISS CARROLL:—I remember very well that you were the first to advise the campaign on the Tennessee River in November, 1861. This I have never heard doubted, and the great events which followed it demonstrate the value of your suggestions. That this will be recognized by the Government sooner or later I can not doubt....

Sincerely your friend,

REVERDY JOHNSON.

FROM ORESTES H. BROWNSON.

QUINCY, ILL., *Sept. 17, 1873.*

MISS A. E. CARROLL:—During the progress of the war of the rebellion, from 1861 to 1865, I had frequent conversations with President Lincoln and Secretary Stanton in regard to the able and efficient part you had taken in behalf of the country, in all of which they expressed their admiration and gratitude for the patriotic and valuable services you had rendered the cause of the Union. In the hope that you would be adequately recompensed by Congress....

[Pg 868]

I am your obedient servant,

O. H. BROWNSON.

LETTER OF HON. THOMAS A. SCOTT TO HON. JACOB M. HOWARD, Chairman of the Senate Military Committee upon Miss Carroll's claim for a pension after the close of the war:

HON. JACOB M. HOWARD, UNITED STATES SENATE:—On or about the 30th of November, 1861, Miss Carroll, as stated in her memorial, called on me as Assistant Secretary of War, and suggested the propriety of abandoning the expedition which was then preparing to descend the Mississippi River, and to adopt instead the Tennessee River, and handed me the plan of the campaign as appended to her memorial, which plan I submitted to the Secretary of War, and its general ideas were adopted. On my return from the South-west in 1862, I informed Miss Carroll, as she states in her memorial, that through the adoption of this plan, the country had been saved millions, and that it entitled her to the kind consideration of Congress.

THOS. A. SCOTT.

LETTER OF HON. THOMAS A. SCOTT TO HON. HENRY WILSON, Chairman of the Military Committee, United States Senate:

PHILADELPHIA, *May 1, 1872.*

MY DEAR SIR:—I take pleasure in stating that the plan presented by Miss Carroll, in November, 1861, for a campaign up the Tennessee River and thence southerly, was submitted to the Secretary of War and President. And, after Secretary Stanton's appointment, I was directed to go to the western armies and arrange to increase their effective force as rapidly as possible. A part of the duty assigned to me was the organization and consolidation into regiments of all the troops then being recruited in Ohio, Indiana, Illinois, and Michigan, for the purpose of carrying through *this campaign*, then inaugurated.

This work was vigorously prosecuted by the army, and as the valuable suggestions of Miss Carroll, made to the Department some months before, *were substantially carried out through the campaigns in that section*, great successes followed, and the country was largely benefited in the saving of time and expenditure.

I hope Congress will reward Miss Carroll liberally for her patriotic efforts and services.

Very truly yours,

THOMAS A. SCOTT.

HON. HENRY WILSON, *Chairman of the Military Committee,
United States Senate.*

LETTER FROM HON. THOMAS A. SCOTT TO MRS. GAGE.

NO. 233 SOUTH FOURTH ST., }
PHILADELPHIA, *Mar. 29, 1880.* }

DEAR MADAM:—I have your letter of March 25th in regard to Miss Carroll's matter, and beg to say in reply that I do not know whether the old papers are on file in the War Department or not; I presume the only way to ascertain would be to apply to the Department direct. I have done all that I feel I can do in this matter, having given my evidence before the Committee in the most concise and direct form possible. I hope that Congress will do something for Miss Carroll, but with their present economical habits, I doubt very much whether they will.

Hoping that the Committee in charge of the matter may have success,

I am, very truly yours,

THOMAS A. SCOTT.

Editorial from the *National Citizen* (Syracuse, N. Y.), September, 1881:

THE CONTRAST.—"Look on this picture and on that." While President James A. Garfield lay dying, another American citizen, one to whom the country owes far more than it did to him, was stricken with an incurable disease. But in this case no telegram heralded the fact; no messages were cabled abroad; few newspapers made comment, and yet had it not been for the wisdom of this person whom the country forgets, we should have possessed no country to-day.

Anna Ella Carroll lies at her home near Baltimore, stricken with paralysis—perhaps already beyond the river. As the readers of the *National Citizen* well know, when the nation was in its hour of extreme peril, with a nearly depleted treasury, with England and France waiting with large fleets for a few more evil days in order to raise the blockade, with President, Congress, and people nearly helpless and despairing, there arose this woman, who with strategic science far in advance of any military or naval officer on land or sea, pointed out the way to victory, sending her plans and maps to the War Department, which adopted them. Thus the tide of battle was turned, victory perched on the Union banner, and in accordance with the President's proclamation, the country united in a day of public thanksgiving.

But that woman never received recognition from the country for her services. The Military Committee of various Congresses has reported in her favor, but no bill securing her even a pension has ever been passed, and now she is dying or dead.

In another column will be found the report of the Military Committee of the Forty-sixth Congress, in her favor, March, 1881, which as a matter of important history we give in full, hoping no reader will pass it by. Under the circumstances we shall be pardoned for giving an extract from a letter of Miss Carroll to the editor of the *National Citizen*, accompanied by a copy of this report.

Miss Carroll says: "I am sure you retain your kind interest in the matter, and will be gratified by the last action of Congress, which is a complete recognition of my public service, on the part of military men; both Confederate and Union brigadiers belonging to the Military Committee."

While this bill was in no sense commensurable with the services rendered by Miss Carroll to the country, yet as the main point was conceded, it was believed it would secure one more consonant with justice at the next session of Congress.

The nation is mourning Garfield with the adulation generally given monarchs; General Grant is decorating his New York "palace" with countless costly gifts from home and abroad; yet a greater than both has fallen, and *because she was a woman*, she has gone to her great reward on high, unrecognized and unrewarded by the country she saved. Had it not been for her work, the names of James A. Garfield and of Ulysses S. Grant would never have emerged from obscurity. Women, remember that to one of your own sex the salvation of the country is due, and never forget to hold deep in your hearts, and to train your children to hold with reverence the name of ANNA ELLA CARROLL.

WOMEN AS SOLDIERS.

A FEMALE SOLDIER.

There is a female here appealing for five months' back pay due her as a soldier in the army. Her name is Mary E. Wise. She is an orphan, without a blood relative in the world, and was a resident of Jefferson Township, Huntington County, Indiana, where she enlisted in the 34th Indiana Volunteers under the name of William Wise. She served two years and eighteen days as a private, participating in six of the heaviest engagements in the West, was wounded at Chicamauga and Lookout Mountain, at the latter place severely in the side. Upon the discovery of her sex, through her last wound, she was sent to her home in Indiana. When she arrived there, her step-mother refused her shelter, or to assist her in any way. Having five months' pay due from the Government, she started for Washington, in the hope of collecting it, arriving in this city on the 4th instant. Here her troubles have only increased. She can not get her pay. Her colonel probably, under the circumstances, not deeming it necessary, failed to give her a proper or formal discharge, with the necessary papers. In her difficulties she has, repeatedly, endeavored to refer her case to the President, but, not having influential friends to back her, she has been disappointed in all her efforts to see him, and the Department can pay her only upon proper or formal discharge papers, etc. So she is here, without friends or means, wholly dependent upon the bounty of the Sanitary Commission.

NATIONAL FREEDMAN'S AID ASSOCIATION.

JOSEPHINE S. GRIFFING.

WASHINGTON, *April 15, 1870.*

LUCRETIA MOTT—MY DEAR FRIEND:—Feeling that the exact condition of the worn-out slaves now in this District could be better understood by a little explanation that I can make, and knowing that you desire the truth in this matter of life-long interest to you, I desire to refer to the following facts, which I trust you will present to the meeting of Friends (Quakers) in Philadelphia who sympathize with you.

In the year 1864, when urging upon Senator Sumner and our friends in Congress, the necessity of a bureau that could afford special aid to the emancipated slaves, the great fact that the old people were suddenly turned out of the possibility of a subsistence, was recognized by all. Mr. Sumner, in his first speech putting the bill in passage, urged this as sufficient ground alone, if no other existed, which was not the case. From the time of the organization of the Bureau till now, their special claim has been recognized by Congress, and notwithstanding they received, in common with all the freed people of this District, an allowance made to each in rations, blankets, clothes, fuel, Government buildings, medical treatment, and monthly visitation; they also have each year received from Congress special aid in an appropriation because of their age and infirmity, many of them being helpless as infants, and all too far spent in slavery to labor for a support.

In providing for the able-bodied freed people, only partial support was intended by the Bureau, to bridge over the transition from slavery to freedom. Then education and the ballot, added to their own industrial resources, came in, and furnished them a basis for self-support and citizenship. The Bureau was no longer a necessary department in the Government for THIS CLASS, and was abolished, without a substitute for the aged and worn-out slaves, though they were now older and more infirm, and had lost in this change houses, food, fuel, clothing, medical treatment, and, excepting myself, visiting agents.

Since the discontinuance of the Bureau, I have acted, as before its creation, as "best friend" and as agent of the

National Freedman's Relief Association of this District, in the care of the old, crippled, blind, and broken-down, of whom I have at this time in number *eleven hundred*, not one of whom is able to earn for himself the necessities of life. At this moment, at least one hundred and fifty broken-down slaves are at this office, covering all the porches, sitting on all the stairs, forming an almost impassable barrier to the entrances—all with a story of want in their *faces*; in fact of want, from "the crown of the head to the sole of the half-naked feet," and all eager to say, "We has nobody to go 'pon." An old woman ninety-one, sat on the steps just after the sun rose this morning, so *tired*, she looked a pitying sight for angels. "Can you let me stay anywhere?" she said. "I'se had no home dis winter; dey let me stay in de wash-room last night, but der wasn't any blanket, and 'pears I got chilled through." Upon investigation I found it was true she had no friend or relative, and had been going on the outskirts of the city begging among the colored people (poor as herself, except in shelter) *a lodging*, and often doing with almost nothing to eat for two or three days at a time. Perfectly disabled for life by weakness (so common among the old women of slavery) and the infirmities of ninety years of hard life. Through the noble efforts of Rachel W. M. Townsend in behalf of these poor human beings, I was able to give her a bedtick and twenty-five cents for straw to fill it, a comforter, and a place to stay in the house with two others of the same class, for whom we have all winter paid rental. What less than *this* would the loving Saviour of men have done for one like her? What less would *you*, who have battled half a century for her freedom, have done in a case like that? She has now a bed and comforter, *no pillow*, nor bedstead, and *not one* garment to change with the ragged and filthy ones that have served for day and night apparel, for bed and outdoor wrappings, the last three months. She has no resource for bread, *in herself*, and none but God to whom she can say, "Give" me "this day" my "daily bread". This woman represents at least two hundred persons in every way as destitute, who look to me for help. Another class of two hundred are in a similar state of destitution, with this exception, they are sheltered by a fellow-servant or distant relative, and sometimes furnished a bed, but nothing more, and none of these can *labor*.

Two hundred more are equally destitute and as helpless, many of them as young children, needing the personal care that patients in our hospitals do, not excepting medical treatment and bathing. Add to these five hundred, who under the most favorable circumstances *may*, though do not generally, furnish their bread three months in the summer, by picking up bones and rags in the alleys and gutters, I believe I may safely say that out of the eleven hundred there are not one hundred who can do this, and pay *house-rent* beside. And it must be remembered that none of these old people own a foot of ground in the city, or have a home they can call their own. A few of these only live with children, some of whom are also very old. Fanny Miner, one hundred and thirteen, lives with a daughter seventy-two. William Dennis, ninety-nine, lives with a daughter seventy-four. Anna Sauxter, one hundred and one, with a consumptive son of sixty, and has slept on an old table through the winter *watching*, as she says, two days and a night at one time, *with no food at all*. She was one of the slaves of Washington. Anna Ferguson, another of his slaves, emancipated when young, lives in a wretched garret, and has no one to give her a cup of water. She sent a child to me to-day, who said she went in to borrow some fire of "old auntie," and found her very sick, groaning with dreadful pain, with the message that she was perishing for something to eat; could I send her an Irish potato? She added in her message, "Tell her to come and see me, I'll not be here long."

[Pg 871]

I have just now returned from a visit on "the Island," where I have seen twenty-seven of these helpless persons, a few cases of which (could you see them) would leave no doubt in your mind in reference to the necessity of a change from the present state of things. I saw enough in this visit to fill a book, and could tongue or pen describe it—to convince the mind of a savage—of terrible inhumanity and lack of all charity. The morning was sunny and clear, and old Aunt Clara and Uncle John sat on broken chairs, under the rude perch of a miserable shanty. He, tall and athletic, his long white beard and snow-white head, impressive as the type of venerable age, was putting Aunt Clara's foot into a soft shoe as carefully as though it was the last time it could be dressed. She 74, neat and velvet-faced, was stone blind, and so paralyzed that the slightest touch on the arm or hand made her spring and cry like a child. The shock put out both her eyes, and made her as helpless as an infant in all particulars.

For one year she has been unable to feed herself, undress, or to do anything to relieve the monotony of utter helplessness. He had brought her out in the sun, there was no window in their room, and had spread a cloth on her lap, as she said, hoping somebody would come along who would comb her hair. Uncle John was 14, he says, when *Washington died*. Not a child or a friend to go to them, *there they stay*. They said they had nothing to eat last night, and were often two days without a pint of meal, and nothing like food in the house, for the old man said, "When mamma has her 'poor turns', I never leaves her, and nobody ever feeds her but me, or dresses or undresses her." I shall not forget how the tears dropped from her face, as she told the story of her life. "A *woman once*, but *nobody* now, comfort all gone, and hungry and cold the rest of my days." Her mind was unimpaired, and her faith unwavering.

Henry and Milly Lang were two squares away; persons between sixty and seventy, living in a shanty used in time of the war as a stable. For five years they have lived there, paying, in all but the last two months, *four dollars a month* rent. Milly is also stone blind, and *sick* and helpless. They were in great distress, had no food in the house, for Henry has hip disease, and for eleven weeks has not walked a step. On every side I could look through the open boards, and when the last storms came, they said the rain came down on the whole floor, covering it, so they sat on the pallet all day. The landlord has ordered them *to leave the house* in five days, *to put in a cow* instead! Friendless, homeless, penniless!!! and yet *must* eat or die. Three of those I saw were over one hundred—one had five children, when Washington died, lived in his county. Sixteen were over seventy. Not one of them had a child in this city. Five were over 80; and all of these whom I saw were as dependant as infants.

Johnny Scrapper sat in rags, paralyzed from the top of his head to the soles of his feet, alone in a six-by-ten-foot room, unable to walk a step, yet is left entirely alone, sometimes for three days. If he has anything brought in to eat, he thanks God; if not, he must do without it. Tuesday and Saturday night he says a fellow-servant, living in a distant part of the city, came to see him, and sometimes brought a piece of fish or meat; this is all the chance he has for anything, except a little meal or dry bread. Every one of these old people complained that they were *dying* for some meat—were so weak. Aunt Dinah said that she went out on the street last week and begged of the school children, who gave her seven cents, and she went into a grocery to buy a piece of meat, and received there five cents more. "Oh!" said she, "how that strengthened me, it lasted me *three days*."

[Pg 872]

I might go on and fill the sheet with incidents of these extremely aged pilgrims and strangers in this city, for whom nobody cares. But I should fail to convey to you any just idea of what they suffer, because you can see there is no parallel to their status. In no city on the globe can you find a people to whom the words of Wood (I

think it is) so well apply—"paupers whom nobody owns." You must see them *as they are to believe*.

The Government says, "They *need provisions*, let the *city* be taxed." The city says, "We care for the multitude of legitimate paupers of the Government—pensioners, who die waiting for their claims, *but these are special wards*, brought to the capital by special legislation, not any of them voluntary residents. We are unable to provide for this surplus of poor." Turning to the people of the country, they say, "We have given them their freedom, let them take care of themselves!" To the Abolitionists, and they rebuke us for listening to their cry, and say, "It is no more than must be expected; let them alone and they will die off." Even the loudest professors have said to me, "As long as you *will* take care of these poor old creatures, so long you may; there are plenty of others to come." So turn which way we may, we are met with coldness and distrust.

I come now to you, and ask what is our *duty* to these worn-out slaves, whose labor we have enjoyed in the general prosperity, and whose destiny on earth we have fixed by legislation, over which they could have no control? In old age we have taken from their homes these people, and calling them "free," we have said to them, "Be ye warmed and clothed," and then gone on our way. Had I, like most others, have been so fortunate as not to have met these old people, on the day of arrival here as they came out from slavery, nor have listened to the thousand witnesses, that have each day testified to utter inability to live without charity, as a practical relief, I might as easily as they, perhaps, satisfy my conscience by the above reasoning; but one thing is sure, whoever stands in my place will find no half-way measure will answer. They can not look these people in the face, as they come, averaging under the present arrangements of the Secretary of War *two hundred a day*, to ask for *bread and wood*, and clothes and shoes and shelter, and bed and blanket and medicine, not one of whom can be satisfied without *food*.

One of the most distressing days we have seen was last Tuesday, when two hundred and fifty all broken down, *stood and sat*, three long hours, waiting and hoping that the Commissary would send bread or rations, but none came, and we could get only *twenty-five loaves for them*. Many came from the suburbs of the town, some from over the river, not less than five miles away, and had left an aged companion and orphan grandchildren on the alert for their return, with something for a dinner or a meal. But nothing came; and yet, as they left with sorrow in their faces, that almost breaks my heart to think of, in their meek way one after another said, "You'se done all you could, Honey, we'll do the *best we can*, and come again to-morrow."

You see, *these people must eat*. Bread must be furnished every day, rain or shine, hot or cold. I ask what is our duty? Will God perform a miracle to feed this multitude? I can not ask you, "Is it safe to leave them in the hands of the Government or the city?" I have for six years *plead*, as for the life of them, with both. None but God knows how earnestly I have laid their claims before officials in the highest departments. By the *greatest* efforts, and with the sympathy of a small number of friends, who in Congress see with us, and have from the beginning, that the repudiation of this claim *must* call down upon the Nation the just judgments of heaven, we have secured the special appropriations up to this time.

The history of the past warns us that unless the people, their constituents at home, recognize this duty, and work with us more earnestly by organized effort, and generous heartfelt contributions, the Government will ignore their claim altogether. Indeed I trembled at the prospect of this immediate result. Excepting the few noble men and women whose sympathy and aid I would have, and ever pronounce unparalleled in the history of benevolent work—but for these, Congress might well say, "The people do not demand it. They *do nothing*, why should we?" If you say, "Provision must be made for them, they must not be left to starve and die, like Andersonville prisoners," then let us agree upon the best measures to relieve them, and put an end to the system of slow starvation under which so many have this winter suffered and died.

[Pg 873]

We need and *must* have a hospital-home building to gather in the scattered, helpless ones, who now live alone, and in distant localities. With such an institution we could with far greater economy than ever before, provide for them all. But I have trespassed too long upon your patience. I thank you and all the friends in Philadelphia for timely aid during the past winter, and trust you will lay this before your yearly meeting soon to convene, as an appeal for help in the future. Hoping to hear what you think is our duty in this emergency,

Faithfully and lovingly,

JOSEPHINE S. GRIFFING.

ROADSIDE, NEAR PHILADA. 5mo. 1st. '70.

MY DEAR JOSEPHINE:—Thy several sheets were duly received and read with heartfelt and thrilling attention. It may seem neglectful that no acknowledgment has been made before.

I have waited hoping to have more than a *mere* acknowledgment. I took the letter to our meeting, and added somewhat to the appeal made the week before, by our earnest, truly sympathetic R. W. M. Townsend.

Just at this time the approach of our yearly meeting, the claims of the Indians under the care of our Friends, the freedmen's schools at the South, also under our care—for whom thousands have been raised—and the Swarthmore College, just reporting its great need to pay off a debt, etc. All these pressing their claims, of course make it more difficult to collect beyond *our* city poor, who are ever appealing to us—many of whom also suffering from the effects of cruel slavery. Still thy account was too harrowing to be cast aside, and a few men took hold of it and called a meeting. So I will enclose the small sum of \$20, which thou doubtless will find use for.

I was sorry not to have time to speak to thee before leaving that Fifth Avenue Woman Suffrage Meeting. My daughter, fearing we should miss the cars to take us twelve miles to her children at Orange, rather hurried me away.

I can not be in New York again now. Our yearly meeting occurs in Anniversary Week. My son, Edward M. Davis, took thy letter to have a copy taken before returning it to thee. He thought he might make some use of it for the benefit of those poor, aged sufferers.

Thine in haste and affectionately,

LUCRETIA MOTT.

LETTERS TO MRS. STEBBINS.

Emily Robinson, of Salem, Ohio, writes me that Mrs. Griffing "was for several years the honored, loved, and

trusted agent of the Western Anti-Slavery Society. The fact is indelibly graven on my heart that she was one of the most faithful and indefatigable laborers in the Anti-Slavery cause; she brought a great mother-heart to the work. Under fearful discouragement, she was ever strong and persevering. I do hope that you knew her, even better than I did, and that the history will be a success. Be sure of my heartiest and kindest sympathy. It is a beautiful work—the effort to preserve and embalm the memories of the sweet-souled moral heroes in special reforms, those in which we have been pioneers, though scores go out of life without, in the book of God's remembrance they are gathered, and their work will bear harvest forever and ever."

Mrs. Griffing's daughter says in a letter: "Mother lived till Feb. 18, 1872, and no one can ever know how faithfully she worked for every one but herself. Her very last words were, as she dropped her tired arms by her side, 'I have done the best I could,' and we knew she had."

DEATH OF MRS. JOSEPHINE S. GRIFFING.—Yesterday morning, at two o'clock, Mrs. Josephine S. Griffing departed to a higher life. A woman of rare beauty of character, of uncommon executive capacity and judgment, and ever inspired by a beautiful and self-sacrificing charity, she had warm friends among the best men and women, eminent in character, influence, and position, and a host of devoted friends also among the poor and aged freed people, to whom for years she has been a daily angel of mercy. Accomplished and cultivated, she has devoted herself to the wants of the poorest of the poor, visiting their homes and ministering to their wants with her own hands. She has disbursed many thousands of dollars and a large amount of food and clothing furnished by the Government and by private benevolence, and done all wisely and well and for long periods of time without material fee or reward.

[Pg 874]

Rarely, indeed, do we find such tender charity, such ability for continuous labor, and such spiritual beauty of life as hers, and her departure is no doubt the result of her too severe and self-sacrificing career of good works.

From 10 A.M. to 4 P.M. to-day the remains may be seen by her many friends at her late home, on Capitol Hill, and to-night her daughters go with all that is mortal of a most tender and loving mother to the family burial-place in her native town of Hebron, Conn.—*Washington Chronicle*.

MRS. GRIFFING TO CATHARINE F. STEBBINS.

WASHINGTON, June 27, 1870.

MY DEAR MRS. STEBBINS:—Yours so kind and interesting came duly, and I thank you. I am sure you have seen how some *genius*, greater, more powerful than myself control me and forbids me to seek enjoyment in human friendships. If you comprehend my life, you will pardon long silence of the *lips*, and join me in the prayer, that the poor all taken into "Abraham's bosom," I may *enjoy* those I love, in heaven. I am pained when I think that not only *you*, but my dear father in his affliction, has been neglected, for it is now four long weeks since I have written a word of love and consolation to him. But the days are so full of work, and the nights of thinking, that all my vitality seems to be in requisition, and I sometimes think there is no reserve force left in me. Oh, how I wish our Christianity would be true to itself, and take to its heart the great questions of humanity, then would I turn over a precious few of the starving old people now calling upon God and me for their support, to churches, and enter the field for woman.

How grandly the tide is lashing the shore on both sides of the Atlantic, and its voice is the voice of God, commanding once more that ye "let my people go, that they may serve me." Only the foam and the surge are seen to-day—"Woman and the Ballot." But there is overturning and upheaving below, and the great depths shall ere long become the surface, and what is now seen in the social realm and believed in, as a *religious creed*, must enter into the formation, geologically conforming to fossilization and decay; so the last shall be first, and the first last. The last half century is a grand prophecy. How *slavery* went down, carrying away social and religious systems with it! There they lie, like dust and ashes in the rear. None are found so poor and benighted as to do homage at their shrine. It was the moral agitation that gave spiritual birth to the race enslaved. I remember to have felt great impatience at the tardy and conservative elements that entered into the struggle side by side with the radical leaders of 1845, when to me the issue was not with the Constitution, nor even with the pulpit, nor the Bible, but with Justice. It was man to man, stripped of all but the Divine within him. The lessons of moral and political formation in its slow but certain work, come to strengthen me now. To my mind the issue of to-day in the woman cause is clearly not what Paul taught and thought, nor what God has settled upon her as her dower, nor what the marriage contract makes her, but it is woman as a beneficent genius, next to the angels, against woman below the beasts, in human society under the heel of the Law, in the arms of brute force, crushed to death with passion and lust. Lucy Stone has made it obvious to the world that six plates, six teacups and saucers, and a guardian for her children, at the time of her husband's death, are not her only legitimate property. Mrs. Stanton goes further, and declares that not alone is her property sacred, and must be restored to her, but that *personal freedom*, subject to the Moral Law, not to the law of Society, nor of Government, if those powers contravene or interfere with God's Law as it is written in her own constitution.

In so much as woman is endowed by the Creator with the most loving and beneficent genius or nature capable of enduring the agonies of many deaths, to give life to many souls, in so much she is entitled to command, not left to obey. So says Mrs. Stanton; I agree with her. Both Lucy Stone and Mrs. Stanton are skilled workmen. Both representative women; representing the two wings in the cause of woman's freedom.

You speak of Mrs. Stanton's view in the McFarland-Richardson case. I knew but little of the real character of Mrs. Richardson, but if what is acknowledged to be true of his,—I do agree with Mrs. S. in declaring this case a forcible argument—not against *marriage*,—such a thing can not be—but against the marriage *contract*, as interpreted in the courts. What a burlesque upon insanity! Poor Minnie Gaines, the colored girl who shot her seducer the other day, in my neighborhood, was cleared upon as doubtful insanity as McFarland's, and she enjoys the benefit of the doubt in the insane asylum, where she will remain unquestionably for a term of years; why does this *man "go at large"*? Neither of the Associations, nor journals, are ready to assume the high ground that Mrs. Stanton standing alone and leading, as she always has on this question, can and will do. With all my heart, I pray that true women and the angels will stand by and sustain her in this noble daring.

[Pg 875]

Our work (the Freedman's work) is as usual, every day painfully interesting and compensating. *No money comes yet*, and I have to raise some \$2,000 soon, or lose our delightful home. (Yes, it is delightful). We have a bad city government, the colored people begin to feel the old rebel spirit. Hundreds thrown out of work, and I have nothing to hope from the City Council to compensate for my work. Some good friend said a few days since, that Congress would, if persons of influence would ask it, pay me. Now would Mr. Ward with Mr. Wade,

do this, and so let me breathe and live? or not?

We can not go out of the city this summer. You will be in Philadelphia at the Decade meeting I hope, and I shall rejoice to be there too. You see the Peace Society is in "hot water" over the McFarland-Richardson discussion in the *Band of Peace*.

Thermometer stood at 107° yesterday, and very hot to-day. Write when you can, and believe me ever your attached friend,

J. S. GRIFFING.

THE WOMAN'S LOYAL LEAGUE.

LETTERS IN RESPONSE TO THE CALL FOR MEETING OF THE LOYAL WOMEN OF THE COUNTRY.

NEW HAMPSHIRE.

HAMPTON, N. H., *May 4, 1863.*

MISS ANTHONY—DEAR MADAM:—I cheerfully respond to the call, published in *The Liberator*, to the loyal women of the North, to meet on the 14th inst. I am sensible that you will have responses from many whose words will be more potent, and who can do braver deeds than I can do. But I want to add my feeble testimony, notwithstanding, to encourage this first effort of American women, in a national capacity, to sustain the Government, and help guide it through the perils which threaten its existence, thus demonstrating not only their loyalty, but their ability to understand its genius; the quickness of their perception of the cause and also of the remedies of the dangers which imperil the nation; and also their fitness to be admitted to take part in its deliberations. Not long since, men here at the North—loyal men—men who were not in favor of slavery, denied that they had any responsibility in regard to its existence. Marvelous, that they could not see that slavery is a moral pestilence, poisoning all the fountains of society, spreading infections over all the nation. Now the war teaches them that they have a responsibility, and that it would have been better had they seen it earlier. The right to take any responsibility in regard to it was denied to woman; it was out of her sphere; it ran into politics, which were unfit for woman, and into governmental affairs, which she was supposed incompetent to comprehend. But this painful hour of warfare crowds home upon us the conviction that woman's interests equally with man's are imperiled—private as well as public, individual as well as social. She must not only consent to the sacrifice of husbands and sons falling in their blood on the enemy's ground; but failing to conquer them there, these enemies are eager to change the scene of action, transfer the battle-field to our own doors, spread death and devastation, and then establish slavery as a legacy to us. Yes, let it be shown and sent home to the hearts of those who shall meet, that woman is equally interested and responsible with man in the final settlement of this problem of self-government.

Wishing that the women of every State may be largely represented by earnest and faithful representatives, able to give wise counsel and efficient action, I am very cordially with you in spirit,

[Pg 876]

CLARISSA G. OLDS.

BRADFORD, N. H., *May 10, 1863.*

MRS. STANTON—MY DEAR MADAM:—I thank you for myself, and for thousands of women in our State, who may perhaps remain silent, for the clarion call you have rung through the land for a convention of the loyal women of the nation, to be held at New York on the 14th of the present month. God bless you for the rallying cry, and may there be such a gathering of patriotic women as the times demand. I trust the women of our State will be well and largely represented. I must believe that the women nurtured among our granite hills are ready for all earnest work and brave self-sacrifice, to help bear up and on the banner of freedom, till it waves in victory over all our beloved country. I wish you a hearty God-speed in all noble and patriotic efforts.

Truly yours,

MARY J. TAPPAN.

DEBRY, N. H.

We rejoice in your call to the women of our country to do something, in the great hour of her peril. They are generally too indifferent to her success or failure, lack zeal and earnestness, and need enlightenment on the true state of this contest. It is not a mere matter of triumph of arms, but of principle, which will affect us and future generations.

H. T. and M. ADAMS.

VERMONT.

RANDOLPH, Vt., *May 9, A.D. 1863.*

The Ladies of Randolph to the Loyal Ladies assembled at New York, send Greeting:—

Thrillingly interested in all that concerns the great cause in which we, who love the inheritance our fathers bought for us at such a price of life and treasure, are now all embarked, the ladies of our Association desire, on this occasion, to manifest their *oneness of spirit* with you for everything that may promote loyal devotion to our country.

We who have offered up on her altars what is dearer to us than life—our fathers, husbands, sons, and brothers—so that almost every home has made its sacrifice, and the blood of many from among us has already been shed, while others come back crippled for life—need hardly tell you that we are of one heart and mind with them, and ready to be bound and offered up too.

May the God of our fathers hear our cry, and save our beloved country from those who would destroy all her liberties.

In behalf of the Ladies' Aid Society.

Very truly yours,

MRS. R. PARKINSON.

MASSACHUSETTS.

PITTSFIELD, *May 12, 1863.*

MISS SUSAN B. ANTHONY—DEAR MADAM:—In response to the thrilling and patriotic address of Mrs. "E. C. Stanton on behalf of the Women's Central Committee," accompanying the "Call for a Meeting of the Loyal Women of the Nation on the 14th inst.," I beg leave to say that my heart is with you in the great work of crushing the rebellion.

Our strength, clearly, is not "to sit still" at a time like the present. Although much has already been done by the women at the North, in their subordinate sphere, for the relief and comfort of the soldiers, yet the supineness of many of our sex has exposed us all to rebukes.

We hear of the enthusiasm of women at the South in aid of the Slave-holders' Rebellion, and can form some estimate of the "fierceness of their wrath"; but, God be thanked, the days approach when their mad passions will recoil upon themselves—the days approach when their evil cause must die. Let us unitedly pledge ourselves to stand by the Government, in our legitimate sphere, and *out of it*, if needs be. Let us, with womanly zeal, help to crush the power of its iniquitous assailants, remembering that the name of woman is in the list with those who "subdued kingdoms, wrought righteousness, obtained promises, stopped the mouths of lions, quenched the violence of fire, escaped the edge of the sword, out of weakness were made strong, waxed valiant in fight, turned to flight the armies of the aliens."

Shall we not, in this "crisis of our country's destiny," imitate the example of these heroic worthies, if "hereunto we are called"?

Very truly yours,

MRS. SARAH R. BARNES.

WORCESTER, *April 20, 1863.*

[Pg 877]

DEAR SUSAN:—I see your call to the loyal women. Will you let me know distinctly if you propose to commit yourselves to the idea of loyalty to the present Government? I can not believe you do. But to me there is something equivocal in the call, if it does not mean that. I am sorry it is not explicit on that point.

You and I believe if the present Administration had done its duty, the rebellion would have been put down long ago. Hence, we hold it with its supporters responsible for the terrible waste of treasure and of blood thus far, and for that which is to follow. It needs strong rebuke instead of unqualified sympathy and support.

Hastily, yours as ever,

ABBY KELLY FOSTER.

NATICK, *May 8, 1863.*

Every loyal woman in America has a part to perform in this great struggle for the preservation of the nation. I trust that the coming meeting in the city of New York will inspire the women of the loyal States with new zeal and patriotism, and enable them to serve more efficiently their once prosperous, but now distracted, country.

Yours respectfully,

MRS. HENRY WILSON.

CONNECTICUT.

The Loyal Women of Manchester, Ct., to the Meeting of Loyal Women in New York, Greeting:—Patriotism in this town is in the ascendant. Impelled by the conduct of traitors, dupes, and cowards, the loyal women of Manchester formed themselves into a League, in which they resolved to be unconditionally loyal to the Government and its institutions; to abhor treason and cowardice in every form, and under every disguise; to encourage and sustain our brave soldiers by constant tokens of interest; to study carefully the great principles of civil liberty, which constitute the spirit and life of our Republican Government; and to publicly wear as the badge of the Loyal League the Union colors, until the day of our national triumph. We mean by this to occupy no doubtful position, and to express ourselves in no ambiguous words. We believe in the Union, one and inseparable, and stick to the motto, "*E Pluribus Unum.*"

We find nothing to justify the rebellion, and have no sympathy with those who do. We long for peace, but believe in war as the only legitimate way to reach it; therefore hail the advance of our armies, and rejoice in every Union victory with unspeakable joy.

We believe, moreover, in the natural rights of man, and intend to stand by our President in his Emancipation Proclamation. We regard negro-hate and disloyalty as near akin, and feel that those who would not employ the black man to save the country are not over-anxious to save it themselves.

The Loyal League of Manchester numbers some five hundred members, and we mean by all within our power to cast our influence on the side of the Union, and its brave defenders.

In true sympathy with all who stand by the Government and repel its enemies, in behalf of the Executive Committee and members,

MRS. S. M. DORMAN.

NEW YORK.

WATERLOO, N. Y.

I have read Mrs. Stanton's call to the loyal women of America, and can not resist telling you how valuable such a suggestion appears. For what is more meet, than that those upon whom fall the direst agonies of the war should with one voice cry out, "Give us a nation for whose preservation we may joyfully surrender our heart's dearest treasure; but swear by the green graves of our slaughtered brethren, that this sacrifice shall seal the doom of every trafficker in human flesh?"

SARAH HUNT.

UTICA, N. Y., April 19, 1863.

We write to assure you that we appreciate the address of Elizabeth Cady Stanton, published in *The Tribune* of the 18th. We have long expected such a call, and regard it as the external manifestation of a wide-spread demand among women.

MARY DEAN, and Seven other Women.

WATERLOO, May 4, 1863.

MY DEAR FRIEND:—I read with great pleasure the "Call for a meeting of the Loyal Women of the nation." I think such a gathering can not fail of great and good results. I hope you will have a correct and full report of the proceedings for the benefit of those who can not be present to see and hear for themselves.

[Pg 878]

Sincerely yours,

PHEBE B. DEAN.

FREY CHAPEL, May 1, 1863.

TO SUSAN B. ANTHONY—DEAR MADAM:—In response to the call for a meeting of the loyal women of the nation in the City of New York, on Thursday, the 14th of May, the undersigned wish to be represented at the ten o'clock session.

HARRIET GRAHAM, EMILY FREY, and 88 others.

NEW JERSEY.

OLD BRIDGE, MIDDLESEX COUNTY, N. J.

MRS. E. C. STANTON:—Being unable to attend in person in answer to your stirring appeal to the loyal women of the nation, and feeling a deep interest in this cause, we can not forbear answering it in this manner at least. We do not believe there is a lack of enthusiasm in the mass of the women of the North; all we want is a common channel in which to pour it out. Do this, only point us the way, and you will find our efforts as irresistible as the tides of the ocean.

We believe now, if ever, Halleck's lines apply:

"Strike, till the last armed foe expires,
Strike, for our altars and our fires;
Strike for the green graves of our sires,
God, and our native land."

Hoping God may so direct you that our dear bleeding country may be cheered through the storm and darkness to a glorious peace, with our starry flag floating as of old from the Bay of Fundy to the far shores of the Pacific, and believing that freedom, truth, and right must prevail,

We are, for ourselves and numerous friends,

Respectfully and truly yours,

MARY E. DISDROW, MARGARET M. WILLIS.

PENNSYLVANIA.

COLUMBIA, PA., May 8, 1863.

SUSAN B. ANTHONY—DEAR MADAM:—I beg that my name may be recorded with those of the Loyal Women of the Nation. Though we walk in darkness, tears, and blood all the days of this generation, let us not shrink; we have to do the most blessed duty ever laid upon a people. Though we see not the end, our deed shall be blessed. Let us rejoice that upon us is laid *the glory of suffering for the good of mankind*. Though all our dearest fall, though we are wrapt in woe, let us not flinch to the bitterest end. Right shall triumph. God shall cause the wrath of man to praise Him. Upon Northern traitors be unutterable and everlasting contempt. Highest honors, tenderest glory to our heroes, immortal in the heart of the nation.

SOPHIA LYMAN SMITH.

We wish to obtain the documents of the Ladies' National Union League, that we may be "transformed into the same image"; and also desire to wear the same badge.

Yours fraternally,

MARY R. H. HAYNES,
President Richwood Ladies' Union League.

PENNSYLVANIA STATE NORMAL SCHOOL, }
MILLERSVILLE, May 11, 1863. }

To the National Convention of Loyal Women:

LADIES:—I beg leave to introduce to you Miss Fannie W. Willard and Mrs. Annie V. Mumford, who have been elected by the ladies of this institution as delegates to represent them in your Convention. Hoping that, by word and work, your Convention may add strength to the arm that is now raised in defense of the nation's life, I am,

Yours truly,

J. P. WICKERSHAM, *Principal.*

GREEN GROVE, LUZERNE CO., PA., May 8, 1863.

DEAR MADAM:—With pleasure I read the "Call," and gladly would respond to it in person, but must be content with sending my name. Prospectively I see the places of meeting filled to overflowing, every eye kindling with enthusiasm, every heart swelling with patriotism, all determined to aid in preserving our sacred legacy of liberty. The woman who is not truly loyal is unworthy the protection of our dear old flag.

[Pg 879]

May God bless all the efforts made in sustaining the best Government on earth!

Yours sincerely,

SARAH J. VOSBURGH.

From the Loyal Ladies of Stevensville, Pa., to the Ladies assembled in Convention in New York:

DEAR SISTERS:—Although unable to co-operate with you in your noble efforts in behalf of our country by attending your Convention, we dare not remain silent when treason is in our very midst, and thousands, with blind fury, are trying to uproot the fair tree of Liberty which our fathers planted and watered with their blood. We have already sent our fathers, husbands, brothers, and sons to defend our country, and are willing to make still greater sacrifices if necessary. We heartily sustain the President in every effort he has made to put down the rebellion, and hope that the war may be prosecuted with renewed vigor, until every traitor, North or South, shall be subdued. We would express our sympathy for the brave soldiers in the field and for those who are languishing in prisons and hospitals, and pray that their sacrifices and sufferings may not be in vain. May the angel of Peace soon spread her wings over our unhappy country, is the prayer of your loyal sisters,

MRS. ANGIE E. L. STEVENS,
And Twenty-five other Women of Stevensville, Pa.

WEST AUBURN, PA., *May 9, 1863.*

In compliance with the call for a meeting of the Loyal Women, we, the undersigned, take this method to manifest our approbation of the President's Proclamation. Thinking we comprehend the principles involved in the nation's struggle for existence, we believe it the duty of every loyal woman to pledge herself to co-operate, in word and deed, for the benefit and encouragement of our brave men in the field, until our country is Free.

LUCY A. SEELY,
And Thirty-five other Women of West Auburn, Pa.

KENNETT SQUARE, PA.

DEAR MRS. STANTON:—The deep interest I feel in the subject to be considered in your Convention, prompts me to an expression of my sympathy in the movement. May you be able to speak God's truth in tones that shall arouse a nation's heart to a prompt performance of a nation's duty, will be the earnest prayer of many who are not privileged to meet with you in solemn convention.

HANNAH M. DARLINGTON.

COLUMBIA, PA.

DEAR MISS ANTHONY:—Let me have the happiness of giving my name where are my heart and soul, with the loyal women of the nation.

MRS. F. BOARDMAN WELLS.

OHIO.

To the Loyal Women, assembled in National Meeting in New York, the Loyal Women of Wilmington, Ohio, send Greeting.

We have heard your earnest call for a National Meeting of women, and our hearts respond as one to the call, and our hands willing to do more than has yet been done. Here, as everywhere in the North, we have formed societies and united our efforts in contributing what we might to soothe, encourage, and cheer. But we would not speak of what we have done, for it is but a mite compared to the need, and a drop among the millions that have been given our brave ones who are so gloriously defending our homes. But the wide future with its great destiny is before us, and we hope after earnest counseling you will decide what more can be done, and we will gladly work with you as sisters, as daughters of our kind All-Father, as children of our common country for the good of all.

We shall be glad to hear of the decision of your meeting, and doubt not it will waken many who are slumbering to a sense of the duty of immediate action in a cause so just, and fraught with untold interest, not only to our own beloved country, but to the whole world.

Louise McGregor, Secretary.

MARTINSBURG, OHIO, *May 7, 1863.*

To SUSAN B. ANTHONY:—I was rejoiced and encouraged on reading your call for an assembly of the loyal women of the nation, and feel constrained to address you a word. For although I may not be able to elucidate the principles on which a free government is founded, with the force and clearness of many others who will doubtless respond to your call, nor awake enthusiasm with that magic power that some of the anti-slavery women of the North possess in so high a degree, I shall at least give to Ohio and my country one more voice in favor of a united and free republic; and certainly no voice should be silent when called to speak for liberty.

It was fit that the first work of the women of the North should be for the comfort of those who are enduring the hardships of the camp, exposed to sickness, and to the deadly horrors of the battle-field, in their defence.

But this is not all that should be done by intelligent women living under a free government, when that government is in danger of being overthrown by wicked conspirators. Every power and influence granted us under the social and political regulations of our country should be unreservedly laid upon the altar of liberty and right. It is necessary that we fully understand the nature of the conflict in which we are engaged. Enthusiasm can elevate and sustain but for a moment, unless upheld by the power of a great principle. Not only is our welfare as a great nation at stake, but the oppressed of the world look anxiously and hopefully to us as holding the key to their prison doors, which we may unlock if we will.

In view of the greatness of the trust committed to us, let us not flag in our efforts to free our land from slavery and the rebellion inaugurated by its minions, that they might establish it on a firmer base.

By meeting as you are about to do, and giving expression to sentiments in favor of the perpetuation of our Government, and in behalf of those of our citizens who are denied the rights and privileges of citizenship, you will strengthen the hearts and hands of all among our rulers who are endeavoring to execute judgment and justice, and to save our Government under the guidance of Him who controls the destinies of nations.

Trusting that this is but the beginning of a good work among the true women of the nation, I subscribe myself,
Yours for the interest of our common country,

LIZZIE WELSH.

MEDINA COUNTY, OHIO, *May 12, 1863.*

DEAR MISS ANTHONY:—This is no time to be idle now. Every *true woman* must do her whole duty, and buckle on the strong armor of Faith, to meet the enemy face to face. Let the traitors of the country hear our voices, and let Southern tyrants tremble in their high places. Let the prayers of the loyal women ascend to the throne on high. I trust you may have a decidedly good meeting—one, too, that will be remembered in future ages, when war and bloodshed shall have passed forever away, and sweet peace shall reign again in our beautiful land. We long for our brave brothers to return to their homes, but not till the Union is restored, and the traitors receive their just punishment. My heart is deeply engaged in the cause of human liberty and justice, and I have given my all in the struggle.

I remain, yours respectfully,

EMMA C. HARD.

RICHWOOD, *May 9, 1863.*

SUSAN B. ANTHONY—DEAR MADAM:—In *The New York Tribune* of April 25, 1863, we observed that a National Convention of the Ladies' Union League is to be held in the city of New York, on the 14th day of May. We were truly gratified with this intelligence, and should be very happy to be present on that occasion; but as that is among the impossibilities, we deem it a great privilege to represent the Richwood Ladies' Union League through epistolary correspondence. The cause is glorious, and is calculated to elevate woman to a higher sphere. Louder voices and holier motives urge us to duty as never before. At the time *our* Ladies' Union League was organized, we knew not that there was another in the world, or that there ever would be. Its infancy was feeble, as we must advance cautiously, if we would surely; but it was as a city set on a hill. The good work is still progressing.

[Pg 881]

INDIANA.

ANGOLA, IND., *May 6, 1863.*

MISS ANTHONY:—The call for a Convention in New York to express the feelings of woman in view of the condition of the country, is timely. I regret that I can not be present to share the inspiration of the occasion, and as far as possible to aid in making an impression worthy of the hour. We call this an alarming crisis because it is a struggle involving our lives, our liberty, and our happiness. It must be borne in mind that this nation is great not simply from the number of States it has held in union, but from its creative genius. We are told that this is the best expression of a republican form of government. It is so because it is self-sustaining, self-reliant, and therefore may be self-governing. The stern, smooth-faced Puritan fled from religious persecution in the Old World to find room for an idea in the New; and the planting of one religious idea has yielded a rich harvest of sects, each an improvement on the last.

Yesterday politics had its center in a party; to-day, in the nation; to-morrow, it will find an equilibrium in the individual. This is a stern work, wearing furrows in the cheeks of statesmen, shaking the frame-work of the Government, letting the blood and drinking the treasure of the nation. It can not be avoided. God has said, "And unto you a child is born," and his name shall be called Liberty, Equality, Fraternity, the Holy of Holies, the Universal Republic. And as God rested after the first creation, so shall this nation find its Sabbath of rest when this struggle for freedom is over, and from the little child to the bowed-down man, all shall breathe through the new Constitution a fresher, more glorious life. Viewed from the daily papers, the battle is long, terrific, and uncertain. Go to the stricken hearthstones, and we exclaim, "Oh, that this cup might pass from us!" Visit the solemn battle-field, and in anguish we murmur, "My God, why hast Thou forsaken us?" Retiring to the high mountain of our faith, we see in this painful view the magnitude of our cause, and that slowly but surely this contest will end triumphantly. From this point we mark the milestones that show we have made indelible foot-prints toward Liberty and Union.

The choice by the people of a Republican President, the firing on Sumter, the defeat at Manassas, the recognition of Hayti, the treaty with England for the suppression of the foreign slave-trade, the abolition of slavery in the District of Columbia, the decision of Attorney-General Bates in favor of universal citizenship, the conversion to the anti-slavery sentiment of Dickinson and Butler, the President's Proclamation, and the arming of the blacks, are signs in the political zodiac, showing our revolution certain as that of the rolling suns in the material heavens. Only Liberty can be our watchword henceforth! To this standard alone will the country, both North and South, rally when a few more days of leadership are over. God saw to this in the frame-work of every living thing, when He made his wants to be a blessing with freedom and a curse without it. Open the cage-door to the pining fox, loathing his master's beef and pudding, and see if his instincts are not true as the needle to the pole. Lay the sweet babe before the starved lion, and his want will not bow to your compassion. So in slaves; it matters not whether slaves to rebellion or to aristocracy. So in all men and in all women, the want of liberty, as the want of bread, is a vital principle in the blood. It is the motive power. Without it man is but a log, and is suited to rule over frogs only; or, like the silent water, becomes a loathsome stagnation. You may suppress, but you can not appease or destroy this divine inheritance in man. On this uniform idea the laws of society depend, and union can have no other. Raise the banner of freedom to all, and you have an imperishable Constitution, supported by the gushing blood of the millions, and immortalized in the spirit of the nation. This is our work: To comprehend liberty, to establish a constitution, and perpetuate union. We began at union, the right-hand figure, borrowing ten, as in mathematics, from the next higher order, observing the rule of maintaining an equal difference by paying what is borrowed.

We saw that fighting for union and slavery left us just what we began with. So we borrowed from the Constitution Fremont's Proclamation, and carried the popular response to the next Congress, and under the second period we wrote the liberty of three millions! We have now to work out the main principle or highest

order, to test the virtue of the people, to see whether, when rebellion is put down, the nation can survive; and there is now left us no escape from death or disgrace except in the announcement of freedom as a principle. Do this, and you have enlisted new recruits from men who will nobly dare to die, but never will retreat. Do this, and the mothers of the country will continue to lay their precious sons upon the altar, not as "Union soldiers," as before, but as heroes of a new republic. Do this, and woman, the subtle architect of society, will teach you how to walk the very verge of death with an unflinching hope of life; her faith will separate your light from darkness, truth from error, liberty from slavery. She will demonstrate for you that self-reliance is the condition of all creations, that as "the flower looks to no power outside itself to unfold its tendrils and accomplish its mission," so this nation is self-sufficient. In its warm beating heart lies its folded banner, and each man and woman must unfurl it as the seaman unfurls his sail. Nail Freedom to your banner, and it shall bring a prostrate nation to its staff, and together with their loud applause, "the morning stars shall sing, and all the sons of God shall shout for joy."

JOSEPHINE S. GRIFFING.

To the Meeting of Loyal Women to be held in New York the 14th of May:

MISS S. B. ANTHONY:—Not being able to attend your meeting, I desire to convey to you personally my heartfelt appreciation of your work. If, as the call implies, your object is to help create and keep alive a loyal public sentiment, it is truly praiseworthy. This is what we need—a public sentiment that will not tolerate disloyalty anywhere. We want the rebel sympathizer to feel the society of intelligent women a constant rebuke to their unfaithfulness; we want to go still further, and make them feel that they can not be admitted to the social circle of loyal women; we want to make them feel that we will not patronize them in business relations; in short, that we will hold no communion with them whatever, except it may be to reform them as fallen brethren. As the Spartan mothers of old, as the mothers of the Revolution, did not shrink from whatever of trial, of sacrifice, and of toil was theirs to endure, so may we of the XIXth century, the mothers of the soldiers of freedom, grasp heroically the sword of truth, and wield it with a power that shall make the tyrant tremble. It is not enough that we scrape lint, make hospital stores, knit socks, make shirts, etc., etc.; all this we should do by all means, but we have also other duties connected with this war. Let us endeavor to perform them all faithfully. As the war is working out for woman a higher and nobler life, while it is destined in the providence of God to free the slave, it will also bring about in a great measure the enfranchisement of woman. Let us prove that women are intellectually and morally capable of laboring side by side with our brothers in the great struggle, and heaven will bless our efforts.

Yours in the great work,

MARY F. THOMAS.

RICHMOND, Ind., May 11, 1863.

PECOR, WABASH VALLEY, IND.

To the "Call for a meeting of the Loyal Women of the Nation," we most heartily respond. It is precisely what is needed at this time. There is a lack of enthusiasm here as elsewhere—not that our "Aid Societies" are not quite flourishing; but that we do after the manner of Miss Ophelia, "from a sense of duty." A lady says to me, "What more can be expected of women if men fail to some extent in our military affairs?" Well, they can arouse the smouldering fires of patriotism, help to raise the trailing banner, and stand devotedly by the dear old flag. If they enter into the work heart and soul, good results will follow. There is here a strong secession element; copperheads abound; the sky looks dark and threatening; but Gov. Morton's vigorous policy and Gen. Burnside's "Order No. 38," will show the traitors that we have a government—a strong one, too—that will bring them straight up to the mark.

Those who are disposed to criticise your meeting, who have a word to say about women taking part in political or public affairs, should have their memories refreshed a little. From a great many who have ruled in affairs of State, I select one who lived a long time ago. The record is from the highest authority. Deborah, the wife of Lapidoth, who judged Israel, had her canopy of State under the palm-tree in Mount Ephraim. At this time the children of Egypt had been mightily oppressed for twenty years by Jabin, King of Canaan. Hope is almost extinguished in Israel; not one man scarcely seems awake to his country's wrongs; patriotism is slumbering in every manly breast, yet glows brightly in the heart of woman; and as the tribunal of judgment is deserted by manly virtue, ability, and zeal, Deborah takes the place, not by usurpation, but divine appointment. She instructs the people in the law and testimony of the living God, and inspires them with more than a common enthusiasm to go with Barak against the mighty host of Canaan. They go forth, and are victorious, completely routing the enemy. Sisera, the commander-in-chief of the great army of Jabin, is slain by the hand of woman! The mighty arm of the Lord of Hosts is seen in this conflict, for JEHOVAH HAS NO ATTRIBUTE THAT WILL TAKE SIDES WITH THE OPPRESSOR!

[Pg 883]

Would it not be well for the women of to-day to emulate Deborah in her zeal and love of country? I trust your meeting will be productive of great good in arousing us to more correct views of our duties and responsibilities as members of the Republic. As Burke says, "*I love agitation when there is a cause for it.*" The alarm-bell which startles the inhabitants of a city from their midnight slumbers, saves them from destruction.

Truly yours,

ELIZA B. TERRELL.

May 11, 1863.

E. M. WILKINSON, on behalf of the Soldiers' Aid Society in Laporte County, Ind., writes:

"We will labor with all our might, mind, and strength for a free country, where there shall be neither slavery nor involuntary servitude. As our mothers stood by the Government in the Revolution, so we, like them, will stand by the present Administration. We believe the sin of slavery to be the cause of this horrid war, therefore we hailed with gladness the ninth section of the Confiscation law, and the Proclamation of Freedom by the President."

ILLINOIS.

ROSEMOND, CHRISTIAN COUNTY, ILL., *May 5, 1863.*

MISS SUSAN B. ANTHONY—*My Dear Christian Friend:*—I observed with deep interest, in *The Independent* of April 16th, an article on "Women and the War," stating that meetings would be held in your city on the 14th of May,

"to consider how woman's services may be more effectually engaged in promoting the war, supporting the Government, and advancing the cause of Freedom and the Union."

At that meeting I shall be most cordially present in *spirit*, while I am necessarily in body far from you; and for the result of your deliberations there I shall watch with eager interest. *What can woman do?* has been with me from the beginning of this war a question of the uppermost importance. I have asked it with tears again and again, and have watched every intimation upon this point in our journals, and from soldier friends, with a willing heart and ready hand; though I have sometimes observed with pain, that those who had given least for this great cause were least solicitous on this question, and less disposed to do, and to continue to do, than those very ones who, as they would say, had surely done enough, when they had given up husband or son, father or brother, or all of these, for the bloody conflict. But no, it is those who like me have given up their all, and perhaps like me are left by this war widowed and alone, helpless and in feeble health; such it is that cry, What can woman yet do for this sacred cause? Such may silently bear their lonely anxiety and sorrow, patiently toil and struggle to take care of themselves, and of those dependent upon them, as best they can, uncomplaining, asking not aid or sympathy, and all the while cheering their beloved ones yet spared in the conflict, and holding up their hands by words of encouragement and blessing. But such can not sit still, and feel that they have done enough. Such can not look with indifference upon the flowing tide of blood all around us; upon the thousands of hearths and homes as desolate as their own; upon the hardships and sufferings of our brave soldiers in field, or hospital, or camp; upon the hundreds of thousands of those poor freedmen, women and children, that have just begun to emerge from the house of their bondage, and come out empty, ignorant, and degraded, yet seeking liberty, protection, instruction, and offering their strong right arms for the defense of that wise and beneficent Government that has bid them go free. Methinks, every mother and every teacher should now take special care to instill into the minds of those committed to their instruction a holy and devoted patriotism; the sacred principles of liberty; liberty for all; the inestimable value of our free institutions; and the perpetuation of these as an end worthy of their highest ambition. Teach them to honor the name of soldier, and to cherish sacredly the memory of those who have given their life's blood for the cementing and maintenance of this Union, and to be ready to stand up bravely for the right, when their turn may come.

[Pg 884]

I have written from the fullness of my heart, yet in much weakness and sorrow. My own beloved and noble husband was among the very first to offer his services at his country's call, and in less than one short year his sacrifice was owned of God, to whom he had early consecrated his life, and from the strife of the battle-field (at Donelson, in February, 1862) he was called up higher to rest in peace. In feeble health, I have returned to the asylum of a father's house, to which one beloved brother has just returned with his discharge, having wasted nearly to a skeleton in Southern hospitals, and two brothers are yet in the army. Should you have any printed circular of the result of your meetings, a copy would be very gratefully received; and if there is any way in which ladies at so great a distance can co-operate with you, in measures you may devise, you may be sure that this little town of Rosemond will furnish her full share of loyal women. I will almost venture to say, no other can be found here.

In behalf of all that makes our country

"The land of the free and the home of the brave,"

I am, yours very cordially,

E. P. WEEKS.

AURORA, ILL., *May 8, 1863.*

There never was a time in the world's history when the strength and efforts of women, as well as men, were so imperatively demanded as now. Never before in the annals of time has there been a struggle of such momentous import, not only at home, but abroad, as this. The eye of every principality and power on the face of the earth is upon us, anxiously watching and awaiting the success or defeat of our armies to prove or disprove the practicability of a republican form of government. Let us work for the right and true

"All we can,
Every woman, every man."

For Freedom and Union,

ELLEN BEARD HARMAN.

WASHINGTON, TAZEWELL COUNTY, ILL., *May 12, 1863.*

LADIES:—Quickened by a call from our national metropolis, and prompted by the same loyalty that issued the call, a few of the women of this place have organized themselves into a Union League, for the maintenance of our Government and the encouragement and succor of our soldiers in the field. Our organization occurred too late, we fear, to enable us to report ourselves to the National Committee at the appointed meeting; but having opened, we propose to go forward, soliciting the co-operation of every individual woman of the place, so long as our Government is in peril and rebellion utters its voice in the nation.

Yours in the same cause,

MRS. S. W. FISH, Sec'y.

MRS. H. N. KELLOGG, Pres't.

ASBURY, LASALLE COUNTY, ILL., *May 8, 1863.*

MADAM ANTHONY:—I call myself a loyal woman, and am glad that there is about to be made some extra effort by woman for the strengthening and upholding of our common Government in this present rebellion. For my own part, I should rather work hard and fare poor for a number of years, than that the Government may have a share of my industry, than that we fail in this present war. Drops form the ocean; and if we all can be made to feel the greatness of small things added together, we can present a truly strengthening arm in this struggle; and I would suggest that we all lay aside our vanity and love of extravagance in dress, and save the money from some of our intended purchases for a war fund. Almost every person can spare five, ten, or twenty dollars. Let some one take the lead in every city and village by stimulating the people to a little self-denial, and I think we can raise a grand sum, to be applied where it is most needed. Just set this ball in motion in New York, and it may roll all over the North.

I do not wonder that woman lacks enthusiasm in matters of Government, for our laws, though they may be

nearly just to white men, are very oppressive to women, particularly those that deprive married women of the right to hold property and do business themselves. I think that man and woman both would live more happily if the laws were more equal; but as they are, they are a shame to this enlightened age. They make a married woman a beggar all her life, although she may have a rich husband, and a most pitiable one, if he is poor. Wipe out the law entirely that gives us a third of our husband's property; we can make better bargains than that ourselves with our husbands. The one-third law does us not a mite of good, unless our husband dies, and we do not all of us want to part with them, although the laws do make them our oppressors. But notwithstanding the mean position that we are compelled to occupy, I feel like upholding the Government as the best that is, feeling quite sure that the kindness and good sense of our rulers will give us something a little more like justice after a while.

MARIAM H. FISH.

WISCONSIN.

To the Meeting of Loyal Women in the City of New York, Greeting:

It is now nearly three months since the loyal women of Madison, Wis., desiring to express their equal interest in the preservation of the Union and Government, and their abhorrence of all who by word and deed encourage the unholy rebellion which has filled our land with mourning, organized the first Ladies' Union League in the country, and pledged themselves, during the continuance of the war, to such individual persistent effort and self-sacrifice as should prove to our soldiers and their families that we have made common cause with them. Without delay we issued our preamble and constitution in the form of a circular-letter, inviting the co-operation of all loyal women of the State in the formation of similar organizations. Copies of this circular, inviting a full expression of feeling, and statement of cases of individual necessity, were sent to every company of infantry, artillery, and cavalry that have gone from the State; and the most gratifying letters from the army have proved the value which they put upon our efforts. We organized visiting committees, renewed every week, who examine into and report upon all cases of want in soldiers' families, many of whom have been cared for and relieved through the agency of these committees, thus obviating one of the most productive causes of discontent in the army. The ignorant woman who does not know what are the proper steps to take in securing her bounty, allotment, and pension; the discouraged wife who hears the low murmurs of treason to the Government on every side, whose appeals to her soldier in the field increase when they do not create the same feeling, are alike the objects of our care.

In addition to, and of more importance even than these home efforts, are those we make in encouraging the soldiers by correspondence. Does some officer distinguish himself by an act of personal bravery in the army of the West? we save the newspaper notices, cut these out, and inclose them, with a few hearty, earnest words, to some member of the army of the Potomac, and thus become a medium for the diffusion of all that can stimulate and inspire courage and loyalty.

We have deemed this brief statement of our organization and mode of operation the best expression of our sympathy with your meeting. We joyfully hail the formation of such associations in the great centers of influence, and believe that a cause to which the women of the country as *one soul* devote their time, their energies, and all they love best, will stand vindicated as the cause of God, of justice and humanity, before the whole world.

MRS. W. A. P. MORRIS, *President*.
MRS. E. S. CARR, *Secretary*.

MADISON, WIS., *May 9, 1863.*

CASSVILLE, WIS., *May 4, 1863.*

Lately noticing in the *New York Tribune* a call for a meeting of the loyal women of this nation, and believing woman as responsible for its destiny as man, I feel it my duty to make known to you my most sincere wishes for its success. As loyal women, and being under so much responsibility, it seems necessary that some effort should be made to exchange our views and form resolutions on this subject. Let us remember then our duty; let us unite ourselves by associations, that we may act in concert in our country's cause. We must not forget that knowledge is power, and that the minds of this country are molded and governed by the press; let us therefore, in whatever sphere we move, aid and encourage the reading and circulation of loyal newspapers and public speakers of both sexes that labor for our country (the best diplomatists of Europe have confessed that the State papers of the Revolution did almost, if not quite as much, for us as our soldiery); and let us at the same time discountenance all disloyal reading, all disloyal sentiments, and all disloyal persons of whatever standing or relation, and let our object be our country, our whole country, and nothing but our country.

MRS. URSULA LARNED.

BARABOO, WIS., *May 11, 1863.*

SUSAN B. ANTHONY—*Dear Madam*.—I can not tell you with what joy I received through the *Anti-Slavery Standard* the account of the formation of the "Loyal Women's League of Hartford, Ct." I forthwith communicated with the women met for sanitary purposes, and we organized a "Loyal Women's League" here. Forty women signed at once, and others now are constantly added. All over this region the women seem to be waiting, longing for some soul to animate the body of work with which we have been so long and lovingly busying ourselves. We shall do what we can to encourage and inspire our soldiers, to comfort and cheer their families, and to make our influence tell on the right side at home and wherever it is felt. Our organization is auxiliary to the Madison League. We have adopted mainly their Constitution. We would be glad to be represented in person in the National Convention, where the true woman's heart of the nation will utter itself; but this may not be so. We send you this our pledge. The bells are ringing and guns firing for joy for our military victories. Thank God for them. But our woman's work of educating the children into the idea and practice of true and universal justice is ever to be done. Oh that we may be wise and faithful In our work, till our priceless heritage of liberty be enjoyed by every human being in our land.

Cordially yours,

MARIA P. CODDING.

IOWA.

Most gladly does my heart respond to the call, and most earnestly do I hope that the deliberations on that occasion will result in much good to women and to the cause you meet to promote. The women of the North are charged by the press with a lack of zeal and enthusiasm in the war. This charge may be true to some extent. Though for the most part they are loyal to their Government, and in favor of sustaining its every measure for putting down the rebellion; yet they do not, I fear, enter fully into the spirit of the women of the Revolution. There are many women in whose hearts the love of country and of justice is strong, and who are willing to incur any loss, and make almost any sacrifice, rather than the rebellion should succeed and the chains of the bondman be more firmly rivetted. If they manifest less enthusiasm than their patriotic brothers, it is because they have not so great opportunity for its exercise. The customs of society do not permit any strong or noisy demonstration of feeling on the part of woman; but the blood of Revolutionary sires flows as purely in her veins, and she can feel as deeply, suffer as intensely, and endure as bravely as her more favored brothers. But I would have her do more than suffer and endure; I would that she should not only resolve to stand by the Government in its work of defeating the schemes of its enemies, but that she should let her voice go forth in clear and unmistakable tones against any peace with rebels, except upon the basis of entire submission to the authority of the Government. Against the schemes and plans of the Peace party in the North, let loyal women everywhere protest. That your deliberations may be characterized by good judgment, sound wisdom, and true patriotism, is my heartfelt prayer.

AMELIA BLOOMER.

MINNESOTA.

HOKAH, HOUSTON CO., MINN., *May 13, 1863.*

TO SUSAN B. ANTHONY—*Dear Madam*— ... While the women of the South, with a heroism and self-denial worthy a better cause, have no doubt aided in fanning the flame of rebellion, it appears to me eminently proper that the loyal women of the North should meet in council to express their sentiments in regard to the great principles of humanity and justice. Many of us have sons and brothers on the tented field, and while we deplore the stern necessity that drew them from the endearments of home; while we tremble with anxiety lest the mournful tidings that have saddened so many hearts should fall with crushing weight on ourselves, a voice from the army comes to us with thrilling earnestness that awakens with redoubled vigor the feeling of patriotism within us. Our noble soldiery are taking a stand on the broad platform of universal liberty and justice. With scathing words they have rebuked the traitors in our midst; and they now breathe out threatenings and slaughter to the *miscreants* who would rend the fair heritage transmitted to us by the heroes of the Revolution.

[Pg 887]

May every patriotic woman in the land do her utmost to uphold and strengthen the holy purpose that inspires the loyal heart of the army. For myself, I regard no sacrifice too great that will conduct to the comfort of the brave men who are risking life and limb in the sacred cause of freedom; and I am proud to say that this is the sentiment of every lady within the circle of my acquaintance. I most sincerely hope that some lady in your Convention will offer a resolution touching a great wrong that has been practiced toward our sick and wounded soldiers in some of the hospitals, namely, the neglect of the proper officers to affix their signatures to discharges made out, in many instances for a long time, until the hope of once more seeing the dear ones at home has faded from the heart of the poor soldier, and he has laid him down to die among strangers, when but for this cruel neglect his life might, perhaps, have been spared to bless the dear ones at home, or at least have given them the great boon of smoothing his passage to the grave. I believe this thing has done much to discourage enlistments. Is there no remedy? I leave it to those of more influence and superior judgment to decide.

With sentiments of respect, I subscribe myself a loyal woman,

MARY C. POUND.

KANSAS.

QUINDARO, KANSAS, *May 4, 1863.*

MY DEAR MISS ANTHONY:—Your call to the loyal women of the nation meets my hearty response. I have been feeling for months that their activities, in the crisis which is upon us, should not be limited to the scraping of lint and concocting of delicacies for our brave and suffering soldiers. Women, equally with men, should address themselves to the removing of the wicked cause of all this terrible sacrifice of life and its loving, peaceful issues. It is their privilege to profit by the lessons being taught at such a fearful cost. And discerning clearly the mistakes of the past, it is their duty to apply themselves cheerfully and perseveringly to the eradication of every wrong and the restoration of every right, as affecting directly or indirectly the progress of the race toward the divine standard of human intelligence and goodness. *No sacrifice of right, no conservation of wrong*, should be the rally-call of mothers whose sons must vindicate the one and expiate the other in blood! Negro slavery is but one of the protean forms of disfranchising humanity. Class legislation is the one great fountain of national and domestic antagonisms. Every ignoring of inherent rights, every transfer of inherent interest, from the first organization of communities, has been the license of power to robbery and murder, itself the embodiment of a thievish and murderous selfishness.

That the disenfranchisement of the women of '76 destroyed the moral guarantee of a pure republic, or that their enfranchisement would early have broken the chains of the slave, I may not now discuss. Yet it may be well to note that ever since freedom and slavery joined issue in this Government, the women of the free States have been a conceded majority, almost a unit, against slavery, as if verifying the declaration of God in the garden, "I will put enmity between thee (Satan) and the woman." Every legal invasion of rights, forming a precedent and source of infinite series of resultant wrongs, makes it the duty of woman to persist in demanding the right, that she may abate the wrong—and first her own enfranchisement. The national life is in peril, and woman is constitutionally disabled from rushing to her country's rescue. Robbery and arson invade her home; and though man is powerless to protect, she may not save it by appeals to the ballot-box.

A hundred thousand loyal voters of Illinois are grappling with the traitors of the South. If the hundred thousand loyal women left in their homes had been armed with ballots, copperhead treason would not have wrested the influence of that State to the aid and comfort of the rebellion. If the women of Iowa had been legally empowered to meet treason at home, the wasteful expense of canvassing distant battle-fields for the soldiers' votes might have been saved. And it would have been easier for these women to vote than to pay their

[Pg 888]

proportion of the tax incurred. Yankee thrift and shrewdness would have been vindicated if Connecticut had provided for the enfranchisement of her women by constitutional amendment, instead of wasting her money and butting her dignity against judicial vetoes in legislating for the absent soldiers' vote.

This war is adding a vast army of widows and orphans to this already large class of unrepresented humanity. Shall the women who have been judged worthy and capable to discharge the duties of both parents to their children, be longer denied the legal and political rights held necessary to the successful discharge of a part even of these duties by men? With these few hasty suggestions, and an earnest prayer for the highest wisdom and purest love to guide and vitalize your deliberations, sisters, I bid you farewell.

C. I. H. NICHOLS.

BUSINESS MEETING.

New York Tribune's Report of the Adjourned Business Meeting of the Woman's Loyal National League, held Friday Afternoon, May 15, 1863.

The Business Committee of the Loyal League of Women, with a number of ladies who take an interest in the formation of such a society, met yesterday afternoon in the Lecture-Room of the Church of the Puritans, for the purpose of agreeing upon some definite platform, and of determining the future operations of the League.

MISS SUSAN B. ANTHONY, as President of the Business Committee, took the chair, and at 3 o'clock called the meeting to order.

Mrs. ELIZABETH CADY STANTON rose to decline accepting the nomination she had received on Thursday, as President of the League. She could not pledge herself to unconditional loyalty to the Government—certainly not if the Government took any retrogressive step. As President of the National League, many might object to her on account of what they termed her *isms*, her radical Anti-Slavery and Woman's Rights, her demand for liberty and equality for women and negroes. She desired the vote by which she had been made President might be reconsidered.

Miss ANTHONY thought there were fears of the Government retrogressing in the policy of Freedom. The question is every day discussed in the papers as to what terms the South shall be received back again. She could not be Secretary of a League which was pledged to unconditional loyalty to the Government, until the Government was pledged to unconditional loyalty to Freedom. Miss Anthony then read the following pledge and resolutions, which had, on Thursday, been partially agreed to:

THE PLEDGE.

We, the undersigned women of the nation, do hereby pledge ourselves loyal to justice and humanity, and to the Government in so far as it makes the war a war for freedom.

RESOLUTIONS.

Resolved, That we rejoice in the local Women's Leagues already formed, and earnestly recommend their organization throughout the country; and that we urge the women everywhere to take the highest ground of patriotism—OUR COUNTRY RIGHT, not wrong.

Resolved, That we hail the Conscription Act as necessary for the salvation of the country, and cheerfully resign to it our husbands, lovers, brothers, and sons.

Resolved, That inasmuch as this war must bring freedom to the black man, it is but just that he should share in the glory and hardships of the struggle.

Miss ANTHONY explained what a National League was, and what business and pecuniary responsibilities it entailed.

Mrs. ANGELINA G. WELD suggested that before entering on other matters, the question of officers should be settled.

Miss ANTHONY:—Will some one put the motion?

Mrs. LOVELAND took the floor. She stated that she had come there the day before with one idea—only one—and that she retained that one idea still, and that was that the women of the nation should pledge themselves to stand by the Conscription Act. Mrs. Loveland trusted that the League would co-operate with the laws of the land, and strengthen the hands of the President in his efforts to vigorously prosecute the war. She thought the Government had made great advances in the path of progress. If the pledge required the war to be waged for freedom, that was all that was necessary. It would be desirable to secure the experience and ability of Mrs. Stanton and Miss Anthony in the offices to which they have been elected, she did not believe their *isms* would do any hurt. They were earnest and efficient workers, and the League needed them.

[Pg 889]

Miss WILLARD, of Pa., thought there was a way to get over the difficulty. The pledge is conditional to the extent of requiring the war to be a war for freedom. Miss Willard said she was a true patriot. She loved her country. She had borne with its defects, though she confessed she had sometimes desired to remove them. She believed in sustaining the Government, though if Vallandigham should chance to be elected President, she really didn't know what she should do.

Miss WILLARD seemed to think that the pledge offered would do under the existing Administration. When there is a change, we can have another League. She believed if the President was slow he was sure, and that he was the Moses who was to lead this people to their promised land of freedom.

Several desultory remarks were made in the audience. Presently an elderly lady—a Mrs. Maginley—arose and expressed her opinions. She had confidence in Mr. Lincoln, but denounced Gen. Banks, who, she said, was a hero in one place and a slave-driver in another. As next President, we may get a ditch-digger—(Mrs. M. evidently intended this as a sly allusion to a distinguished military chieftain)—and then what are we to do? She wished to know who, loving the black man, could take this pledge?

Miss ANTHONY read the pledge over previous to putting it on its passage. It was adopted without opposition.

Miss ANTHONY read the resolutions again.

Mrs. SPENCE asked if the Government had acted in a way to inspire confidence. She was not satisfied with the Emancipation Proclamation.

Mrs. STANTON had faith that the Government was moving in the right direction.

Mrs. SPENCE objected to Mr. Lincoln's grounds for issuing the Proclamation.

Mrs. WELD stated that he said he did it on the ground of justice.

Miss WILLARD believed Mr. Lincoln was working as fast as he could. A man going a journey of a mile did not do it all in one jump. He had to get over the ground step by step. Just so with the President. We must not expect him to do all at once.

The first resolution was unanimously passed. The resolution in regard to the Conscription Act was then taken up.

Mrs. SPENCE asked (for information) whether they were willing to receive the Conscription law as it was? What did they think of the \$300 clause about substitutes? Some lovers (Mrs. Spence said lovers, not husbands) would certainly buy themselves off.

Mrs. STANTON would accept the Conscription law because it was necessary—not because it was just in all its provisions.

Mrs. SPENCE: If your husbands propose to pay three hundred dollars, would you urge them to go themselves?

Mrs. STANTON: We shall urge them to go as to the post of glory.

Mrs. LOVELAND would urge her husband. She was very severe on the skeddaddlers to Canada and Europe. Still, all the European conscription laws permitted some kind of substitution. Her idea was that as the men must go to the war now, the women should give tone to its music.

A LADY: If the men would give themselves, why not freely? Is a conscription itself consistent with freedom?

Miss WILLARD, while believing in certain cases of exemption, liked the conscription because it would take in the copperheads. (Applause).

The LADY: What kind of soldiers would copperheads make?

Mrs. LOVELAND: Good soldiers! Men who have the courage they have to brave public opinion, would make good soldiers if put in the ranks with bayonets behind them. (Applause).

Mr. GILES B. STEBBINS, of Rochester, reported, as information, the mistake lately made in *The New York Times* that the \$300 substitution indemnity was in the discretion of the Secretary of War.

[Pg 890]

The resolution was thereupon moved by Miss Willard, seconded by Mrs. Stanton, and passed unanimously.

An address to the soldiers, prepared by Angelina Grimké Weld, was then read.

Soldiers of our Second Revolution—Brethren:—A thousand of your sisters, in a convention representing the Loyal Women of the Nation, greet you with profound gratitude. Your struggles, sufferings, daring, heroic self-devotion, and sublime achievements, we exult in them all.

To you, especially, whose terms of service have expired, or are soon to expire, we desire to speak of the shifting scenes now acting in the nation's tragedy. This war of slavery against freedom did not begin with the first shot at Sumter, it did not begin when the slaveocracy broke up the Charleston Convention, in order to secure the election of Mr. Lincoln, and thus palm upon the Southern masses a false pretense for rebellion. It did not begin with nullification in 1832, nor in the Convention that framed the Federal Constitution; nor yet in that which adopted the Articles of Confederation; but it began in 1620, when the *Mayflower* landed our fathers on Plymouth Rock, and the first slave-ship landed its human cargo in Virginia. Then, for the first time, liberty and slavery stood face to face on this continent. From then till now, these antagonisms have struggled in incessant conflict. Two years since, the slaveocracy, true to their instincts of violence, after long and secret plotting, crowned their perfidy by perjury, by piratical seizures of Government property that cost \$100,000,000, and then burst into open rebellion.

This war is not, as the South falsely pretends, a war of races, nor of sections, nor of political parties, but a war of *Principles*; a war upon the working-classes, whether white or black; a war against *Man*, the world over. In this war, the black man was the first victim; the workingman of whatever color the next; and now *all* who contend for the rights of labor, for free speech, free schools, free suffrage, and a free government, securing to *all* life, liberty, and the pursuit of happiness, are driven to do battle in defense of these or to fall with them, victims of the same violence that for two centuries has held the black man a prisoner of war. While the South has waged this war against human rights, the North has stood by holding the garments of those who were stoning liberty to death. It was in vain that a few at the North denounced the system, and called the people to repentance. In vain did they point to the progress of the slave power, and warn the people that their own liberties were being cloven down. The North still went on, throwing sop after sop to the Cerberus of slavery that hounded her through the wilderness of concession and compromise, until the crash of Sumter taught her that with the slaveocracy *no* rights are sacred. The Government, attacked by assassins, was forced to fight for its own life. The progress of the war has proved that slavery is the life-blood of the rebellion. Hence the necessity of the President's Proclamation of Freedom to the slaves.

The nation is in a death-struggle. It must either become one vast slaveocracy of petty tyrants, or wholly the land of the free. The traitors boast that they have swept from the national firmament one-third of its stars, but they have only darkened them with clouds, which the sun of liberty will scatter, revealing behind them the eternal pillars of Justice, emblazoned with liberty, equality, fraternity.

Soldiers of this revolution, to your hands is committed the sacred duty of carrying out in these latter days the ideal of our fathers, which was to secure to all "life, liberty, and the pursuit of happiness," and to every State "a republican form of government." To break the power of this rebellion, calls for every available force. You know how extensively black men are now being armed. Some regiments are already in the field; twenty more are now under drill. Will you not, in this hour of national peril, gratefully welcome the aid which they so eagerly proffer, to overthrow that slave power which has so long ruled the North, and now, that you spurn its sway, is bent on crushing you? Will you not abjure that vulgar hate which has conspired with slavery against liberty in our land, and thus roll from the sepulcher, where they have buried it alive, the stone which has so long imprisoned their victim? The army of the North will thus become the angel of deliverance, rescuing the nation from the shifting sands of compromise, and refounding it upon the rock of justice.

[Pg 891]

Some of you have been mustered out of service; many more are soon to return to your homes. All hail to you! Honor and gratitude for what you have done and suffered! Enough *if* you have only been fighting for the Union as it *was*. But is it enough, if the work for which the war is *now* prosecuted is not accomplished? Your country needs your power of soldierly endurance and accomplishment, your hard-earned experience, your varied tact and trained skill, your practiced eye and hand—in a word, all that makes you veterans, ripe in discipline and educated power. Raw recruits *can not* fill your places. Brave men! your mission, though far advanced, is *not* accomplished. You will not, can not, abide at home, while your brethren in arms carry victory and liberty down to the Gulf.

With joy and admiration we greet you on your homeward way, while your loved ones await your coming with mingled delight and pride. When, after a brief sojourn, you go back again, convoyed by the grateful acclaim and God-speed of millions, to consummate at Freedom's call her holy work, the mightiest of all time, and now so near its end, with exultant shouts your brothers in the field will hail your coming to share with them the glory of the final victory. It will be the victory of free government, sacred rights, justice, liberty, and law, over the perfidies, perjuries, lying pretenses, and frantic revelries in innocent blood, of the foulest national crime that ever reeked to heaven—the overthrow of the most atrocious yet the meanest despotism that ever tortured the groaning earth.

In behalf of the Women's National Loyal League.

SUSAN B. ANTHONY, *Secretary*.

E. CADY STANTON, *President*.

Mrs. STANTON: I suppose it is known to all present that Angelina Grimké Weld is the representative from South Carolina. Contrast her eloquent pleadings for freedom, throughout the sittings of our Convention, with the voice of South Carolina, when, at the framing of the Constitution, slavery, with its cruel creeds and codes, was fastened on the Republic just struggling into life. Here, for the first time in our history, have the women of the nation assembled to discuss the political questions of the day, and to decide where and how to throw the weight of their influence. I am proud to feel that from this meeting goes forth a united demand for freedom to all, for a TRUE REPUBLIC, in which the rights of every citizen shall be recognized and protected.

THE PLATFORM OF THE LEAGUE.

Resolved, That our work as a National League is to educate the nation into the true idea of a Christian Republic.

This is the resolve finally adopted. Considerable preliminary debate, in which many ladies joined, took place on details of form and phraseology. The resolve as it stands was constructed by Mrs. Stanton, with the exception of the word "Christian."

There was an earnest discussion on the introduction of the word Christian; some argued that a *true Republic*, where every human being's rights were recognized, could but be Christian. A Mrs. McFarland seemed to settle the question, by stating a fact of history, that in olden times there were Pagan Republics.

Miss ANTHONY said: No matter if it were a mere tautology: it required repetition to make this nation, so steeped in crime against humanity, understand. She then spoke of the awful lie of this nation, in naming itself Civilized, Republican, Christian, while it had made barter of men and women, bought and sold children of the Good Father, and paid their price to send missionaries to the Fejee Islands and the remotest corners of the earth, while it stood bound to fine and imprison any man or woman who should teach any one of *four millions* of its own citizens at home to read the letters that spell the word God. It would take long years to educate this nation into the idea and *practice* of a true, Christian Republic. It was a momentous work the women of this National Loyal League had undertaken. And she hoped one and all would take in its full import, and dedicate themselves fully and earnestly to the work.

OFFICERS OF THE WOMEN'S LOYAL NATIONAL LEAGUE.—President, Mrs. E. Cady Stanton; Vice-Presidents, Mrs. Col. A. B. Eaton, Mrs. Edward S. Bates, Mrs. Mary S. Hall; Secretary, Susan B. Anthony; Corresponding Secretary, S. E. Draper; Treasurer, Mrs. H. F. Conrad; Executive Committee, Miss Mattie Griffith, Miss R. K. Shepherd Mrs. B. Peters, Mrs. C. S. Lozier, M.D., Mrs. Mary A. Halsted, Mrs. Laura M. Ward, M.D., Mrs. Mary F. Gilbert.

[Pg 892]

PLAN OF WORK ADOPTED BY THE WOMEN'S LOYAL NATIONAL LEAGUE.—At a meeting of the Women's Loyal National League, held at their office, room 20, Cooper Institute, May 29, the following resolutions were adopted:

Resolved, That the following be the official title and the pledge of the League—the pledge to be signed by all applicants for membership: "Women's Loyal National League, organized in the city of New York, May 14, 1863."

We, the undersigned, women of the United States, agree to become members of the Women's Loyal National League, hereby pledging our most earnest influence in support of the Government in its prosecution of the war for freedom and for the restoration of the national unity.

Resolved, That for the present this League will concentrate all its efforts upon the single object of procuring to be signed by one million women and upward, and of preparing for presentation to Congress, within the first week of its next session, a petition in the following words, to wit:

"To the Senate and House of Representatives of the United States: The undersigned, women of the United States, above the age of eighteen years, earnestly pray that your honorable body will pass, at the earliest practicable day, an act emancipating all persons of African descent held to involuntary service or labor in the United States."

Resolved, That in furtherance of the above object the Executive Committee of this League be instructed to cause to be prepared and stereotyped a pamphlet, not exceeding four printed octavo pages, briefly and plainly setting forth the importance of such a movement at the present juncture—a copy of the said pamphlet to be placed in the hands of each person who may undertake to procure signatures to the above petition, and for such further distribution as may be ordered by the said Executive Committee.

Resolved, That to a committee of nine, to be hereafter appointed by the President and Secretary of this League, be intrusted the duty of procuring subscriptions to defray the expenses connected with the preparation, and signature, and presentation of the said petition.

JUNE 5.

Resolved, That all bills be submitted for approval to the Executive Committee, and if approved, shall be certified as such by the Chairman of that Committee.

Resolved, That for the amount of each bill so approved the Secretary shall draw on the Treasurer in favor of the person presenting such bill.

JUNE 12.

Resolved, That as nearly the same labor and expense are required to obtain signatures of women alone as of both men and women, the Secretary be requested to prepare and circulate petitions for men also.

JUNE 26.

Resolved, That the probable expense of preparing, circulating, and presenting our petitions, will amount to not less than one cent for each name; therefore,

Resolved, That we request those who circulate the petition, to solicit of each person signing a contribution of one cent, and forward the same with petition and signatures to our Secretary, Susan B. Anthony, Room No. 20, Cooper Institute, New York.

Resolved, That the Central League in New York will bestow their badge and membership, as a gift, upon each boy or girl, under eighteen, who shall collect and forward to them fifty or more names, and as many cents.

Resolved, also, That the Central League will bestow a handsomely bound copy of each of the celebrated and recently published works of Augustin Cochin on Slavery and Emancipation, on the person who shall collect and forward the largest number of signatures from any city of the Union having a population of twenty-five thousand; also, on the person who shall collect the largest number of names in any of the States, *outside* of said cities.

[Pg 893]

Resolved, That each lady to whom the pledge and petition blanks are inclosed be requested to bring them to the notice of the clergymen and teachers in her vicinity, with a request that they shall take some action in the matter.

Resolved, That such ladies are earnestly requested to organize Auxiliary Leagues in their towns and neighborhoods, for the purposes of correspondence with the Central League, and of collecting and forwarding with facility names and money for the furtherance of the grand object in view; also, for holding meetings to discuss and elucidate the necessity of our demand for an act of Universal Emancipation.

A hearty co-operation from our women in all parts of the loyal States is most earnestly invited. We would urge upon them the formation of auxiliary Leagues, which shall receive from us blanks for petitions, and pledges, as well as any information or advice they may need. We ask them not only to form Leagues in their own towns and neighborhoods, but to send us up long lists of names as members of the Grand Central League.

We beg them also to solicit and send contributions, small and large, as they may be able, for the promotion of the object of the League, viz: to end this fearful war by the removal of its exciting cause—Slavery.

In making this call upon loyal women, we feel sure of meeting with a warm response from those whose hearts and energies have already so nobly sprung to meet their country's need in her hour of trial.

SUSAN B. ANTHONY, *Secretary*.

E. CADY STANTON,
President of the League.

COMMENTS OF THE PRESS.

The *New York Tribune* thus speaks of this enterprise:

A VAST ENTERPRISE PROPOSED BY WOMEN.

The "Women's Loyal National League," recently organized in this city, at a meeting held by them yesterday at the Cooper Institute, adopted the following resolutions:

Resolved, That for the present this League will concentrate all its efforts upon the single object of procuring to be signed by one million women and upward, and of preparing for presentation to Congress within the first week of its next session, a petition in the following words, to wit:

To the Senate and House of Representatives of the United States: The undersigned, women of the United States, above the age of eighteen years, earnestly pray that your honorable body will pass, at the earliest practicable day, an act emancipating all persons of African descent held to involuntary service or labor in the United States.

Resolved, That in furtherance of the above object the Executive Committee of this League be instructed to cause to be prepared and stereotyped a pamphlet, not exceeding four printed octavo pages, briefly and plainly setting forth the importance of such a movement at the present juncture—a copy of the said pamphlet to be placed in the hands of each person who may undertake to procure signatures to the above petition, and for such further distribution as may be ordered by the said Executive Committee.

The women of the League have shown practical wisdom in restricting their efforts to one object, the most important, perhaps, which any Society can aim at; and great courage in undertaking to do what, so far as we remember, has never been done in the world before, namely, to obtain ONE MILLION of names to a petition. If they succeed, the moral influence on Congress ought and can not fail to be great. The passage by the next Congress of an act of general emancipation would do more than any one thing for the suppression of the rebellion. As things now stand with slaves declared free in eight States of the Union, with two more States (Virginia and Louisiana) partly free and partly slave, and with the Border States still slave, we have a state of affairs resulting in interminable confusion, and which, in the very nature of things, can not continue to exist. Congress may find a way out of such confusion by an act of Compensated Emancipation, with the consent of these States and parts of States. God speed the circulation and signatures of the Women's Petition! The pledge of the League is commendably brief and to the point, reading as follows:

[Pg 894]

"We, the undersigned, women of the United States, agree to become members of the 'Women's Loyal National League,' hereby pledging our most earnest influence in support of the Government in its prosecution of the war for freedom and for the restoration of the national unity."

The office of the League is Room No. 20, Cooper Institute. Let all loyal women, friendly to Emancipation, join their ranks, and devote what spare time they may have to this noble work.

The New York Times published the following:

A MONSTER PETITION PROPOSED.

To the Editor of the New York Times:

Until the advent of the present struggle, the word *loyalty* was hardly known among us, and though we often spoke of the Union, we seldom used the term national unity. With new phases of society new terms come into vogue. We have now, springing up everywhere, Loyal National Leagues, and great good they are doing. They have, so far, been chiefly set on foot by men, but women are now bestirring themselves in the same direction. Quite recently, a Woman's Loyal National League has been organized in this city....

The prudence of the members of this League is to be commended, first, in selecting a single object on which to concentrate their exertions, and secondly, in selecting as that object the of procuring an act of Congress declaring general emancipation, than which nothing is more needed at the present time, not only as an endorsement of the President's Proclamation, but also as a remedy for the utter confusion produced by the present state of affairs, under which it would puzzle the shrewdest lawyer to determine who, among the fugitives that are daily flocking to us across the lines, is free, and who still a slave. As a permanent arrangement, no one believes that a few counties in one State, and a few parishes in another, can remain slave, while all around them emancipation has been accomplished; nor that slavery can endure, except for a brief season, along a narrow border-strip, bounded North and South by freedom.

Whether these ladies will succeed in the task of procuring *one million* of names to their petition, depends chiefly on their business talent in organizing the machinery of so great an undertaking. R.

The New York Evening Post says:

AN IMPORTANT UNDERTAKING.

It has sometimes been made a reproach to the women of the Northern States, that while their sisters of the South are the very life of the rebellion, exceeding the men in zeal and devotion and self-sacrifice, they, with a noble cause against a base one, show less zeal, less earnestness, do less to animate and inspire the combatants; in short, are less active in maintaining the Union than the ladies of the Slave States in working to destroy it.

If, however, the members of the "Women's Loyal National League," an association recently commenced in this city, succeed in what they have just undertaken, it will go far to show that there is neither lukewarmness nor lack of energy in the women of the North; and that, in practical industry exerted in aid of the war and the Government, they are not to be outmatched by the zeal of the fair mischief-makers who oppose both....

We learn that the League has already obtained several thousand names and addresses of persons and societies throughout the Northern and Border States who are favorable to emancipation, to whom they propose to address their circulars; and that they are organizing, after a business fashion, the machinery necessary to effect their object in the six months still intervening before the meeting of Congress. It is a great undertaking, this obtaining of one million signatures, such an undertaking as has seldom if ever been carried out before. If it succeeds it will obtain record in the history of the time as an enterprise most honorable to the sex which conceived and completed it.

The pledge of the League is well worded and judicious....

Such Leagues ought to be, and we trust will be, organized all over the country, in aid of the mammoth petition. Without having made any accurate calculation, we doubt whether less than four stout men could carry the roll comprising a million names into the House to which it is addressed.

[Pg 895]

The Philadelphia Press says:

SPIRIT OF NORTHERN WOMEN.

It is a great country, this of ours. Great events occur in it. Great things are to be found in it. Where shall we find another Niagara? Where a cave of dimensions equal to those of the Mammoth Cave of Kentucky? Since California has been added we have her gigantic pines, towering above all other trees in the world. We can not

make war, but we must carry it on upon a scale unknown since the days of Xerxes. Our women, too, it would seem, catch the spirit of the country. Until now they have chiefly been known, throughout the great national struggle, in the capacity of sisters of mercy, tenders in hospitals, collectors of comforts and of little luxuries for our sick and wounded. We find them laboring now in a new field. They, called the weaker sex, and properly so called, if thews and sinews constitute strength, have undertaken to do more than to care for the sick and wounded. They seek to aid in striking at the root of the evil whence has arisen the strife which causes the sickness of the hospital and the wounds of the battle-field. They have undertaken a task beyond that which the sturdy Chartists of England performed. The Chartist Petition, if we remember aright, had seven or eight hundred thousand names—the largest number ever obtained to a petition. But our Northern women have undertaken to procure *one million* of names to a Petition for Emancipation, and to complete their task in the next six months. The article from *The Tribune*, elsewhere, will be read with interest.

The National Anti-Slavery Standard comments:

THE WOMEN'S LOYAL LEAGUE—MAMMOTH PETITION TO CONGRESS.

The Women's Loyal National League, at a meeting held at their Room in the Cooper Institute on Friday, the 29th ult., changed the form of their pledge, so that it now reads as follows:

"We, the undersigned, women of the United States, agree to become members of the 'Women's Loyal National League,' hereby pledging our most earnest influence in support of the Government in its prosecution of the war for freedom and for the restoration of the national unity."

This, it strikes us, is a much happier wording than that of the former pledge....

The women of the League have embarked in an enterprise worthy of their energy and devotion, and we will not allow ourselves to doubt that they will meet with complete success. It will require some money and a great deal of hard work, but their courage and patience will be found adequate to the task. They will find a helper in every woman who loves justice and humanity, and realizes that there can be no permanent peace for the country until slavery is exterminated root and branch. The moral influence upon Congress and the nation of such a petition, signed by a MILLION of women, will be incalculable; while the agitation attending the effort will be of the greatest benefit.

Women willing to aid in circulating the petition should send their address at once to Susan B. Anthony, Secretary of the League, 20 Cooper Institute, New York.

OFFICE OF THE WOMEN'S LOYAL NATIONAL LEAGUE, }
Room No. 20, Cooper Institute, New York, *January 25, 1864.* }

The Women's Loyal National League, to the Women of the Republic:—We ask you to sign and circulate this petition for the entire abolition of slavery. We have now one hundred thousand signatures, but we want a million before Congress adjourns. Remember the President's Proclamation reaches only the slaves of rebels. The jails of loyal Kentucky are to-day "crammed" with Georgia, Mississippi, and Alabama slaves, advertised to be sold for their jail fees "according to law," precisely as before the war! While slavery exists anywhere there can be freedom nowhere. There must be a law abolishing slavery. We have undertaken to canvass the nation for freedom. Women, you can not vote or fight for your country. Your only way to be a power in the Government is through the exercise of this, one, sacred, constitutional "right of petition"; and we ask you to use it now to the utmost. Go to the rich, the poor, the high, the low, the soldier, the civilian, the white, the black—gather up the names of all who hate slavery—all who love liberty, and would have it the law of the land—and lay them at the feet of Congress, your silent but potent vote for human freedom guarded by law.

[Pg 896]

You have shown true courage and self-sacrifice from the beginning of the war. You have been angels of mercy to our sick and dying soldiers in camp and hospital, and on the battle field. But let it not be said that the women of the republic, absorbed in ministering to the outward alone, saw not the philosophy of the revolution through which they passed; understood not the moral struggle that convulsed the nation—the irrepressible conflict between liberty and slavery. Remember the angels of mercy and justice are twin-sisters, and ever walk hand in hand. While you give yourselves so generously to the Sanitary and Freemen's Commissions forget not to hold up the eternal principles on which our republic rests. Slavery once abolished, our brothers, husbands, and sons will never again, for its sake, be called to die on the battle-field, starve in rebel prisons, or return to us crippled for life; but our country, free from the one blot that has always marred its fair escutcheon, will be an example to all the world that "righteousness exalteth a nation." The God of Justice is with us, and our word, our work—our prayer for freedom—will not, can not be in vain.

E. CADY STANTON, *President.*

SUSAN B. ANTHONY, *Secretary* W. L. N. League, Room 20, Cooper Institute, N. Y.

OFFICE OF THE WOMEN'S LOYAL NATIONAL LEAGUE }
Room No. 20, Cooper Institute, N. Y., *April 7, 1864.* }

Dear Friend:—With this you will receive a Form of a Petition to Congress, the object of which you can not mistake nor regard with indifference. To procure on it the largest possible number of adult names, at the earliest practicable moment, it is hoped you will regard as less a duty than a pleasure. Already we have sent one installment of our petition forward, signed by one hundred thousand persons; the presentation of which, by Senator Sumner, produced a marked effect on both Congress and the country. We hope to send a million before the adjournment of Congress, which we shall easily do and even more, if you and the twenty thousand others to whom we have sent petitions will promptly, generously co-operate with us. For nearly three years has the scourge of war desolated us; sweeping away at least three hundred thousand of the strength, bloom, and beauty of our nation. And the war-chariot still rolls onward, its iron wheels deep in human blood! The God, at whose justice Jefferson long ago trembled, has awaked to the woes of the bondmen.

"For the sighing of the oppressed, and for the crying of the needy, now will I arise, saith the Lord." The redemption of that pledge we now behold in this dread Apocalypse of war. Nor should we expect or hope the calamity will cease while the fearful cause of it remains. Slavery has long been our national sin. War is its natural and just retribution. But the war has made it the constitutional right of the Government, as it always has been the moral duty of the people, to abolish slavery. We are, therefore, without excuse, if the solemn duty be not now performed. With us, the people, is the power to achieve the work by our agents in Congress. On us,

therefore, rests the momentous responsibility. Shall we not all join then in one loud, earnest, effectual prayer to Congress, which will swell on its ear like the voice of many waters, that this bloody, desolating war shall be arrested and ended, by the immediate and final removal, by Statute Law and amended Constitution, of that crime and curse which alone has brought it upon us? Now surely is our accepted time. On our own heads will be the blood of our thousands slain, if, with the power in our own hands, we do not end that system forever, which is so plainly autographed all over with the Divine displeasure. In the name of justice and of freedom then let us rise and decree the destruction of our destroyer. Let us with myriad voice *compel* Congress to

"Consign it to remorseless fire!
Watch till the last faint spark expire;
Then strew its ashes on the wind,
Nor leave one atom wreck behind."

In behalf of the Women's League,

SUSAN B. ANTHONY, *Secretary*.

[Pg 897]

FORM OF PETITION.

To the Senate and House of Representatives of the United States in Congress assembled:

The undersigned, citizens of —, believing slavery the great cause of the present rebellion, and an institution fatal to the life of Republican Government, earnestly pray your Honorable Bodies to immediately abolish it throughout the United States; and to adopt measures for so amending the Constitution, as forever to prohibit its existence in any portion of our common country.

MEN. | WOMEN.

Anniversary Meeting, May 14, 1864.—The adjourned meeting convened in the lecture-room of the Church of the Puritans, Saturday P.M., May 14th. The President in the chair.

The Secretary read the report of the Executive Committee, which was unanimously adopted. The resolutions were then read, and motion taken to act upon them separately. The 2d, 7th, and 8th elicited a long and earnest discussion, but were at last adopted, with but one or two dissenting votes.

The Committee then presented a list of women to serve as officers the coming year, who were unanimously elected.

Officers of the Women's National League:—*President*, Elizabeth Cady Stanton; *Vice-Presidents*, L. M. Brownson, Mary Bates, Mrs. Col. A. B. Eaton, S. A. Fayerweather; *Corresponding Secretary*, Charlotte B. Wilbour; *Recording Secretaries*, Susan B. Anthony, Elvira Lane; *Treasurer*, Mary F. Gilbert; *Executive Committee*, Mrs. L. M. Brownson, Mrs. H. M. Jacobs, Mary O. Gale, Mattie Griffith, Redelia Bates, Rebecca K. Shepherd, Frances V. Halleck, Mrs. C. S. Lozier, M.D.; Laura M. Ward, M.D.; Malvina A. Lane.

The Women's National League to its Members and Friends:—The folding, directing, and sending out 20,000 petitions, then the assorting, counting, and rolling up, each State by itself, 300,000 signatures, has been an herculean task, that only those who have witnessed it could fully appreciate. Remember that paper, printing, postage, office, and clerks, all require money. At the last meeting of the Executive Committee we resolved to ask each of our 5,000 members to send us the small sum of fifty cents to carry on the work.

Let the petitions be thoroughly circulated during the summer, throughout the country, that the people may speak in thunder-tones to our next Congress at its earliest sittings. Neither the Emancipation or Amendment bill has yet passed the House, and the recent vote on the Montana question shows the animus of the Administration. If the majority of our voters propose to re-elect such men to rule over us, those who believe in free institutions must begin the work of educating the nation into the idea that a stable government must be founded on justice—that freedom and equality are rights that belong to every citizen of a republic.

SUSAN B. ANTHONY, *Secretary*, 20 Cooper Institute.

Amend the Constitution.—The Women's National League have just sent out, all through the States, fifteen thousand petitions, with an appeal to have them filled up and returned as speedily as possible. The bill to amend the Constitution so as to prohibit the holding of slaves in any part of the country has passed the Senate. Now comes the struggle in the House. If every one of the fifteen thousand persons—at least ten thousand of them ministers—will but gather up one hundred or more names, a *million-voiced petition* may yet pour into the Representatives' Hall; and such a voice from *the people* can not but make sure the vote, and leave the bill ready for the President's signature, and Congress disposed to recommend that a special session of each State Legislature be called immediately to act upon the question; and thus the hateful thing—Slavery—be buried out of sight before the opening of the Presidential campaign. Let the petitions be mailed to Washington, direct, to some member, or to Hon. Thomas D. Eliot, Chairman of Committee on Slavery and Freedmen. There is not a day to be lost. Let all work.—*The National Anti-Slavery Standard*, May 28, 1864.

The World.

NEW YORK CITY, July 25, 1864.

WOMEN'S LOYAL NATIONAL LEAGUE.

The Necessity for Funds—The Delinquency of the Friends of the Negro—Miss Anthony on the Constitution—Fighting, a Barbaric way of Settling Questions.—About fifteen ladies and half a dozen gentlemen were present at the meeting of the Woman's League, yesterday. Although more than one of the speakers bewailed the delinquency of the "friends of the negro" in failing to supply the League with the necessary funds, yet the piles of post-paid circulars on the tables, ready for the mail, were larger than ever. There was also a bundle of tracts on emancipation as the only means of peace.

[Pg 898]

The meeting being called to order, a committee reported a series of resolutions, the gist of which was that, whereas the League is continually receiving from its friends to whom it applies for pecuniary assistance communications stating that the day for petition and discussion is past, and that the bullet and bayonet are now

working out the stern logic of events; nevertheless the League considers that such day is not past, and it urges the friends of the negro to come forward boldly and pour out of their abundance liberally for its aid.

SPEECH BY MISS SUSAN B. ANTHONY.

Miss Susan B. Anthony made a speech arguing that the decision of the anti-slavery question should not be left to the "stern logic of events" which is wrought by the bullet and the bayonet. More knowledge is needed. The eyes and the ears of the whole public are now open. It should be the earnest work of every lover of freedom to give those eyes the right thing to see and those ears the right thing to hear. It pains her to receive in answer to a call for assistance and funds, letters saying that the day for discussion and petition is past. It looks as if we had returned to the old condition of barbarism, where no way is known of settling questions except by fighting. Women, who are noted for having control of the moral department of society and for lifting the other half of the race into a higher moral condition, should not relapse into the idea that the status of any human being is to be settled merely by the sword. Miss Anthony then spoke of the constitutional right of Congress to pass an emancipation law. She read a letter from a lady who, on receiving documents from the League, first doubted the power of Congress to pass such a law; then she thought perhaps it had; then she compared the petition and the Constitution; then she thought it had no such power, and finally she concluded to circulate the petition anyhow. Miss Anthony proceeded at some length to expound the Constitution, showing that it does not say that slaves shall not be emancipated, and therefore concluding that they may. But if Congress can not emancipate slaves constitutionally, it should do so unconstitutionally. She does not believe in this red-tapism that can not find a law to suppress the wrong, but always finds one to oppress the innocent. If she was a mayor, or a governor, or a legislator, and there was no law to punish mobocrats, she thought she should go to work to make one pretty quick. She requested the opinion of some gentleman.

A gentleman present related a number of touching incidents about the recent mobbing of negroes in this city, most of which have already appeared in print in this and other papers. Miss Anthony held up two photographs to the view of the audience. One represented "Sojourner Truth," the heroine of one of Mrs. H. B. Stowe's tales, and the other the bare back of a Louisiana slave. Many of the audience were affected to tears. "Sojourner Truth" had lost three fingers of one hand, and the Louisiana slave's back bore scars of whipping. She asked every one to suppose that woman was her mother, and that man her father. In that case would they think the time past for discussion and petition? The resolutions were at once unanimously passed. The meeting adjourned.

MISS ANTHONY IN CHICAGO.

Miss Susan B. Anthony is now on her homeward way from Kansas, where she has been spending several of the past months, and where she has performed much excellent service in the cause of the freedmen of the country generally. She has recently visited Chicago and given a lecture, which is highly commended by the *Tribune* and *Republican* of that city, the latter giving an extended report of it in its columns, besides pronouncing upon it very flattering encomiums, concluding with these words: "The audience dwelt with thoughtful and marked interest upon her words, and when occasionally her remarks called forth an irrepressible burst of feeling, the applause was marked and emphatic, without descending to a noisy disturbance." Of the lecture in general, the Chicago *Tribune* thus speaks:

[Pg 899]

Last evening Miss Susan B. Anthony, of Rochester, N. Y., addressed an audience composed chiefly of colored people, in Quinn's Chapel. Her subject was "Universal Suffrage." Mrs. Jones, the President of the Ladies' Aid Society, in introducing her, said: "She was one of their old and firm friends; not one who had believed in sitting down to the communion first, and letting the negro come last. She was not one who needed to have her father or brothers starved in Southern prisons, to make her aware of the humanity of the black man."

Miss Anthony is a clear, logical speaker, earnest and truthful, and has long considered the questions of the day. Few *men* in this or any other city could more ably present the subject, or more closely chain the audience that listened to her noble utterances, and one could not but wish that she had spoken to thousands rather than hundreds. Miss A. is recently from Leavenworth, Kansas, where she has been spending some months past, aiding as she had opportunity, in the elevation of the freed people, and occasionally by lectures, contributing to form a true public sentiment in that new State. Consequently, she speaks from absolute knowledge of the present state of the freedmen. Her criticism of the theories of reconstruction was masterly, showing that the fundamental principles of this Government are set aside and really endanger all that we have seemed to gain by the war, and that nothing but the admission of the black man to the franchise can save the nation from future disgrace and ultimate ruin.—*National Anti-Slavery Standard*, August, 1865.

CHAPTER XVIII.

NATIONAL CONVENTIONS, 1866 AND 1867.

Report made to the Eleventh National Woman's Rights Convention.

BY CAROLINE H. DALL.

For the last five years the women of the United States have held few public discussions. They have done wisely. Circumstances have proved their friend. Nothing ever had done, nothing ever will do again, so great a service to woman in so short a time, as this dreadful war out of which we are so slowly emerging. Respect for woman came only with the absolute need of her, and so many women of distinguished ability made themselves of service to the Government, that we had no single woman to honor as England had honored Florence Nightingale. With us her name was *legion*. But with the prospect of peace comes the old duty of agitation, and we find ourselves again summoned to a Convention, and again anxiously awaiting its results—*anxiously*, for a convention of women is an object which still attracts the gaze of the curious, and the smallest indiscretion on the part of a single speaker has a retrograde effect which few women seem able to measure.

Our reform is unlike all others, for it must begin in the family, at the very heart of society. If it be not kindly, temperately, and thoughtfully conducted, men everywhere will be able to justify their remonstrances. Let us

rather justify ourselves. My last report to any Convention was made to those called in Boston in 1859 and 1860. Between that time and 1863 I printed five volumes, which are nothing but reports upon the various interests significant to our cause. During the last four years I have watched the development of American industry in its relation to women, and have, through the newspapers, aroused public feeling in their behalf. My labor is naturally classed under the three heads of Education, Labor, and Law. A proper education must prepare woman for labor, skilled or manual; and the experience of a laborer should introduce her to citizenship, for it provides her with rights to protect, privileges to secure, and property to be taxed. If she is a laborer, she must have an interest in the laws which control labor. In considering our position in these three respects, it is impossible to offer you a digest of all that has occurred during the last six years. What I have to say will refer chiefly to the events of the last two.

[Pg 900]

EDUCATION.

I wish it were in my power to furnish you with reports of the present condition of all the female colleges in the United States; but, while I receive from various foreign sources such reports, and am promptly informed of any educational movement in Europe, it never seems to occur to the government of such institutions in the United States that there is any necessary connection between them and the interests which this Convention represents. We are, consequently, dependent upon newspapers for our information.

The most important educational movement of the last year has been the formation of an American Social Science Association, with four departments, and two women on its Board of Directors. Subsequently, the Boston Social Science Association was organized, with seven departments, and seven women on its Board of Directors, one woman being assigned to each department, including that of law. Any woman in the United States can become a member of this Association. If the opportunities it offers are not seized, it will be the fault of women themselves.

During the past winter the Lowell Institute, in Boston, in connection with the government of the Massachusetts Technological Institute, took a step which deserves our public mention. They advertised classes for both sexes, under the most eligible professors, for instruction in French, mathematics, and natural science. As the training was to be thorough, the number of pupils was limited, and the *women* who applied would have filled the seats many times over. These classes have been wholly free, and have added to the obligation which the free Art School for women had already conferred.

Elmira College showed its enterprise last summer by a visit to Massachusetts, and Vassar College was organized and commenced its operations in September, with Miss Mitchell in the Chair of Mathematics, and Miss Avery in that of Physiology. I attempted to visit this institution last summer for the purpose of investigating the facilities its buildings and proposed courses might offer to foreign students. The reluctance of the Trustees to subject it to observation so early in its career interfered with my plan, but I have since received a letter from Miss Mitchell speaking of it in the most encouraging terms. "I have a class," she says, "of seventeen pupils, between the ages of 16 and 22. They come to me for fifty minutes every day. I allow them great freedom in questioning, and I am puzzled by them daily. They show more mathematical ability and more originality of thought than I had expected. I doubt whether young men would show as deep an interest. Are there seventeen students in Harvard College who take mathematical astronomy, do you think?" So Mr. Vassar's magnificent donation is drawing interest at last.

On the 25th of June, 1865, the Ripley College, at Poultney, Vermont, celebrated its commencement. Seventeen young ladies were graduated. Ralph Waldo Emerson delivered the literary address, and two days were devoted to the examination of incoming pupils. Feeling very little satisfaction in the success of Colleges intended for the separate sexes, I take more pleasure in speaking of the Baker University in Kansas, which was chartered by the Legislature of that State in 1857 as a University for both sexes. It has now been in active operation for seven years. A little more than a year ago Miss Martha Baldwin, a graduate of the Baldwin University at Berea, Ohio, was appointed to the chair of Greek and Latin. She is but twenty-one years of age, but was elected by the government to make the address for the Faculty at the opening of the commencement exercises, and seems to have given entire satisfaction during her professors' year. In France, the Imperial Geographical Society, which is in a certain sense a college, has lately admitted to membership Madame Dora D'Istra as the successor to Madame Pfeiffer. Madame D'Istra had distinguished herself by researches in the Morea.

On the 26th of October, 1864, a Workingwomen's College was opened in London, with an address from Miss F. R. Malleon. It is governed by a council of teachers. In addition to the ordinary branches, it offers instruction in Botany, Physiology, and Drawing. Its fee is four shillings a year, and the coffee and reading-room, about which its social life centres, is open every evening from 7 to 11. But by far the most interesting educational movement is Miss Nightingale's "Training-school for Nurses," which has been in operation for three years in Liverpool. It was founded after a correspondence with her, in strict conformity to her counsel. As a training-school it may be said to be self-supporting, but it is also a beneficent institution, and in that regard is sustained by donations. A most admirable system of district nursing is provided under its auspices for the whole city of Liverpool, all of whose suffering sick become, in this way, the recipients of intelligent care and of valuable instruction in cooking and all sanitary matters. It is too tempting an experiment to dwell upon, unless we could follow it into its details. Its Report occupies 101 pages.

[Pg 901]

As regards medical education, we know of two colleges, or rather of one college and one hospital, in Boston, where education is given. There is one in Springfield and one in Philadelphia. We should be glad to get more statistics of this kind, for Cleveland, where Dr. Zakrzewska took her degree, is no longer open to female students, and Geneva is contenting herself with the honor of having graduated Dr. Blackwell. There is a female Medical Society in London. This society wishes to open the way for thorough medical instruction, which will entitle its graduates to a degree from Apothecaries' Hall, and it offered lectures from competent persons in 1864, upon Obstetrics and General Medical Science. Madame Aillot's Hospital of the Maternity in Paris, still offers its great advantages to women, of which two of our countrywomen, Miss Helen Morton and Miss Lucy E. Sewall have taken creditable advantage. They are both of them Massachusetts girls. Miss Morton is retained in Paris, and Miss Sewall is the resident physician of the Hospital for Women and Children in Boston.

A very great interest has been felt in this country in the success of Miss Garrett in obtaining her degree from Apothecaries' Hall, after it had been refused to her by the medical colleges. We regret to say that this fact does not show any real advance in the public opinion of Great Britain, nor does it secure any permanent advantage for women. When the Apothecaries' Hall refused her, Miss Garrett looked up its charter. She found the old

Latin word indicating to whom degrees were to be granted clearly *indeterminate*. Langues told her that the Hall must grant her a degree or surrender its charter. She was wealthy and in earnest. She pushed her advantage. The Apothecaries' Hall prescribed certain courses of instruction to be pursued and certified before the degree could be granted. These she attended in private, paying the most exorbitant fees to her teachers. In one instance, in which a man's fee would have been *five* guineas she paid *fifty*! I am credibly informed that the round cost of these preparatory steps must have been £2,000. All honor to Miss Garrett. Should her genius as a physician equal her energy and her wealth, she may yet gain something for the cause she has espoused. Apart from this, she may be said to have gained nothing. Bribery is not possible to ordinary mortals, and the conditions of the degree make it generally impracticable until the lecture-rooms are opened to students. At present, to obtain thorough instruction in any branch, women are obliged to pay exorbitant prices, and receive as the results of their training but half wages. In Boston Dr. Zakrzewska has again unsuccessfully asked permission to become a member of the Massachusetts Medical Society. Many physicians, however, extend the fellowship which the institution denies, and the *Medical Journal* expresses itself courteously on this point.

In 1863 there existed in St. Petersburg a stringent regulation which prohibited women from following the University courses. A Miss K., who had a decided taste for medicine without the means to pay for instruction, applied for such instruction to the authorities of Orenburg. Orenburg is partly in Europe and partly in Asia, and its territory includes the Cossack races of the Ural. These people have a superstitious prejudice against male physicians, and are chiefly attended in illness by sorceresses. Miss K. offered to put her medical knowledge at the service of the Cossacks, and received permission to attend the Academy of Medicine. The Cossacks promised her an annual stipend of 28 roubles, but when she passed the half-yearly examination as well as the male students, they sent her 300 roubles as a token of good will.

In France, a Mlle. Reugger, from Algeria, lately passed a brilliant examination, and received the degree of Bachelor of Letters. She appealed to the Dean of the Faculty at Montpellier for permission to follow the regular course, and was refused on account of her sex. She then turned to the Minister of Public Instruction, who granted it on condition that she should pledge herself to practice only in Algeria, where the Arabs, like the Cossacks, refuse the attendance of male physicians. Unlike our Russian friend, she refused to give the pledge. She threw herself upon her rights, and appealed in person to the Emperor. This was in December last, and I have not been able to find his decision. It was doubtless given in her behalf, for Louis Napoleon will always yield as a favor what he would stubbornly refuse as a right. The physicians of this country have been occupied this winter in discussing the discovery by one of their number of the active infectant in fever and ague. It has been found in the dust-like spores of a marsh plant—the Pamella. In Paris, at the same time, a woman of rank claims to have discovered the cause of cholera in a microscopic insect, developed in low and filthy localities. Her details were so minute, that the Academy of Science, which began by laughing at the introduction of the matter, has been compelled to listen, and the subject is now under investigation.

[Pg 902]

THE PULPIT.

In spite of the bitter words of warning which John Ruskin has thought it his duty to speak to such women as enter upon theological studies, a good many women in Great Britain and this country have engaged in what is properly the work of the Christian ministry. The only ordained minister whose work has come under our notice since the marriage of Antoinette Blackwell, is the Rev. Olympia Brown, settled over the Universalist Society at Weymouth Landing, Mass. Her ministry has been highly successful, and is to be mentioned here chiefly on account of a legal decision to which it has given rise. The church at Weymouth Landing made an appeal to the Legislature last winter as to the legality of marriages solemnized by her. The Legislature gave the same general construction to the masculine relatives in the enactment which the English law gave to the old Latin word in the Charter of Apothecaries' Hall, deciding that marriages so solemnized are legal, and no further legislation necessary.

LABOR.

The advance of women, as regards all sorts of labor, in the United States, has been such as might be expected by watchful eyes, and yet reports on the general question will not read very differently from those published ten years ago. In New York, women are still reported as making shirts at 75 cents a dozen, and overalls at 50 cents. These women have two protective unions of their own, not connected with the workingmen's union, and most of them have naturally enough sympathized with the eight-hour movement, not foreseeing, apparently, that the necessary first result of that movement would be a decrease of wages proportioned to the limitation of time. Ever since the beginning of the war, women have been employed in the public departments North and South. It has been a matter of necessity, rather than choice. The same causes combined to drive women into field labor and printing-offices. All through Minnesota and the surrounding regions, women voluntarily assumed the whole charge of the farms, in order to send their husbands to the field. A very interesting account has been recently published of a farm in Dongola, Ill., consisting of two thousand acres, managed by a highly educated woman, whose husband was a cavalry officer. It was a great pecuniary success. In New Hampshire, last summer, I was shown open-air graperies wholly managed by women, in several different localities, and was very happy to be told that my own influence had largely contributed to the experiment. In England field labor is now recommended to women by Lord Houghton, better known as Mr. Monckton Milnes, who considers it a healthful resource against the terrible abuses of factory life. At a meeting of the British Association last fall, he produced a well-written letter from a woman engaged in brick-making. This letter claimed that brick-making paid three times better than factory labor, and ten times better than domestic service. In addition to persons heretofore mentioned in this country as employing women in out-door work, I would name Mr. Knox, the great fruit-grower, who, on his place near Pittsburg, Pa., employs two or three hundred. I have seen it stated that, during the last four years, twenty thousand women have entered printing-offices. I do not know the basis of this calculation, but judging from my local statistics, I should think it must be nearly correct. To the Committee of the Massachusetts Legislature, on the eight-hour movement, the following towns report concerning the wages and labor of women:

[Pg 903]

Boston—Glass Co., wages from \$4 to \$8 a week. Domestic, from \$1.50 to \$3 per week; seamstresses, \$1 a day; Makers of fancy goods, 40 to 50 cents a day. Brookline—Washerwomen, \$1 a day. Charlestown and New Bedford are ashamed to name the wages, but humbly confess that they are very low. Chicopee—Pays women 90 per cent the wages of men. Concord—Pays from 8 to 10 cents an hour. Fairhaven—Gives to female photographers one-third the wages of men. Hadley—Pays three-fourths. To domestics, one-third; seamstresses, one-quarter to one-third. Holyoke—In its paper mills, offers one-third to one-half. Lancaster—Pays for pocket-

book making from 50 to 75 cents a day. Lee—Pays in the paper mills one-half the wages of men. Lowell—The Manufacturing Co. averages 90 cents a day. The Baldwin Mills pay 60 to 75 cents a day. Newton—Pays its washerwomen 75 cents a day, or 10 cents an hour. North Becket—Pays to women one-third the wages of men. Northampton—Pays \$5 a week. Salisbury—For sewing hats, \$1 a day. South Reading—On rattan and shoe work, \$5 to \$10 a week. South Yarmouth—Half the wages of men, or less. Taunton—One-third to two-thirds the wages of men. Walpole—Pays two thirds the wages of men. Wareham—Pays to its domestics from 18 to 30 cents a day; to seamstresses, 50 cents to \$1. Wilmington—Pays two-thirds the wages of men. Winchester—Pays dressmakers \$1 a day; washerwomen, 12 cents an hour. Woburn—Keeps its women at work from 11 to 13 hours, and pays them two-thirds the wages of men.

On the better side of the question, Fall River testifies that women, in competition, earn nearly as much as men.

Lawrence—From the Pacific Mills, that the women are *liberally* paid. We should like to see the figures. The Washington Mills pays from \$1 to \$2 a day. Stoneham—Gives them \$1.50 per week. Waltham—Reports the wages of the watch factory as very *remunerative*. In 1860 I reported this factory as paying from \$2.50 to \$4 a week. Here, also, we should prefer figures to a general statement. Boston—Has now many manufactories of paper collars. Each girl is expected to turn out 1,800 daily. The wages are \$7 a week. In the paper-box factory, more than 200 girls are employed, but I can not ascertain their wages, and therefore suppose them to be low. I know individuals who earn here \$6 a week, but that must be *above* the average.

The best looking body of factory operatives that I have ever seen are those employed in the silk and ribbon mills on Boston Neck, lately under the charge of Mr. J. H. Stephenson, and those at the Florence Silk Mills in Northampton, owned by Mr. S. L. Hill. The classes, libraries, and privileges appertaining to these mills, make them the best examples I know, and this is shown in the faces and bearing of the women. We are always referred to political economy, when we speak of the low wages of women, but a little investigation will show that other causes co-operate with those, which can be but gradually reached, to determine their rates.

1. The willfulness of women themselves, which when I see them in positions I have helped to open to them, fills me with shame and indignation.
2. The unfair competition proceeding from the voluntary labor, in mechanical ways, of women well to do.

For the first, we can not greatly blame the women whom employers chiefly choose for their *good looks*, for expecting to earn their wages through them, rather than by the proper discharge of their duties. Their conduct is not the less shameful on that account, but I seem to see that only time and death and ruin will educate them.

For the second, we must strive to develop a public sentiment which, while it continues to hold labor honorable, will stamp with ignominy any women who, in comfortable country homes, compete with the workwomen of great cities. There are thousands of wealthy farmers' wives to-day, who just as much drive other women to sin and death, as if they led them with their own hands to the houses in which they are ultimately compelled to take refuge. Still further it has come to be known to me that in Boston, and I am told in New York also, wealthy women who do not even do their own sewing, have the control of the finer kinds of fancy-work, dealing with the stores which sell such work under various disguises. I can not prove these words, but they will strike conviction to the hearts of the women themselves, and I wish them to have some significance for men, for if these women had the pocket-money which their taste and position require, they would never dream of such competition. One thing these men should know, that such women are generally known to their employers, and their domestic relations are judged accordingly.

[Pg 904]

The recent investigations into factory labor in England concern rather the condition than the wages of women. At flower-making, 11,000 girls are employed from fourteen to eighteen hours daily. In hardware shops and factories, they work, from six years of age, fourteen hours daily. In glass factories, 5,000 women are employed from nine years of age and upwards, eighteen hours daily. In tobacco factories, 7,000 women are employed under conditions of great physical suffering. As knitters, from six years old, they work fourteen hours daily for 1s. 3d. a week! This terrible state of things is partly owing to competition with the labor of French machinery. A great deal of ignorant prejudice against machines is one of its results. In Sheffield files are still made by *hand*, while here in America we make watches by *machinery*. The disposition of the whole community, both here and in Great Britain, towards this labor question is kindly. It has become a momentous social problem. During the fifteen years that my attention has been riveted to this subject, I have seen a great change in public feeling.

I have received the Sixth Annual Report of the Society for the Employment of Women, of which the Earl of Shaftesbury is President, and Mr. Gladstone a Vice-President. This Society has trained some hair-dressers, clerks, glass engravers, book-keepers, and telegraph operators, but its greatest service consists in the constant issue of tracts, to bias developing public opinion. Such an association should be started in New York. I should have been glad to inaugurate in Boston, during the last six years, several important industrial movements. The war checked the enthusiasm I had succeeded in rousing, and I have not been able to pause in my special work of collecting and observing facts, to stimulate it afresh or to solicit personally the necessary means. How easy it would be for a few wealthy women to test these experiments. I would first establish a Mending-School, and having taught women how to darn and patch in a proper manner, I would scatter them through the country to open shops of their own. As it is, I do not know a city in which a place exists to which a housekeeper could send a week's wash, sure that it would be returned with every button-hole, button, hem, gusset and stay in proper condition. These mending-shops should take on apprentices, who should be sent to the house to do every sort of repairing with a needle. I would open another school to train women to every kind of trivial service, now clumsily or inadequately performed by men. If, for instance, you now send to an upholsterer to have an old window-blind or blind fixture repaired, his apprentice will replace the entire thing, at a proportionate cost, leaving the old screw-holes to gape at the gazer. I would train women to wash, repair, and replace in part, and to carry in their pockets little vials of white or red lead to fill the gaping holes. Full employment could be found for such apprentices.

LAW.

The number of laws passed the last six years affecting the condition of women has been very small. The New York Assembly in February, 1865, passed a law putting the legal evidence of a married woman on the same basis as if she were a "femme sole." The Massachusetts Legislature have legalized marriage ceremonies performed by an ordained woman, and in January, 1866, Mr. Peckham, of Worcester, moved for a joint Special

Committee "to consider in what way a more just and equal compensation shall be awarded to female labor." On the 4th of April just passed Samuel E. Sewall and others petitioned for leave to appoint women on School Committees. It is difficult to conceive on what ground such petitioners had leave to withdraw. These things are only valuable as indicating that public attention is still alive. Some remarkable illustrations of the absurdity of old laws might be recorded. One of these is to be found in the family history of Mad. de Bedout, recently dead at Paris.

A very important convention came together at Leipsic, in September, 1865. One hundred and fifty women assembled, pledged to assert the right to labor, and to bridge the gulf between the compensations of the two sexes. Madame Louise Otto Peters opened the conference in an able speech. She stated that there were five millions of women in Germany who could each earn, if allowed, three thalers a week. A thousand women might find employment as chemists, on salaries of one hundred and fifty thalers a year, exclusive of board and lodging. Another thousand might be employed as boot-closers. The foundation of industrial and commercial schools was urged. The weak point of the speech as reported, appeared to be, that it took no cognizance of the fact that an influx of five millions of laborers must necessarily lower the current rate of wages she proposed. I mention this convention in a legal connection, believing that it was intended to remove some local legal barriers.

[Pg 905]

SUFFRAGE.

Dr. Harriot K. Hunt, Sarah E. Wall, and a few other women, have continued their annual protests without intermission. In somewhat the same way have petitions recently been sent to Congress in behalf of Universal Suffrage. We had no expectation that any favorable reception would await such petitions, but it was a duty to put them on record. What fate they met in Congress, you have so recently heard that I have no occasion to record it. Minnesota, New York, and other States, have petitioned their Legislatures to the same effect.

PROGRESS.

The real gain of a reform, starting from the heart of the family, must necessarily be very slow. I remember that some years ago, when I printed my book on labor, one of my kindest critics congratulated the public that of my nine lectures, I had published only these. He thought it was useless to contend for more book-learning for women, and the subject of Civil Rights still disgusted his sensitive ear. The common sense of the book on labor ought to have shown him how I should treat the subject of education. He could not understand how the woman who gets an education which does not make her a "bread-winner," is essentially defrauded, nor how a woman well paid for her labor is essentially wronged, when she is denied the privilege of protecting it by her vote. There is, however, a surely growing sense of this shown in the substantial advance of her civil rights.

In the early part of 1865, the people of Victoria, in Australia, assembled to elect a member of Parliament, were surprised to find the whole female population voting. Some quick-sighted woman had discovered that the letter of the new law permitted it, and their votes were accepted and wisely given. *The London Times*, in the month of May, says that, in a *country like Australia*, it can easily believe that such an extension of the franchise will be a *marked improvement*, and thinks that the precedent will stand! The Government of Moravia has also, within the past year, granted the municipal franchise to widows who pay taxes. In January, 1864, the Court of Queen's Bench in Dublin, Ireland, restored to woman the *old right* of voting for Town Commissioners. The Justice (Fitzgerald) desired to state that ladies were entitled to sit as Town Commissioners as well as to vote for them, and the Chief Justice took pains to make it clear that there was nothing in either duty repugnant to womanly habits.

The inhabitants of Ain (or Aisne) in France, lately chose nine women into their municipal council. At Bergeres, they elected the whole council, and the Mayor, not being prepared for such good fortune, resigned his office. A very remarkable autograph note of the Queen of England attracted my attention in 1865. It expressed to Lord John Russell the Queen's dissatisfaction with Lord Palmerston. It was a very distinct assertion of her regal prerogative, and as such Lord Palmerston submitted to it.

Our cause has found able advocates in John Stuart Mill, *The New York Evening Post*, and Theodore Tilton. If I were asked whether, in connection with this gain, we have lost any ground, I should reply that we have decidedly lost it in connection with the daily press. I do not know any newspaper, if I except *The Boston Commonwealth*, which will print a letter touching civil rights from any woman, precisely as it is written. I think what we need most is to purchase the right to a daily use of half a column of *The New York Tribune*.

RECORD AND OBITUARIES.

I have been accustomed to connect with reports of this kind, some honorable mention of distinguished women recently dead. I can not do this at any length after a pause of so many years, but a few names must be mentioned, a few facts recorded. I had occasion, some years ago, to commemorate the services of Maria Sybilla Merian, painter, engraver, linguist, and traveler, who published, at Amsterdam, two volumes of engravings of insects and sixty magnificent plates, illustrating the metamorphoses of the insects of Surinam. I did not at that time know that some of her statements had been held open to suspicion. In the first place, she asserted that a certain fly, the *Fulgoria Lantanaria*, emitted so much light that she could read her books by its aid. Still further, that one of the large spiders called *Mygale*, entered the nests of the humming-bird in Surinam, sucked its eggs and snared the birds. To all the contention which arose over these statements, Madame Merian could oppose only her word. Men who knew that her statements in regard to Europe were indisputable, decided that her word could not be taken in Asia. A very common folly; but two hundred years have passed, 1866 arrives, and her justification with it. An English traveler named Bates, has recently rescued quite large finches from the *Mygale*, and poisoned himself with its saliva in preparing them for his cabinet.

[Pg 906]

I do not know how many years Madame Baring, the mother of the great banker, has been dead. It is only recently that I have ascertained that to her prudence, activity, and business habits, the family attribute the sure foundation of their habits. Matthew Baring came to Larkbeare, near Exeter, from Bremen. His wife superintended in his day, the long rows of "burlers," or women who picked over the woolen cloth he made. Her sons, John and Francis, sought a wider field for the fortune their father left, but did not forget to erect a monument to their mother's industry.

When I first investigated the labor of woman, I was told that the great manufacturing interest, represented by

the button factories at Easthampton, Mass., had its origin in the persevering industry of a woman. Last summer I went personally to see the factories and their proprietor, and it was a pleasant surprise to find the woman of whom I had heard still living. Samuel Williston told me that he did not usually gratify the curiosity of his visitors, but added that if I thought it would be any stimulus to the industry of other women, he should be glad to tell me the story. About forty years ago he had been an unsuccessful speculator in Merino sheep, and his wife strained every nerve to help her family. On going one day to the country store for a supply of knitting, she expressed so much disappointment on being told that there was none for her, that a tailor in the establishment asked her if she would cover some buttons for him. She soon found that certain kinds of buttons were in steady demand. They were then made wholly by hand. She provided herself with materials, took the farmers' daughters for apprentices, and her husband went to Boston, Hartford, and New York to solicit orders. From this small beginning arose one of the most lucrative industries of Massachusetts.

About a year since Eliza W. Farnham laid down her weary head. I did not know her, nor did I sympathize in her theories. They were sustained by her imagination rather than her reason; by her impulses rather than any practical judgment. No moral superiority can justly be conferred on either sex of a being possessed of intellect and conscience. God has conferred no such superiority; yet I gladly name Mrs. Farnham here as a woman whose life—a bitter disappointment to herself—was useful to all women, and whose books, published since her death, show a marvelous mental range. I name her with sympathy and admiration. During the last year Madam Charles Lemonnier has died in Paris. She devoted her life to the professional education of women. For six years she found it so difficult to raise the necessary funds, that she had to content herself with sending her pupils to institutions in Germany. In 1862 the Society for the Professional Instruction of Women was at last constituted, and opened a school in the Rue de Perle. Two other schools have since been opened; one in the Rue de Val Sainte Catherine, the other in the Rue Roche. The morning is occupied in these schools with general studies, the afternoon with industrial drawing, wood engraving, the making up of garments, linen, etc. She died after initiating a thoroughly successful work.

In July, 1865, there died at Corfu a Dr. Barry, attached to the Medical Staff of the British Army. He was remarkable for skill, firmness, decision, and great rapidity in difficult operations. He had entered the army in 1813, and had served in all quarters of the globe with such distinction, as to insure promotion without interest. He was clever and agreeable, but excessively plain, weak in stature, and with a squeaking voice which provoked ridicule. He had an irritable temper, and answered some jesting on this topic by calling out the offender and shooting him through the lungs. In 1840 he was made Medical Inspector, and transferred from the Cape to Malta. He went from Malta to Corfu, and when the English Government ceded the Ionian Islands to Greece, resigned his position in the army and remained at Corfu. There he died last summer, forbidding, with his latest breath, any interference with his remains. The women who attended him regarded this request with the shameless indifference now so common, and unable to believe that an officer who had been forty-five years in the British service, had received a diploma, fought a duel, and been celebrated as a brilliant operator, was not only a woman, but at some period in her life a *mother*; they called in a medical commission to establish these facts. A sad, sad picture which those of us, who inquire into the fortunes of women, can readily understand.

[Pg 907]

Last November deprived us of Lady Theresa Lewes and Mrs. Gaskell. Mrs. Gaskell has perhaps done more than any woman of this century, not confessedly devoted to our cause, to elevate the condition of her sex, and disseminate liberal ideas as to their needs and culture. The first part of her career was one of those brilliant successes which startle us into surprise and admiration. It was checked midway by the publication of her life of Charlotte Bronte, the best and noblest of her works. Checked, because condemned, in that instance, without a hearing. She could never afterward feel the elastic pleasure, which was natural to her, in composing and printing, and for three long years afterward never touched her pen. I would not allude to this subject if every notice of her since her death had not done so, repeating the old censure, as a matter of course. Here in America we may exculpate her. The public was wrong in the first place, inasmuch as it has come to demand biography before biography is possible. The publisher was wrong in the second, for he ought to have known, and could easily have ascertained, how plain a statement the English law would permit. The public was still further wrong when it attributed misapprehension and carelessness to a woman whom it very well knew to be incapable of either. I, for one, shall never forgive nor forget the officious censure of the *Westminster Review*—censure given by one who must have known that the legal apology tendered in Mrs. Gaskell's absence to protect her pecuniary interests, had the unfortunate effect to put her in a position where explanation and self-defence were alike impossible. Mrs. Gaskell had deserved the steady confidence of the public.

In Paris, recently, died Mrs. Severn Newton. She was the daughter of the artist Severn, the friend of Keats, and now British Consul at Rome. About five years since she married Charles Newton, Superintendent of Greek Antiquities at the British Museum. She was a person in whom power and delicacy were singularly blended. Ary Schæffer was accustomed to hold up her work as a model for his pupils. Her renderings of classic sculpture were so true that they were termed translations, and she had recently devoted herself to oil painting with great success. She died of brain fever at the early age of thirty-three, the most honored of female English artists.

I have kept till the last the name of Fredrika Bremer, whose good fortune it was to secure lasting benefits to her sex. God sent to her early years dark trials and privations. Her father's tyrannical hand crushed all power and loveliness out of her life. At first she rebelled against her sufferings, but when he died in her girlhood she was able to see that they lent strength to her efforts for her sex. It was the rumor of what we were doing in this country for women that first drew her hither. It is not the fashion for Miss Bremer's friends fully to recognize her position in this respect. I owe my own convictions on the subject of suffrage to the reflections she awakened. When I told her that my mind was undecided on this point, she showed her disappointment so plainly, that I was forced to reconsider the whole subject. Miss Bremer did not hurry her work. She had a serene confidence that she should be permitted to finish what she had begun. She secured popularity by her cheerful humor, her genuine feeling, her true appreciation of men, and her insight into the conditions of family happiness, before she made any direct appeal against existing laws. Those who will read her novels thoughtfully, however, will see that she was from the first intent upon making such an effort possible. From the beginning she pleaded for the social independence of wives; asked for them a separate purse; showed that woman could not even give her love freely, until she was independent of him to whom she owed it. To a just state of society, to noble family relations, entire freedom is essential.

[Pg 908]

Under her influence females had been admitted to the Musical Academy. The Directors of the Industrial School at Stockholm had attempted to form a class, and Professor Quarnstromm had opened his classes at the Academy of Fine Arts to women. Cheered by her sympathy, a female surgeon had sustained herself in

Stockholm, and Bishop Argardh indorsed the darkest picture she had ever drawn, when he pleaded with the state to establish a girls' school. It was at this juncture that Miss Bremer published Hertha. This book was a direct blow aimed at the laws of Sweden concerning women. By this time she had herself become in Sweden what we might fitly call a "crowned head." She was everywhere treated with distinction, and her sudden appearance in any place was greeted with the enthusiasm usually shown by such nations only to their princes. She said of her new book: "I have poured into it more of my heart and life than into anything which I have ever written," and, verily, she had her reward. She was at Rome, two years after, in 1858, when the glad news reached her that King Oscar, at the opening of the Diet, had proposed a bill entitling women to hold independent property at the age of twenty-five. All Sweden had read the book which moved the heart of the King, and the assembled representatives rent the air with their acclamations.

In the following spring the old University town of Upsala, where her friend Bergfalk occupies a chair, granted the *right of suffrage* to fifty women owning real estate, and to thirty-one doing business on their own account. The representative their votes went to elect was to sit in the House of Burgesses. Miss Bremer was not ashamed to shed happy tears when this news reached her. If she had ever reproached Providence with the bitter sorrow of her early years, she was penitent and grateful now. Then was fulfilled the prophecy which she had uttered, as she left our shores: "The nation which was first among Scandinavians to liberate its slaves shall also be the first to emancipate its women!"

BOSTON, *April 26, 1866.*

CAROLINE H. DALL.

P. S.—To add one word to this deeply interesting and able report may seem presumptuous, but it is fitting that something be said of those women in our own country in whom we feel a proper pride. In literature, Harriet Beecher Stowe and Lydia Maria Child are unsurpassed by any writers of our day. The former is remarkable for her descriptive powers, intuition of character, and rare common sense; the latter for patient research, sound reason, and high moral tone. No country has produced a woman of such oratorical powers as our peerless Anna Dickinson. Young, beautiful, and always on the right side of every question, her influence on the politics of this country for the last four years has been as powerful as beneficent. She has more invitations to speak before the first-class lyceums of the country, at two hundred dollars an evening, than she can accept, and draws crowded houses wherever she goes.

PHYSICAL CULTURE.

A friend who had visited Vassar College, after mentioning the fact of its two women professors—Miss Mitchell and Miss Avery—informed us that Elizabeth M. Powell is teacher of gymnastics there, and wonders whether success may not win for Miss Powell a place in the Faculty. There are literary societies in which the girls write and read essays, and give recitations, and have discussions, and President Raymond drills them in elocution or public entertainments. And yet, our friend says, "I dare say that it would be pronounced a very improper thing for women to speak in public, if the Faculty were to vote on the question." The influences of Vassar are altogether conservative.

Miss Mitchell is a woman of great force of character, the very soul of integrity, and entirely independent in her religious views. She thinks the theory of Woman's Rights all right, but her tastes are all against it. She dreads to be in the least conspicuous.

Miss Avery is a woman of great dignity and strength, and her presence and lectures can not fail to stimulate the girls to a noble womanhood. She tells them work is the necessity of the soul.

[Pg 909]

Miss Powell, a remarkably earnest young woman of rare moral and intellectual worth, has a grand field, and opens her work with good promise. Her first aim is to do away with tight-dressing. She believes that when women have deeper breathing they will have higher aspirations. That when women will apply conscience to their dress, they will be prepared for more important truths.

In the great attention given to gymnasiums everywhere, we see the dawn of a new day of physical and mental power in woman. Mrs. Plumb's institution in this city, where hundreds of girls are trained every year, is a complete success.

EQUAL EDUCATION.

ST. LAWRENCE UNIVERSITY, CANTON, N. Y., *May 4, 1866.*

MISS ANTHONY:—Your letter came into my hands after some delay. I hasten to reply to your inquiries. Our college is young yet. The first class of two graduated last year. Two young ladies are to graduate at the close of this term.

We receive ladies and gentlemen on the same terms and conditions; take them together into the recitation-room, where they recite side by side; require them to pursue the same course of study; and, when satisfactorily completed, give them degrees of the same rank and honor—Bachelor of Science and Bachelor of Arts to gentlemen, Laureate of Science and Laureate of Arts to ladies. Both sexes are required to pursue the same course of study, with the exception of civil engineering and political economy, which are merely optional studies with the ladies.

We have two departments—Academical and Collegiate. The sexes are about equal in number in each department. We have only about twenty in the Collegiate Department. Half of these are ladies, among whom are some of our best in Mathematics, Languages, and Natural Sciences.

We have also a Theological Department, to which ladies have access. We have received applications from only two yet. One, Miss Olympia Brown, is pastor of a Society in Weymouth, Mass., and is succeeding very well. She is a graduate of Antioch College as well of our Theological department. The other is now here.

Lombard University, Galesburgh, Ill., receives ladies, and takes them through the same course as gentlemen, and gives them equal degrees. I deeply sympathize with you in your efforts to raise the character and improve the condition of woman, though, perhaps, I should not be quite so radical as some in your Convention. Your cause is a good one, and I pray Heaven that it do good.

J. S. LEE,

Genesee College at Lima, New York—a Methodist institution—opens its doors equally to women, and has graduated several young ladies. Then we must never forget to mention and bless Oberlin for its pioneer work in the equal education of women. It was Oberlin that gave us Lucy Stone, Rev. Antoinette Brown Blackwell, Sallie Holley, and Frances Ellen Watkins Harper, to speak early and brave words for woman and the slave. And Antioch College that graduated the Rev. Olympia Brown. Mention too should be made of Rev. Lydia A. Jenkins, who has been a successful preacher among the Universalists for the last eight or ten years, and is now settled at Binghamton, New York.

Of the MEDICAL PROFESSION it should be stated for the encouragement of the young, that there are over three hundred graduates from the several medical colleges for women, and that there is scarcely a village throughout the country but has its woman physician of greater or less skill. In New York city there are many successful physicians besides the Drs. Blackwell. Dr. Clemence S. Lozier has a practice of \$15,000 a year, and owns two fine houses, all the proceeds of her own perseverance. In Orange, New Jersey, Dr. Almira L. Fowler is very popular, with a paying practice of \$5,000 per year, besides a large gratuitous service. In Philadelphia are Dr. Hannah E. Longshore, with a \$10,000 per annum practice, then there are Drs. Ann Preston, R. Tressel, H. J. Sartain, E. Cleveland, J. Myres, and others, with practices ranging from \$5,000 to \$2,000. In Utica, New York, Dr. Pamela Bronson is a successful physician. In Albion, is Dr. Vail. In Weedsport, Dr. Harriet E. Seeley. In Rochester, Dr. Sarah R. A. Dolley numbers among her patrons many persons of wealth and fashion, who but a few years ago ridiculed the idea of a "lady doctor." Mrs. Dolley's practice brings her fully \$3,000 a year. In a letter to one of our Committee Mrs. Dolley says, "May your labors be prospered, that the women of our country may have a *sphere* rather than a *hemisphere*! Dr. R. B. Glasson, of Elmira, Dr. S. Ivison, of Ithaca, New York, and Dr. Green, late of Clifton Springs, who has opened a water-cure somewhere in Western New York, all do a large amount of practice, and with the greatest acceptance to those who favor Hydropathic treatment. Dr. Ross, of Milwaukee, Wisconsin, has a large practice, and commands the respect of the profession. And, as Mrs. Dall says of the many noble women who served efficiently in our armies during the war without even sounding the name of the wonderful Clara Barton, so we have to say of our woman physicians, "their name is legion."

[Pg 910]

The following is an item from the Boston *Commonwealth*:

FURTHER PROGRESS IN WOMAN'S RIGHTS.—Miss Stebbins, of Chickasaw County, Iowa, has received an appointment as Notary Public for that county. She is the first female ever having received such a commission, and is represented as eminently competent.

This from the National Anti-Slavery *Standard*:

WOMAN'S RIGHTS IN HUNGARY.—A curious petition has been presented to the Hungarian Diet. It is signed by a number of widows and other women who are landed proprietors, and asks for them the same equality of political rights with the male inhabitants of the country as they possessed in 1848. These ladies represent that they have much more difficulty in bringing up their children and attending to their estates than men; that they have to bear the same State burdens; that they are not allowed to take part in the communal elections; and that, although many of them possess much more ground than the male electors, they have no political rights.

There is one point in the report open to objection. It is not fair to say that Mrs. Farnham's life "was a bitter disappointment to herself." Who does realize in life all that in starting was looked for? Who has nothing to regret? With a heart so generous and sympathizing as hers—a mind so disciplined and stored with general information—a life so rich in practical usefulness, she was not only a blessing to others, but she must have had a more than an ordinary share of that peace and happiness that gladdens every Christian life. I have just read her last great work. I took it up with prejudice, not believing her theory of the superiority of woman. I lay it down with a higher idea of woman's destiny, and a profound reverence for the author of the glorious thoughts that thrill my heart. I never met Mrs. Farnham on earth, but I know and honor and love her now, and from the celestial shores feel the pulsations of a true and noble soul.

E. C. S.

LETTERS.

WAYLAND, *April 28.*

DEAR MRS. STANTON:— ... What I most wish for women is that they should go right ahead, and do whatever they can do well, without talking about it. But the false position in which they are placed by the laws and customs of society, renders it almost impossible that they should be sufficiently independent to do whatever they can do well, unless the world approves of it. They need a great deal of talking to, to make them aware that they are in fetters. Therefore I say, success to your Convention, and to all similar ones!...

I am very cordially yours,

LYDIA MARIA CHILD.

NEW CASTLE, DEL., *April 21, 1866.*

DEAR MRS. STANTON:— ... I am with you in heart and sympathy, rejecting with contempt the antiquated idea that woman is only fit for a plaything or a household drudge. Nor can I see how it is less dignified to go to a public building to deposit a vote than to frequent the concert-room, whirl through the waltz in happy repose on some roue's bosom, or mingle in any public crowd which is, in modern times, quite admissible in polite society. Dethrone the idol and raise the soul to its true and noble elevation, supported on a foundation of undying principle, and woman becomes a thing of life and beauty—then only fit to raise sons to be rulers. Justice requires your success, and I hope the age will prove itself sufficiently enlightened to mete out to you the reward of your years of toil.

[Pg 911]

Yours sincerely,

JANE VOORHEES LESLIE.

MONDAY, *April 22.*

DEAR MISS ANTHONY:—What I enclose is not much for the work you have to do, but it is all I can proportion out for it just now. You are quite right in relying on my regard for you, although I can not see the subject as you do, and I was pleased to get your note saying so. I am sure you take great interest in following Mr. Gladstone's bill for the extension of suffrage in England. His speech upon it is in great contrast to the shallow nonsense talked by many Americans against our democratic form of government.

Very sincerely yours,

JESSIE BENTON FREMONT.

13 CHESTNUT ST., BOSTON, *April 19, 1866.*

DEAR MRS. STANTON:—I have received yours of 14th inst., making eloquent and friendly appeal to me for the expression of my sympathy, written or spoken, in behalf of your forthcoming "Woman's Rights Convention." Surely you need not my assurance that I most heartily indorse all the claims and objects of your Association; that I earnestly advocate whatever would advance or insure the rights of humanity, whether for man or woman; that I as earnestly protest against any and all prejudices, limitations, or legislations which would interfere with those rights; that I claim for woman as ample social and civil privileges as are conceded to man, whether in the exercise of the franchise, the domain of our legislatures, or in the sphere of the professions. We are no true men if we deny or would barricade the exercise or the claim of those privileges, and have just so much less of manhood as we dare to question or infringe them. I agree with you, most fully, that the woman element is greatly needed in the present crisis of our affairs for the right reconstruction of our suffering Government. We have had, and still have, not men but too many brutes making a very "bear garden" of our congressional halls, rending and tearing this poor "body politic" of ours till, like the raving demoniacs of old, it is now foaming and wandering crazily around its own preconstructed tomb! while at the head of the Government we have only a surly, self-conceited despot in embryo! "The nation needs (as you say) at this hour the highest thought and inspiration of a true womanhood infused into every vein and artery of its life." There is no gainsaying your arguments on that head, for just so far, and only so far as the refining influence of that womanly element is so infused and felt in all our social and civil relations, will the consummation of our national peace and prosperity be effected.

Yours truly,

J. T. SARGENT.

WEST NEWTON, *May 6, 1866.*

E. C. STANTON, *President Executive Committee Women's Rights Association:*

MY DEAR MRS. S.:—I had hoped to be present at this, our eleventh anniversary, but find it impossible. And so, at the last moment, I hasten to express my earnest conviction that now, as never before, we are called upon for vigorous, united action—that we are left no alternative but an unflinching protest against the strange legislation by which a Republican Congress, so-called, assumes to engraft upon our national Constitution, as "amendments!" clauses which not only allow rebels to disfranchise loyal soldiers, who have borne the flag of the Republic victoriously against their treason and rebellion, but to keep the ballot from the hands of all women!

If not moved by an enlightened appreciation of the first principles of political economy and social justice in legislation touching them heretofore, we could scarcely believe that after the record made by both the proscribed classes during our late fearful struggle, our legislators could gravely stoop to brand them anew as "aliens" and outlaws! It is an act as discreditable to their hearts and their moral sense as to their statesmanship. And upon their shoulders must rest the responsibility of an agitation to which we are thus forced—an agitation which we have hesitated to arouse while so many vital questions touching the future of the negro were awaiting settlement, and in which we are acting strictly on the defensive. Under the magnificent utterance of our brave Senator Sumner—which was an inspiration and a prophecy—we looked to see all faltering and compromise, so fatal in all our past, so fatal always and everywhere, swept like dew before the sun. But the old fears and falterings return sevenfold reinforced to renew a puerile and patch-work legislation, which, while asserting the truth, submits to, nay, invites a fresh struggle over each separate application of the same "self-evident truth." What remains for us, then, but to turn from a Congress from which we had hoped so much, which might have dared anything in the interest of loyalty and justice, as our brave brethren turned, from a recreant President to the people, whom he and Congress have not dared to trust, and resolve to do our utmost to awaken a public sentiment which only slumbers, but is not dead, and which shall make impossible such burlesques, such infamous "amendments" to our organic law. With undiminished hope and faith, yours,

CAROLINE M. SEVERANCE.

HARTFORD, *April 22, 1866.*

DEAR MADAM:—I learn by a circular I have received that a Woman's Rights Convention is to be held in New York in May. I can not have the pleasure of attending it, but I would like to take this opportunity of telling you I am with you, heart and soul, in this cause—of thanking you, and those with whom you are associated, for the noble work you have done, and are doing, in the cause of universal suffrage. There never was a more opportune time for calling a convention of this kind than the present, when it is evident that the United States Constitution is about to undergo some repairs—when all the so-called radicals in Congress are trying to have it so altered as to insure the disfranchisement of one-half the nation. They have so strangely perverted the meaning of the term "universal suffrage," that it is a misnomer as at present used by them. It is rather significant of the "universality" of the suffrage intended, that every one of these special guardians of freedom refused to present Congress a petition for woman's enfranchisement; that the Massachusetts Senator who leads the van of freedom's host, did, finally, most reluctantly present it with one hand, while taking good care to deal it a blow with the other that would prove a most effectual quietus to it; that a representative [Mr. Boutwell], after repeating the self-evident truth that "there can be no just government without the consent of the governed," says that "man is endowed by nature with the priority of right to the vote rather than woman or child;" that the two Senators from Massachusetts have each proposed amendments to the Constitution holding out inducements to the States to enfranchise all male inhabitants, but none to enfranchise women, when they could have included them by omitting one word; that that light of freedom, Mr. Greeley, of the *Tribune*, states that "men express the public sense as fully as if women voted" [speech in Suffield, Conn., last June]. These are a few of the straws pointing to that sham labeled "universal suffrage."

The conservatives of the slave-driving school have had an odious enough reputation, but I never heard of any of

them taking measures to so amend the Constitution as to insure the perpetuation of the disfranchisement of sixteen millions of the nation, as would the proposed amendments of Messrs. Sumner and Wilson. And these Massachusetts Senators are called the foremost workers in the ranks of liberty's grand army. If these are the foremost, Heaven save us from those in the rear! Why does Mr. Boutwell try to make it appear that he believes that governments, to be founded on justice, should obtain "the consent of the governed," when he believes the consent of only one-half the governed should be obtained? when he classes adults as fully capable of exercising an enlightened judgment as himself with infants? If Mr. Greeley thinks it right for one-half the people to represent the wants, and speak as they may think best for the other half, that other half having no choice in the matter, he must admit, if he have a tithe of the sense of justice attributed to him, that it would be only fair to let each half take their turn—the men expressing the public sense a part of the time, then the women—thus alternating between the two, in order to balance the scales of justice with perfect equilibrium.

It seems rather a difficult matter for men to appreciate the fact that women are ordinary human beings, with the wants and reasoning faculties of the same. If women lived on the plane where sword and cannon are resorted to for the procuring of justice, men might then see the necessity of establishing equality of rights for all. But the power of women lies in spiritual, not in brute force; therefore men have failed to comprehend them, or to see the necessity of granting rights that are not contested at the point of the bayonet. Add to this the ambitious but weak love of power—of having some one to rule—inherent in the natures of most men, and the causes of woman's bondage are pretty clear. In the light of the developments of the past few months it is plain that the most thorough faced abolitionists—those who wax eloquent for the negro—are as much in favor of continuing the slavery of women as were Southern planters of continuing negro slavery. There are a few exceptions to this, and but a few.

[Pg 913]

Even the Boston *Commonwealth*, perhaps as radical a paper as any now published, and which favors suffrage for women, is a good illustration of the difficulty of the most liberal-minded men seeing this question in its true light; for, in its issue of February 24, it says that "suffrage for women is not a political necessity of a republican government."

The *Nation* thinks women ought to be deprived of the franchise because they do not, as a general thing, express a wish for it, stating at the same time that they have as good a right to it as men. Remarkable logic this, to deprive the whole class of the power to obtain their dues because they do not *en masse* express a wish for them. There are men who do not care enough about the franchise to make use of it; therefore, according to this argument, they should be immediately disfranchised.

There is no compulsion in exercising the right to the vote—all can let it alone who choose; and did every woman in the land choose to let it alone, it would be no argument for withholding from her the power to make use of it whenever disposed. But the statement that they are opposed to it is untrue. No woman—whether teacher, or telegraph operator, or government clerk, or dry-goods clerk, all the way down to the poor needle-woman who lives under a reign of oppression as frightful as that in the manufacturing districts of England—is paid more than half or a third what she earns, or what a man would be paid performing the same services, and performing them no better, in many cases not so well; and the needle-women are paid no more than a tenth part of what they earn. And yet women do not rise up against the oppression that denies them the just compensation; therefore these logicians of the *Nation's* school must, to be consistent, argue that women do not wish to have just wages paid them, and they should not have just wages offered them—the right of accepting or refusing being at their own option.

It seems to be full time for the women of this country to demand a settlement of the question whether they are still to be treated as infants or as intelligent adults. If the former treatment is to be continued it would be very appropriate to present Congress with a protest against having one-half the basis of representation composed of those who are to remain in a state of perpetual infancy (which needs and can have representation; whose government must be as absolute as that of the Czar's, the very word "representative" implying a substitute chosen by another)—a protest that if they are too good—as often stated, too divine—to have any voice in such earthly matters as governments, they are also too good to be thrust just so far into the body politic as to swell the basis of representation one-half, merely for the furtherance of the interests of ambitious politicians, and then to be put one side and utterly ignored when the voice of a free intelligent being is required.

It seems to be full time for women to take soundings of the depth of the professions, and make calculations of the latitude and longitude of the party to which alone they have looked for redemption from the slavery in which they have ever been held, when the chief ones of that party—now that there is any possibility of attaining that object—utterly refuse all efforts in that direction, and, worse than that, give indications of taking positive measures in the opposite direction. It is important that Congress be flooded with petitions on this matter—that it be allowed no rest from them; and, in addition to petitions, a bill is needed excluding women from the basis of representation so long as they shall be excluded from the franchise—excluding them from the list of taxable persons and from those who are by law liable to the death-penalty.

Should such a bill be tabled by Congress; should they refuse all action on it that would place them in their true light, showing that they look upon this question the same as the Southern Congress under Polk, Pierce, and Buchanan looked upon the anti-slavery movement—very much afraid of having the subject agitated; should they give it a decided veto, that would place them in their true light—greatly opposed to universal suffrage, although it is their policy to sail under that banner, like the pirate who sometimes finds an advantage in substituting for his own black flag some more respectable one. Should they pass such a bill it would place them in a better light than they have ever had the fortune to be in before, while it would make it for the interest of the States to have this bill followed up by another, giving women the franchise; and it is very doubtful whether we will ever obtain it in any other way than from motives of self-interest on the part of legislators—motives of pure justice and right occupying a secondary place.

[Pg 914]

The statutes of the land present a remarkable conglomeration of inconsistencies and injustice in regard to women, and show the utter failure of the plan of having one class govern another class without any consent or participation in the matter on the part of the class so governed. The law ought not in certain cases to treat women as infants and wholly irresponsible beings, merely to foster a weak ambition and love of power, and in other cases as wholly responsible adults. The infant regimen should be enforced thoroughly from the day of their birth to the day of their death, whether it be in one year or a hundred, or they should come, in all respects, under a system adapted to responsible, intelligent adults. Infants should not pay taxes and they should not be hung. It is the general opinion that the infant Surrat committed crimes equal in magnitude to those of any of the conspirators who were hung with her, but her state of infancy should have afforded her

legal protection from the gallows. If this government is too weak to decide the qualifications of voters; too weak to extend freedom from the northern coast of Maine to the southern coast of Florida; too weak to prevent any State disfranchising its inhabitants; too weak to make ignorance, criminality, and non-age the only political limitations for man or woman, be they black or white, or a combination of all the hues of the rainbow; too weak to send tyranny to the wall and make liberty the universal rule for this broad land; then a party must and will arise of sufficient metal to infuse into it the requisite strength—a party that will "strengthen its weak hands and confirm its feeble knees."

Concentration of power for the establishment and extension of liberty is not a tendency to despotism. Despotisms are never built out of that material. But that is a despotism as bad as Austria that allows one-half its citizens to govern the other half without any consent of theirs; and it is none the less a despotism for being divided up into petty State despotisms than if carried on by the general government, so long as they are all agreed on disfranchising one-half the people. Thirty-six despotisms make a pretty good sized one taken in the aggregate. The party to inaugurate the reign of freedom must inevitably arise, for the elements to bring it into power are at work. Morally, it will tower as far above the present republican party as that did above the old ones—whig and democratic. There are true souls, women and men, in the Old World and the New, faithfully working and watching for its advent.

Some months ago we got word from over the water that John Stuart Mill had been elected to that formidable body of conservatism—the British Parliament. Another significant fact, but this time significant of good. The writings of Mill are illumined by the sun-clear radiance of that liberty for which he appeals—a liberty that shines with the steady light of a fixed star—and which I have watched for in vain in the writings and speeches of the most noted reformers on this continent. When men like him come into power I think we have good ground for taking fresh courage. I have written more than I intended, but the subject is one on which I do not feel like restricting myself, especially when writing to one who fully appreciates the situation. Sincerely hoping you may never weary in your good work.

SUSAN B. ANTHONY.

Yours respectfully,

F. ELLEN BURR.

ALBANY, April 9, 1866.

MY DEAR MISS ANTHONY:—It will be out of my power to speak at your Convention—my health will not permit my attendance—but I cordially concur in your efforts to restore to woman her civil and political rights, and for her emancipation from slavery, her actual, undeniable status at present in the Government. I can suggest no plan to effect this great object, except that of agitation and discussion, everywhere throughout the land. Whenever the public mind shall become sufficiently enlightened, and women themselves shall seriously and earnestly demand, on their own behalf, equal rights and equal laws, they will be accorded; and then we shall have, what the world has never yet had or seen, a true republican system of government. Excuse these hasty thoughts.

[Pg 915]

Truly yours,

A. J. COLVIN.

To the President and Members of the Eleventh National Woman's Rights Convention in New York assembled:

LADIES:—I notice with pleasure the call for your annual convention. The hour is pregnant with events, and this period is opportune for opening and pressing upon the public attention the questions with which you are occupied. As the claims of the slave in past years have furnished to so many espousing them the occasion of manifold and large emancipations little thought by them at first, so the claims of the emerging freedman will lay open the way to the study and solution of the gravest and widest social questions. The great problems of social order: government, its fit aims and happiest methods, the nature and just basis of suffrage, etc., are to be studied anew and brought to true adjustment; false barriers and artificial distinctions must be swept away, no child of Adam must be inhibited from wielding those prerogatives which by birthright or attainment he may be entitled to. The more obvious abuses, the flagrantly gratuitous distinctions, involving very gross inequalities and oppressions, will be the first to be exposed and abolished.

The natural and just basis of the right of suffrage is doubtless qualification, wisdom, and substantial honesty. The right to wield the ballot is not in the strict sense an inborn and original right, coeval with our being, except as any right to which we may by culture attain is of this character. It is ours potentially. It belongs to attainment and possession, as the right, for instance, in a particular case to survey land, or instruct minds. It is a right I am to rise to through intelligence, discipline, manhood. It is conditioned upon discernment and true faithfulness. Those too ignorant or uncaring to distinguish between rule and misrule, government and lawlessness, science and a juggle, supernal and infernal—those especially so profligate, who seek only to reach through government the sanction of law, the baptism of social order for their wickedness and misdeeds, have no business at any ballot-box, save that of recorded resolution to amend and repent. To put the ballot into the hands of the reckless, the besotted, and the profligate, is the sheerest abuse possible, and suicidal to all just protection and rule.

It may be a long day ere suffrage shall be adjusted carefully and strictly to the normal basis. But before this the Gospel must be preached to all nations, the rough places must be made smooth and the paths straight for the coming of the Most High. Whatever unjust barriers or factitious discrimination there may be against any must be abolished, and equality must be for all. Wisdom or virtue is not the monopoly of any class or sex or race. By all the proprieties of nature, woman should have with man a voice in the enactment of laws and the administration of government. She is the complement of man, essential for the due poise, the right wisdom, and conduct in family, in neighborhood, in Church or in State. Sharing in civil government, she will be a redemptive agency for society in many ways little thought at present. And agitation and overturning shall not cease until the final realization is reached. Society shall yet be rewrought and born again. All rule shall be justice, and obedience liberty. Government shall be the reflection of the infinite kingdom, the incarnation of truth, wisdom, benignity, power, the protector and help of all, inviting and assisting each to full realization of the utmost possibilities of attainment and strength for the individual soul, building to perfect freedom, building also to perfect unity. Service, sacrament, supreme reverence—this shall be the motto and norm of the world, all society become a church and all life worship, the broad anthem of souls. For this high consummation let us look and labor, trusting and working on to the perfect end.

Yours sincerely,

CHAS. D. B. MILLS.

MY DEAR MISS ANTHONY:—Your kind letter inviting me to attend the Convention on the 10th of May, was duly received. I should be extremely happy to be with you in your deliberations, but so much of my time has of late been occupied in the work of the American Union Commission, that I can hardly spare a moment for even your good work. I, however, feel only selfish regrets, for I should be but a listener and partaker of the rich mental feasts that will there be freely offered to all who will partake. The great arguments have all been made by our opponents, and they concede all that we ask, save that they substitute expediency for principle. They have yet to learn that God will not be dethroned; that when He decrees a human soul, He surrounds it with all the dignity of free will and consequent responsibility. He therefore endows the soul with rights, the exercise and protection of which are the crown of humanity. We ask no new code of rights. We simply ask to be included in the general method of asserting and protecting them, which even the shadowy-browed children of bondage are now perceived to claim without presumption. It has been with no small degree of interest that I have seen that our wisest statesmen begin to so far see and feel the importance of the issue that lies inevitably in their path, that they stop to explain and apologize; but they dare not deny, lest the logic they use should be turned against themselves.

The great Christian doctrine of the equality of all before God, who is declared to be no respecter of persons, is the axe laid at the root of the tree of prejudice, which has for such long ages brought forth injustice and oppression in a multitude of forms. Our good and great men are reading with anointed eyes the declaration, "There is neither Jew nor Greek, neither bond nor free," and we may hope they will soon read the final assertion, "Neither male nor female, for ye are all one in Christ Jesus." In this full and broad assertion lies the completion of the great Christian scheme, not limited to any number of parts, but embracing the great whole, thus recognizing the fatherhood of God and the brotherhood of man. What our cause now needs is the Christian advocacy of good and wise men and women. Legally, our position is conceded, so far as the logical sequences are concerned; but the pulpit, on which woman is prone to lean for all her opinions on questions of morality, has, with a few rare exceptions, been silent. Henry Ward Beecher has dared to speak out in a manly, Christian way; but even he has not laid upon the women of the Church that burden of responsibility concerning government that they ought to be made to feel. For what, let me ask, is to excuse them, if their want of intelligence and activity should lead to a thorough corruption of political morals such as we have seen in portions of our country during a few years past. Will they not be among those who hide their Lord's talent in the earth, and by and by come back with the little morsel carefully wrapped up in a napkin, all beautifully embroidered, it may be, and tender it back, saying, "Lo! there is thine own, take it!" In this religious aspect women must come to consider the question before it will become vital. Political action may give it a body, but God only can breathe into it the breath of life that will constitute it a living soul. Hence we see that without the best religious sanction, little progress can really be assured. I am conscious that my views are not identical with those of many who have reached the same general conclusions; but as many are disposed to regard the question from this standpoint, I have thought it best to express myself with great frankness. With many regrets that I can not partake in your deliberations,

I remain, truly yours,

MRS. H. M. TRACY CUTLER.

1710 LOCUST STREET, PHILADELPHIA, *May 10, 1866.*

MY VERY DEAR SUSAN ANTHONY:—I fully intended coming to the meetings—gave up Washington, made all my arrangements, packed my bag—and stayed at home. Circumstances which I could not control, and which I can't very well explain, put utterly out of my power the duty and pleasure of coming. There's no use in saying how sorry I am, for it would waste paper and time to state all my regrets. Suffice it to declare that I have rarely been so extremely sorry and disappointed.

Affectionately and truly thine,

ANNA E. DICKINSON.

OFFICE OF CORRESPONDENCE WITH THE FRIENDS OF THE MISSING MEN OF }
UNITED STATES ARMY, WASHINGTON, D. C.; *April 3, 1866.* }

DEAR MISS ANTHONY:—I am glad that my too kind and partial friends have set me "right on the record." I am "with you," and with all who labor for the advancement of humanity and the world through the proper channels—the elevation of woman. You have my heart, my sympathies (if needed), my prayers, and, best of all, my hopes, for the success of your every endeavor; and my poor words you should have, if they could add either strength or interest, but neither nature nor art have contributed me anything in this direction. I sometimes work a little, but it seems to me to be in the most common manner, and I am sure I could not speak at all. But no one knows how happy I should be to be present and listen to those who can; and if not prevented by duties of a very pressing and positive nature, I shall indulge myself so far. With assurances of the highest regard, believe me your friend,

CLARA BARTON.

NEWPORT, R. I., *May 14, 1866.*

MISS SUSAN B. ANTHONY—*Dear Friend:*—It has proved impossible for me to attend the Convention; and I hope it is unnecessary, so far as my own position is concerned, for me to renew my allegiance to the Equal Rights movement. It seems to me the most glaring of logical absurdities to apply the name of Universal Suffrage to any system which does not include both sexes. It seems, in this point of view, a righteous retribution upon American men, that the disfranchisement of woman has put such a weapon into the hands of those who would disfranchise the negro also. I must say, however, that a still greater share of this responsibility rests upon American women, for it is their unwillingness to ask for their rights which chiefly renders our legislators unwilling to concede them.

Cordially yours,

THOMAS WENTWORTH HIGGINSON.

A letter declining to speak at the Boston Equal Rights meeting, says: "There has been a time when no one could do any better than I, to speak in favor of women physicians, and then I was willing to come forward and do my best. At present there are so many able and eloquent, however, on the platform to advocate what we need—political franchise—that I would appear presumptuous should I attempt to add myself to the list. There is no

other right which I want besides the elective franchise, because the right to work on equality with man we can obtain, with nothing but energy and firm will. My own case as a physician illustrates that; while I am paying very nearly \$400 taxes (State and national), without the right to vote. These enormous taxes come from money earned, dollar by dollar, on equality with men, and yet there are all round me here many physicians of the stronger sex, who do not pay half this amount of taxes, who vote and rule. I hope before long a republic in the true sense of the word will be our share in this glorious country. With sincere wishes for the best of results in your present movement,

I am truly yours,

M. E. ZAKRZEWSKA.

FREDERICK DOUGLASS.

In a letter, saying it would be impossible for him to attend the Boston Equal Rights meeting on the 31st of May, says, "My best and most earnest wishes for the success of your noble Convention. The cause which it aims to subserve is the cause of the whole human family, in a sense the broadest and most striking ever hit upon by any other association."

WILLIAM LLOYD GARRISON,

In a letter stating that ill health prevented him from attending the National Woman's Rights Convention in New York, says: "In some way I will try to express my warm and hearty approval of the Equal Rights movement at the approaching meeting in Boston. I hail it with gladness, and as of far-reaching importance. The time has fully come to drop the phrase "Woman's Rights" for that of "Equal Rights."

The following appeal, written by Parker Pillsbury, was issued in behalf of the American Equal Rights Association in the autumn of 1866:

APPEAL FOR UNIVERSAL SUFFRAGE.

In restoring the foundations of the Government, Justice, as the chief corner-stone, can alone secure a permanence of Peace and Prosperity. The eighteenth century gave the World the Declaration of Independence, the war of the Revolution, and the Constitution of the United States; but only in the light of the nineteenth are these sublime phenomena to be interpreted to us. From the Government, the civilization, and religion of Great Britain, we derived our chattel slave system; but it survived the pen of Jefferson, the sword of Washington, and the wisdom, humanity, and statesmanship of the founders and framers of the Government; and until far louder thunders than Bunker Hill and Saratoga dashed it to the ground, and almost whelmed the Government itself with it in a common ruin. And the terrible lessons of the late war will all be in vain, should we now attempt to relay our foundations in injustice and oppression. Out of the jaws of rebellion and treason was the nation snatched by the hand of negro valor. And thus, surely, has that race earned the right of full citizenship and equality in the State. Even Jefferson declared, more than half a century ago, that whoever "fights and pays taxes" has the right of suffrage against the world. But the right of humanity, of manhood, is older and of higher and diviner appointment than any other. If the right of liberty and the pursuit of happiness be the gift and endowment of the Creator, then surely is the right to the ballot the only possible or conceivable assurance and guaranty of it in republican governments. And on this ground the claim of woman is no less than that of man. But base and degrading as has been the position of the negro in the Government, that of woman is far lower. At no price within human power to pay, can she arrive at equality in the Government she is compelled to support and obey. In the making or executing of no law, however deeply her womanly interest or happiness may be involved, can she bear a part. She is found guilty, not of a crime, not of a color, but of a sex; and all her appeals to courts or communities for equality and justice, are in vain, even in this democratic and Christian Republic. She is a native, free-born citizen, a property-holder, taxpayer, loyal and patriotic. She supports herself, and in proportionable part, the schools, colleges, universities, churches, poor-houses, jails, prisons, the army, the navy, the whole machinery of government; and yet she has no vote at the polls, no voice in the national councils. She has guided great movements of philanthropy and charity; has founded and sustained churches; established missions; edited journals; written and published invaluable treatises on history and economy, political, social, and moral, and on philosophy in all its departments; filled honorably professors' chairs; governed nations; led armies; commanded ships; discovered and described new planets; practiced creditably in the liberal professions; and patiently explored the whole realm of scientific research; and yet, because in life's allotment she is *female*, not male, *woman*, not man, the curse of inferiority cleaves to her through all her generations. Eden's anathema was to be removed on the coming of the second Adam; and in the new dispensation there was to be neither male nor female. Jewish outlawry from all the nations, continuing through almost twenty centuries, is repealed by common consent among all civilized governments. Nor does the curse of eternal attainder longer blast the Ethiopian race to degradation and slavery, through Canaan's sin and shame. But where shall woman look for her redemption in this auspicious hour, when new dawns of liberty, new sunrises of human enfranchisement are illumining the world? A man once said, "where liberty is, there is my country." But on what continent or island, or in what vast wilderness shall woman find a nationality where she shall be taxed to support no government she did not aid in making, obey no law she did not help to enact, nor suffer any penalty until adjudged, by a jury, in part at least, of her peers? True, her privileges in some States have been, after long struggle and conflict, enlarged and increased. Like the Southern freedmen, she has had her Civil Rights bill. But all this is compatible with the Dred Scott decision itself. The power that gives can take away; but of that power woman is no part. Mr. Sumner says, "The ballot is the one thing needful to the emancipated slave." Without it, he declares, his liberty is but an illusion, a jack-o'-lantern which he will pursue in vain. Without the ballot, he reiterates, the slave becomes only sacrifice. And shall it not also be pre-eminently so with woman? Formed by Almighty power a little lower than the angels, her ruling lords and masters have, by legislative proscription, plunged her not a little but immeasurably below myriads of the human race, whose only boast or claim is, that for some inscrutable reason they were so constituted as to stand *men* in the tables of the census.

[Pg 918]

In the American Equal Rights Association, it is determined to prosecute an agitation which shall wake the nation to new consciousness of the injustice long inflicted and still suffered through proscriptive distinctions on account of sex and complexion. To the industrial, hard-toiling, property-producing, family-supporting women, this appeal is made to come to the rescue of their own long-lost rights. In New York the angel of a Constitutional Convention is soon to stir the waters. Let all who need healing hasten to the baptism. Nor is it one of the least cheering signs that multitudes of the intelligent women of the country are fast waking to a full

[Pg 919]

consciousness of the wrongs they suffer. Even the war has taught invaluable lessons on the dignity and worth of woman in a thousand new spheres. Our Florence Nightingales have not been one, but many, yea thousands. Woman as well as the freedman saved the nation in its hour of peril, and invested herself with new dignity demanding new distinction. Now emphatically is her hour. But no comparison need be instituted, none surely should be urged, as to whose is the paramount claim. The great clock of humanity has struck the hour, and its tones are ringing across the continents, reverberating as well among the Alps as the Alleghenies, and mingling sweet music in both the hemispheres. We are coming to the rescue of justice and right, girded with the panoply of a divine and holy cause, and Omnipotence is pledged in our behalf. We propose to organize Equal Rights clubs or committees in every city, town, and village; to hold meetings for discussions and lectures; to circulate tracts and petitions, and to raise funds to enable the Association to carry forward its work for educating the popular sentiment. We shall endeavor to enlist the pulpit and the press. Truth, justice, reason, humanity, must and will triumph. Already a host is on our side, and our principles can never be defeated. The prospect before us is full of encouragement, and we confidently submit our enterprise to the heart and hand of a waiting and expectant people.

LETTERS TO THE MAY ANNIVERSARY OF 1867.

LAWRENCE, KANSAS, *May 6, 1867.*

MY DEAR MISS ANTHONY:—I hope your Convention will not fail to set in its true light the position of those editors in New York who are branding as the "infamous thirteen" the men who, in the New Jersey Legislature, voted against negro suffrage, while they themselves give the whole weight of their journals against woman's right to vote. They use the terms "universal and impartial suffrage," when they mean only negro suffrage; and they do it to hide a dark skin and an unpopular client. They know that a "lie will keep its throne a whole age longer if it skulks behind the shadow of some fair seeming name." In New Jersey a negro father is legally entitled to his children, but no mother in New Jersey, black or white, has any legal right to her children. In New Jersey a widow may live forty days in the house of her deceased husband without paying rent, but the negro widower, just like the white widower, may remain in undisturbed possession of house and property. A negro man can sell his real estate and make a valid deed, but no wife in that State can do so without her husband's consent. A negro man in New Jersey may will all his property as he pleases, but no wife in the State can will her personal property at all, and if she will her real estate with her husband's consent, he may revoke that consent any time before the will is admitted to probate, and thus render her will null and void. The women of New Jersey went to the Legislature last winter on their own petition, for the right of suffrage. Twenty-three members voted for them, thirty-two voted against them. But the editors who now find unmeasured words to express their contempt for the "infamous thirteen" who voted against the negro, were as dumb as death when this vote was cast against woman. The Washington correspondent of the New York *Tribune* says that Charles Sumner and Thaddeus Stevens give it as their opinion that New Jersey will not have a republican form of government until they put the word "white" out of their Constitution. Do these gentlemen mean to say that when New Jersey has given her 8,000 negro men the vote she will have a republican form of government, while 134,000 women of that State are still without it? and not only without it, but blasted by laws which are a disgrace to the civilization of the age; and of these laws not one afflicts or affects the negro man. The rebels who starved our brave boys in Andersonville, and made ornaments of their bones, these men, traitors, guilty of the highest crime known to our laws, are to be punished by having their right to vote taken away. Of what crime are American women guilty that they are to be compelled to stand on a political platform with such men as these? Let no man dream that national prosperity and peace can be secured by merely giving suffrage to colored men, while that sacred right is denied to millions of American women. That scanty shred of justice, good as far it goes, is utterly inadequate to meet the emergency of this hour. Men of every race and color may vote, but if the women are excluded our legislation will still lack that moral tone, for want of which the nation is to-day drifting toward ruin. There is no other name given by which the country can be saved but that of woman. "Governments derive their just powers from the consent of the governed." Women are governed, negroes are governed, and should give their consent. Will men never learn that a principle which God has made true He has also made it safe to apply? Aye, more, that a principle He has made true, it is not safe not to apply? The problem for the American statesmen to-day is no narrow question of races, but how to embody in our institutions a guarantee for the rights of every citizen. The solution is easy. Base government on the consent of the governed, and each class will protect itself. Put this one great principle of universal suffrage, irrespective of sex or color, into the foundation of our temple of liberty, and it will rise in fair and beautiful proportions, "without the sound of a hammer or the noise of any instrument," to stand at last "perfect and entire, wanting nothing." Omit it, and only "He who sees the end from the beginning" knows through what other national woes we must be driven, before we learn that the path of justice is the only path of peace and safety.

[Pg 920]

LUCY STONE.

BOSTON, *May 5, 1867.*

To the American Equal Rights Association:

Although not permitted to be present with you, yet, in spirit, I join you in all your efforts to secure justice and equality to all the children of God. I have so long felt deeply upon the subjects before you, that I wish to add my word to the voices of those who are more fortunate in being present. Since I was old enough to think upon important subjects, I have constantly felt the pressure of injustice that has borne so heavily upon my sex. At sixteen I earnestly desired to enter some college, that I might have the benefit of those helps to learning which were open to all boys, and I deeply felt the cruelty and injustice that closed the doors of the universities to me, who was longing and thirsting for knowledge, while they were invitingly open to the youth of the other sex, who often only used them to waste their time and give them the name of educated men. I could see no reason for this exclusion, nor could I imagine how it would harm any one to allow girls who desired to learn the privilege of going to the universities.

My next personal experience of the injustice done to women by the laws was, when a widow, I buried one of my little daughters, and found that I, who had borne her and nursed her and provided for all her wants, was not her heir, but her little sister, who had done nothing for her, and was still dependent on me for care, etc. This I felt very keenly, not on account of the property involved, for it was but little, but on account of the great injustice done to my maternal heart. My next personal lesson in the law's iniquity was, when about to marry the second time, both myself and husband desired to secure to me the property I possessed. I employed a great lawyer in Maine, Gov. Fessenden, the father of one of our senators, to make an instrument that would secure that end. After thinking on the subject a week, and doing the best he could, he handed me the paper, saying, "I

have done my best; but I can not assure you that this instrument will secure to you your property if your husband should ever become insolvent!" This surely astonished me. The law not only did not protect women in their property rights, but did so much to prevent their getting or keeping them, that an able lawyer could not frame an instrument that would secure them even when signed by their intended husbands before marriage! This was more than thirty years ago, and some improvements have since been made in the laws in reference to women.

The next great wrong that pressed heavily upon me was when I again became a widow. I found myself yearly taxed for State and county, and later for revenue, without a voice in anything that concerned the raising of money, or in any of the elections to office in the great struggle that our country was passing through. With all the deep feeling of my brethren, a clear appreciation of the all-important issues at stake, and an intensely painful knowledge of the sin of slavery and its concomitant evils, I could not cast a vote in favor of the right, but must look on with folded hands, and give my money to support the Government, without a chance of giving it an impetus, however slight, in the direction of justice and liberty! In view of all these wrongs, I felt that the women of America had as just cause for rebellion against the Government as our fathers had against the British Government when they resisted, on the ground that taxation and representation were one and inseparable. The three great desires of my life have been: That the halls of learning should be universally open to all souls who desire to enter them; that the property rights of all, without regard to sex, color, or race, should stand on the same foundation, and be equal; that every person twenty-one years old, who is a citizen of the United States, should have the ballot, unless disfranchised by crime, idiocy, or insanity. When these three things are granted, all else will follow in due time. But until these things are assured to the citizens of America, our Government presents the anomaly of being professedly founded upon the consent of the governed, and yet shutting out two-thirds of its citizens from all voice in it.

[Pg 921]

MERCY B. JACKSON, M.D.

CHICAGO, *March 22, 1867.*

DEAR MISS ANTHONY:—I feel that I must do something for the "Woman's Suffrage" movement in the West. There is much interest here concerning it, but no movement is yet made. Matters are being prepared, and when the movement is made in the West, it will sweep onward majestically. Kansas and Iowa will first give women the right to vote before any other States, East or West. "Man proposes, but God disposes." I have always had a theory of my own concerning this suffrage question. Ever since I began to think of it, and that has been since Dr. Harriot Hunt's first protest against woman being taxed when she had no representation, I have believed that, in my day, woman would vote. But I have thought they would first obtain the right to work and wages, and that the right to vote would naturally follow. For woman's right to work and wages I have labored indefatigably. But I see that my plan is not God's plan. The right to vote is to come first, and work and wages afterwards, and easily. I "stumped" the Northwest during the war. Two women of us, Mrs. Hoge and myself, organized over 1,000 Aid Societies, and raised, in money and supplies, nearly \$100,000 for the soldiers; and to do it, we were compelled to get people together in masses, and tell our story and our plans, and make our appeals to hundreds at a time. So I can talk here, and can help you here, when you are ready to lead. In the meanwhile, I have begun to work for the cause through my husband's weekly paper, which has a large circulation in the Northwest. I have announced myself as henceforth committed to the cause of woman suffrage, and have become involved, instanter, in a controversy on the subject. I am associate editor of the paper, and have been these dozen years. I have just completed a reply to an objector to the doctrine, which goes into this week's issue. In my way, I am working with you. I have always believed in the ballot for woman at some future time—always, since reading Margaret Fuller's "Woman in the Nineteenth Century," which set me to thinking a quarter of a century ago. Boston is my native city, and I lived there till my marriage, and had one or two talks with Theodore Parker which helped me wonderfully.

Yours truly,

MARY A. LIVERMORE.

TOPEKA, KANSAS, *April 5, 1867.*

DEAR MADAM:—We are now arranging for a thorough canvass of our State for impartial suffrage, without regard to sex or color. We are satisfied that an argument in favor of colored suffrage is an argument in favor of woman suffrage. Both are based upon the same principle. It is the doctrine of our fathers "that governments derive their just powers from the consent of the governed." We "white men" have no right to ask privileges or demand rights for ourselves that we are unwilling to grant to the whole human family. There never has been, and never can be, an argument, based upon principle, against colored or woman suffrage. Sneers and attempts at ridicule are not arguments. Henry B. Blackwell, of New Jersey, and Mrs. Lucy Stone, are now canvassing our State for impartial suffrage. Some of the most eminent men and women of the United States have been invited, and promised to visit our State this summer and fall; and we shall succeed. Kansas will be free, and occupy the proudest place, in all time to come, in the history of the world.

[Pg 922]

We desire to extend our meetings to every neighborhood in Kansas; reach, if possible, the ear of every voter. For this purpose we must enlist every home speaker possible. We shall arrange series of meetings in all parts of the State, commencing about September 1st, and running through September and October. We desire speakers to advocate the broad doctrine of impartial suffrage, but welcome those who advocate either. Those who desire colored suffrage alone, are invited to take the field; also those who favor only female suffrage. Each help the other. I am instructed by the State Impartial Suffrage Executive Committee to ask you to aid us, and speak at as many of our meetings as possible. Please answer at once, and let us know how much time you can spend in the campaign, and what part of the State you prefer to speak in.

Yours truly,

S. N. WOOD,

Cor. Sec'y Kansas Impartial Suffrage Association.

BANGOR, ME., *May 9, 1867.*

DEAR MISS ANTHONY:—I should be truly glad to attend the Annual Meeting; but, as you see, I am far from New York. Mr. Davis and I are at work in another part of the great field of progress. While you and your noble friend, Mrs. Stanton, are endeavoring to move the adult population of our nation to just and righteous action, we are striving to establish on earth the beginning of the kingdom of heaven, by instituting a new and true

method of moral and spiritual or religious education for the children and youth of the New Dispensation. Spiritualism, as a religious movement, has done more than any previous dispensation to give woman an equal career with man; and we trust that, through the influence of the "Children's Progressive Lyceums," the youth in our midst, rapidly advancing to the stage of action, will form a powerful phalanx on the side of "Equal Rights" and the elevation of humanity.

Yours fraternally,

MARY F. DAVIS.

BUFFALO, April 14, 1867.

DEAR MRS. STANTON:—I thank you for your kind note.... I pray that God will bless you in the noble work you are in, and that woman will soon be admitted to her proper place where God intended she should be, and from which to exclude her must, like any other great wrong, bring misery and sorrow to the race.

Sincerely your friend,

RUFUS SAXTON.

148 MADISON AVENUE, SUNDAY EVE., April 14, 1867.

MY DEAR MRS. STANTON:—your invitation to me to lift my voice at your Annual Convention in behalf of the cause for which you have worked so faithfully and so long, and, let me add, so efficiently, was duly received; but I have an universal excuse for neglect of duty in the multitudinous professional engagements that absorb my life and strength. Believing in the justice of your cause, and that better laws and better order would bless our race could they be submitted to the arbitrament of woman, I yet am not able, individually, to give the time to it now which would be requisite for an adequate public presentation of its claims, but must content myself with only such passing words of cheer as the moment calls forth in the daily intercourse of life. I am grateful that you thought me competent to advocate so great a principle; but he would be a bold man who would attempt to add anything to the masterly effort of Mr. Beecher at the last Convention.

I am, as of old, your friend,

LUTHER R. MARSH.

148 MADISON AVENUE, April 14, 1867.

DEAR MRS. STANTON:—Please accept the trifle enclosed, \$20, as a token of my friendship to the good cause, whose mighty burden of enlightenment is to hold the growth of future cycles with an all-controlling destiny. I am glad to see that those who have been willing to wear the sackcloth and ashes are beginning to receive the crowns of the olive and the bay upon their consecrated heads. Many will find it very agreeable, now, to sail in upon the sunny and ardent tide of the rippling river, forgetting that once it was a darksome, sluggish stream, not pleasant to launch forth upon. My father's^[208] early championship of a despised cause taught me to hold very sacred those pioneers in holy efforts, which to embrace was to suffer the pangs of a daily martyrdom.

[Pg 923]

Your friend, as of old,

JEANNIE MARSH.

May 29, 1867.

It is foolish to say that the advocates of the "Woman Movement" demand "special legislation" for woman, or desire to array her in hostility to man. It is the enemies of this movement who have made special legislation necessary, since they declare woman not to be the equal of man. We desire nothing but one common law alike for each, with woman holding the ballot, not as the enemy, but as the peer and friend of man.

ANNA E. DICKINSON.

KENOSHA, WIS., May 1, 1868.

I saw your notice of the meeting of the American Equal Rights Association in that banner of freedom, the Boston *Investigator*. A thousand times I wish you success. We, in this State, intend to make a determined fight next year for female suffrage. The resolution submitting it to the people passed the Assembly and Senate by more than two to one (57 against 24. and 19 against 9); yet you must not suppose that our cause is so favorable as that. I send a few extracts, copied from the Racine *Advocate*; and to that number I am pleased to add the Milwaukee *News*, the leading Democratic paper of the State. Mr. Sholes, one of the leading Republicans of the State (elector on the last Presidential ticket), is warmly in support of your cause. Certainly the great car of progress is under motion, and no bigoted, conservative fogysim can long stay its progress. In the meantime, I really hope to see some of your best speakers in the Wisconsin field before the election of 1868. Where can I get some pamphlets containing the best arguments for universal suffrage? Go bravely on. Let not the scoffs and sneers of the low, mean, and vulgar intimidate, defeat, or discourage you.

Most respectfully,

R. F. MILLS.

ACKNOWLEDGMENTS.

Receipts at the Eleventh National Woman's Rights Convention, held in New York, May 10, 1866.

Abby Hutchinson Patton	\$50 00	Mrs. F. Knapp	\$1 00
Jessie Benton Fremont	50 00	Mary M. Bingham	1 00
Mrs. C. Lozier, M.D.	20 00	Harriet Clisby	1 00
James and Lucretia Mott	10 00	Sarah E. Payson	1 00
Anna Densmore, M.D.	10 00	Christiana T. Wallace	1 00
Margaret E. Winchester	5 00	D. J. H. Wilcox	1 00
Eliza Wright Osborn	5 00	Albert O. Wilcox	1 00
Martha C. Wright	8 00	J. H. H. Wilcox	1 00
Gerrit and Nancy Smith	10 00	Frances D. Gage	1 00
Elizabeth Smith Miller	5 00	Louisa Humphrey	1 00

C. C. Williams	2 00	A. M. Odell	1 00
S. R. Ferris	50	Dr. J. E. Snodgrass	1 00
Mrs. L. M. Ward. M.D.	2 00	Gustavus Muller	1 00
M. P. Allen	1 00	Charles Lenox Remond	1 00
M. A. Halsted	1 00	Mary Curtis	1 00
Mrs. J. B. Mix	1 00	Jane P. Thurston	1 00
H. Phelps	1 00	Martha T. Ketchum	1 00
J. H. Smith	1 00	Sarah H. Hallock	1 00
Frances V. Hallock	1 00	Elizabeth Barton	1 00
Ella M. Clymer	1 00	Mrs. Geo. C. White	1 00
Sarah S. White	1 00	A. Raymond	1 00
Cordelia Curtis	1 00	Susan M. Davis	1 00
Mrs. D. T. Tompkins	1 00	A. M. Powell	1 00
Josephine S. Griffing	1 00	General collection	46 50

Receipts at the Equal Rights Convention, held at Boston, May 27, 1866.

[Pg 924]

Anna E. Dickinson	\$100 00	Sarah H. Young, M.D.	\$5 00
E. D. and Anna F. Draper	50 00	M. E. Woods	1 00
Geo. J. and Mary B. H. Adams	20 00	M. E. Jameson	1 00
Mr. and Mrs. A. M. McPhail	20 00	C. F. Haywood	1 00
Anna Davis Hallowell	10 00	H. A. Comly	2 00
C. Prince	5 00	Anna R. Southwick	1 00
Mrs. M. P. Snow	5 00	H. E. Sawyer	1 00
Caroline M. Severance	5 00	Richard Plummer	1 00
R. H. Ober	4 00	R. Howland	1 00
Mrs. L. Prang	1 00	S. R. Duzen	1 00
A. E. Heywood	2 00	F. A. Green	5 00
Parker Pillsbury	1 00	D. B. Morey	1 00
Mrs. E. D. Cheney	1 00	J. Wetherbe	1 00
L. H. Ober	1 00	Isaac H. Marshall	1 00
Mrs. M. H. Prince	3 00	Maria B. Clapp	1 00
John T. Sargent	2 00	J. E. Bruce	50
R. P. Hallowell	2 00	A. J. Patterson	50
Mrs. C. A. Baker	1 00	Cash	3 05
E. H. Merrill	1 00	T. B. Rice	50
Maria S. Page	2 00	Cash	1 00
Mary C. Shannon	50	Frances H. Drake	1 00
N. Allen	1 00	Kate C. Atkinson	50
S. Reynolds	50	Wilmot Wilson	1 00
R. T. Greene	50	Cash	50
M. Halliburton	50	Mary C. Sawyer	2 00
Harriet A. Foster	2 00	Elizabeth Mendum	5 00
A. B. Morey	50	H. W. Carter	50
C. S. Perry	50	L. F. Lalve, M.D.	50
A. S. Sisson	50	K. E. Walker	50
S. Boynton	50	Charles K. Whipple	1 00
Henry Abbott	2 00	Ruth Buffum	1 00
Lewis Ford	1 00	S. Cheney	50
Sarah J. Nowell	1 00	K. C. Atkins	50
Friend	35	Elizabeth M. F. Denton	5 00
Col. Wm. B. Green	5 00	H. N. Green	50
R. H. Morrill	2 00	M. E. Steward	1 00
Mrs. M. A. Dotcher	1 00	Margaret N. Wood	1 00
M. C. Wolson	1 00	Cash	2 50
Mary Willey	50	Kate Reynolds	2 00
Cash	1 15	John L. Whiting	1 00
Abby H. Stephenson	5 00	Universal Suffrage	1 00
Lewis McLaughlin	1 00	M. E. Darey	1 00
Mrs. S. D. Young	3 25	General collection	41 00

Receipts from June 1, 1866, to May 1, 1867.

Levi Coates	\$1 00	Job Parker	5 00
Mrs. A. C. L. Hyde	1 00	Aaron Stedman	1 00
Jane Voorhees	25 00	Mrs. B. P. Markham	50
Harriet V. Rice	10 00	Mrs. D. F. Rogers	50
Mary F. Gilbert	1 00	Emily Rogers	50
F. A. Hinckley	1 50	Maggie Clemmer	25
Louisa Frost	2 00	James Eaton	1 00
M. B. Linton	10 00	Addison B. Tuttle	1 00
Olympia Brown	5 00	Anna H. McAvoy	25
Mary E. Ranks	1 00	Isadore Harrison	25
Mary E. Deuls	2 00	Joseph A. Sherman	1 00
Sarah H. Hallock	50	Frank Conway	25

Dansville E. R. Association (per James		Mary Jackson	25
C. Jackson, M.D.)	105 00	J. D. Cook	50
Gerrit Smith	100 00	J. G. Howe	2 00
James and Lucretia Mott	53 00	R. Lippis	50
C. S. Lozier, M.D.	50 00	H. W. Hale	25
Samuel E. Sewall	40 00	William Litch	50
Sinclair Tousey	10 00	Sarah Willis	1 00
G. P. Lowrey	10 00	Mrs. E. B. Judson	10 00
Dr. Dio Lewis	5 00	S. J. May	5 00
Martha C. Wright	5 00	Joseph Savage	5 00
Eliza W. Osborn	5 00	H. Delano	5 00
E. V. Dickey	6 00	T. G. White	3 00
Edward M. Davis	5 00	Dr. H. S. Sparks	2 00
Matilda E. J. Gage	5 00	Mr. and Mrs. L. Spalding	2 00
E. D. Hudson	5 00	J. M. Wieting	2 00
Mrs. W. H. Williams	5 00	Sarah Smith	1 00
Anna Willets	5 00	J. N. Holmes	1 00
Emily Jaques	5 00	M. Merrick	1 00
Sarah E. Wall	5 00	Charles D. B. Mills	1 00
James Freeman Clarke	5 00	A. P. Brown	50
Parker Pillsbury	4 00	Mrs. F. L. Brown	50
Mrs. S. M. Doty	3 00	E. C. Lewis	1 00
Mary Grew	2 00	Mrs. L. H. Hinsdale	50
Sarah Pugh	2 00	Mrs. B. Brook	25
Margaret J. Burleigh	2 00	C. A. Abbott	25
Geo. H. Sisson	3 00	Fayette Clark	50
E. G. Folsom	2 00	Priscilla Clark	50
Joseph Carpenter	2 00	Louisa J. Phelps	1 00
Susan Ormsby	1 00	Lydia P. Savage	1 00
Frances Ellen Burr	1 00	Mrs. Charles B. Sedgwick	1 00
J. D. Stephenson	1 00	Mary A. Horton	25
Paulina Gerry	1 00	J. T. Williams	25
J. H. Root	1 00	Mrs. G. G. Sperry	50
Mrs. Avery	1 00	A. D. Waters	25
Martha Pierce	1 00	S. Brewer	50
James Pierce	1 00	H. C. Todd	25
A Friend	1 00	C. G. Alton	50
Equal Rights	1 00	Mrs. L. A. Strowbridge	3 00
Mrs. C. S. Lozier, M.D.	10 00	Martha C. Wright	5 00
Mrs. E. Sanderson	5 00	Eliza W. Osborn	5 00
Isaac Sherwood	5 00	Mrs. Dr. Hall	1 00
Mrs. P. L. Upham	5 00	Abby Thayer Chase	50
John B. Bassett	2 00	Philadelphia E. R. Convention	28 00
H. T. Douley	1 00	Esther Cole	1 00
Sarah F. Rice, M.D.	1 00	L. Kelsey	1 00
Joseph Post	1 00	J. S. Northrup	2 00
Huldah S. Warrington	1 00	Mrs. A. Leaton	1 00
Mary Styles	1 00	Samuel Sutton	50
M. Parish	25	Caroline Thompson	2 00
Mrs. Field	50	Elizabeth M. Atwell	2 00
Martha Hudson	1 00	Jacob and Eliza Powell	10 00
Sarah E. Jonhonet	1 00	Zenus Brackett	10 00
John Lancaster	1 00	Mrs. Judge Owen	1 00
Dr. and Mrs. A. L. Ward	2 00	Margaret Vanderpool	75
Frances E. Smith	1 00	James McEntee	5 00
Mrs. Whitley	1 00	H. M. Crane	3 00
Mrs. D. B. Hontz	50	James G. Lindsley	1 00
J. Sinclair	50	Walter B. Crane	1 00
Anna Rice Powell	1 00	Horatio Falks	1 00
Mrs. Mix, M.D.	50	J. E. Lasher	1 00
Alice Hall	50	Mrs. Vantassell	1 00
Ella Clymer	1 00	Jonathan Buffum	10 00
Linda Dietz	1 00	Luther Melendy	5 00
Mrs. Dietz	50	Anson Lapham	40 00
Dr. James Burson	25	Mary S. Moses	3 00
L. A. Van Cort	25	Mrs. Oliver Dennett	10 00
William Russel	1 00	Mr. Armstrong	5 00
Sarah B. Perry	50	Elisabeth J. Vail, M.D.	1 00
D. H. Hoffman	50	Matilda T. Saxton	5 00
P. A. Neale	50	Rosanna Thompson	2 00
Edward Kingsley	2 00	Helen Philleo	1 00
Fanny M. Callow	2 00	James Halleck	1 10
L. Jenny Kellogg	1 00	P. H. Boyce	50
Caroline H. Sherwood	1 00	Ellis Ellis	1 00

Delia A. Barker	1 00	Charlotte M. Schofield	25
Gustavus Muller	3 00	John Cadawalder	10
William L. Jaycox	25	David Perry	25
E. P. Bailey	50	Le Grand Marvin	1 00
M. Newth	1 00	J. Van Vleck	1 00
Cynthia DeLong	5 00	Cyrus P. Lee	1 00
John Castor	25	Aaron R. Vail	2 00
W. R. and M. H. Hallowell	5 00	E. Cumming	31
Mary B. F. Curtis	5 00	Mrs. J. Watson	5 00

Receipts at the First Anniversary, May 9 and 10, 1867.

Elizabeth B. Chace	\$25 00	Lydia Mott	25 00
Parker Pillsbury	25 00	Mrs. P. H. and M. Jones	25 00
Mrs. Luther Marsh	20 00	Susan B. Anthony	50 00
Cora A. Syme	10 00	A. Noble, Sr.	1 00
Two Ladies, \$5 each	10 00	C. B. Halsart	1 00
Frances D. Gage	13 00	E. Underhill	1 00
Samuel J. May	10 00	A. M. Powell	1 00
L. Francis	10 00	J. E. Snodgrass	1 00
Westchester E. R. Association (per E. A. Studwell)	15 00	Mrs. Hibbard	1 00
Nellie Lord	1 00		
Jane Clegg	15 00	D. B. and A. Morey	1 00
Joseph and Mary Post	10 00	R. Salmon	1 00
Charlotte D. Lozier, M.D.	5 00	Adolphus O. Johnson	1 00
Elizabeth W. Brown	5 00	Levi K. Joslin	1 00
Oliver Johnson	5 00	Mary F. Davis	1 00
A. O. Willcox	5 00	Wm. P. Bolles	1 00
J. K. H. Wilcox	5 00	Cash	1 00
E. Cummings	5 00	E. Ostrander	1 00
Mary C. Sawyer	5 00	Esther Titus	1 00
J. C. Fergusson	5 00	L. B. Humphrey	1 00
Fred. H. Hernan	5 00	Martha Hudson	1 00
Harry H. Hall	5 00	Susan M. Davis	1 00
Charles P. Somerby	5 00	Sojourner Truth	1 00
Robert J. Johnston	5 00	T. M. Newbold	1 00
Mrs. S. M. Chickering	5 00	M. E. Woodson	50
J. Miller McKim	5 00	Mrs. M. Johnson	50
Sarah E. Wall	3 00	Ann Ellsworth Hunt	50
R. F. Hudson	2 00	L. Blake	50
Mrs. Gayno	2 00	J. L. Langworthy	50
Mrs. Dodge	2 00	T. B. Pierce	50
Mrs. L. Francis	2 00	Esther C. Pierce	50
Mrs. Elmer Stone	2 00	E. Campbell	50
Hannah W. Bell	2 00	M. H. McKinnon	50
S. S. Foster	1 00	Mrs. J. B. Mix, M.D.	50
Mrs. Brown	5 00	Samuel D. Moore	25
T. W. Higginson	1 00	M. P. Allen	25
S. D. White	1 00	R. Williams	25
Cash	1 00	P. E. Kipp	25

[Pg 926]

Pledges.

Anna E. Dickinson	\$100 00	Mrs. C. E. Collins	5 00
Margaret E. Winchester	100 00	Euphemia Cochrane	5 00
A. O. Wilcox	55 00	Melissa Johnson	5 00
C. and M. H. Prince	25 00	W. F. Douley	2 00
Gillis, Harney & Co.	25 00	Mrs. H. P. Baldwin	1 00
H. Hart	20 00	Dr. Chavau	1 00
D. B. and A. B. Morey	20 00	S. A. Turner	1 00
John Smith	10 00	Dio Lewis, M.D.	50 00
C. F. Wallace	5 00	R. C. Browning	30 00
C. E. Reason	5 00	George H. Taylor, M.D.	5 00

SOJOURNER TRUTH ON THE PRESS.

TO THE EDITOR OF THE WORLD:—We have had the pleasure of entertaining Mrs. Stowe's "Lybian Sybil" at our home for the last week, and can bear our testimony to the marvelous wisdom and goodness of this remarkable woman. She was a slave in this State for forty years, and has devoted forty years of freedom to the best interests of her race. Though eighty years of age, she is as active and clear-sighted as ever, and "understands the whole question of reconstruction, all its 'quagmires and pitfalls,' as she says, as well as any man does."

The morning after the Equal Rights Convention, as the daily journals one by one made their appearance, turning to the youngsters of the household, she said: "Children, as there is no school to-day, will you read Sojourner the reports of the Convention? I want to see whether these young sprigs of the press do me justice.

You know, children, I don't read such small stuff as letters, I read men and nations. I can see through a millstone, though I can't see through a spelling-book. What a narrow idea a reading qualification is for a voter! I know and do what is right better than many big men who read. And there's that property qualification! just as bad. As if men and women themselves, who made money, were not of more value than the thing they made. If I were a delegate to the Constitutional Convention I could make suffrage as clear as daylight; but I am afraid these Republicans will 'purty, purty' about all manner of small things week out and week in, and never settle this foundation question after all." Sojourner then gathered up her bag and shawl, and walked into the parlor in a stately manner, and there, surrounded by the children, the papers were duly read and considered. The *Express*, the *Post*, the *Commercial Advertiser*, the *World*, the *Times*, the *Herald*, the *Tribune*, and the *Sun*, all passed in review. The *World* seemed to please Sojourner more than any other journal. She said she liked the wit of the *World's* reporter; all the little texts running through the speeches, such as "Sojourner on Popping Up," "No Grumbling," "Digging Stumps," "Biz," to show what is coming, so that one can get ready to cry or laugh, as the case may be—a kind of sign-board, a milestone, to tell where we are going, and how fast we go. The readers then call her attention to the solid columns of the other papers, and the versification of the *World*. She said she did not like the dead calm. She liked the breaking up into verses, like her songs. That is a good thing; it gives the reporter time to take breath and sharpen his pen, and think of some witty thing to say; for life is a hard battle anyway, and if we can laugh and sing a little as we fight the good fight of freedom, it makes it all go easier. "But, children, why did you not send for some of those wicked Democratic papers that abuse all good people and good things." "They are all here," said the readers in chorus. "We have read you all the Republicans and the Democrats say." "Why, children, I can't tell one from the other. The millennium must be here, when one can't tell saints from sinners, Republicans from Democrats. Is the *World* Horace Greeley's paper?" "Oh, no; the *World* is Democratic!" "Democratic! Why, children, the *World* does move! But there is one thing I don't exactly see; if the Democrats are all ready to give equal rights to all, what are the Republicans making such a fuss about? Mr. Greeley was ready for this twenty years ago; if he had gone on as fast as the Democrats he should have been on the platform, at the conventions, making speeches, and writing resolutions, long ago." "Oh," said some one of larger growth, "Mr. Greeley is busy with tariffs and protective duties. What do you think, Sojourner, of free trade? Do you not think if England and France have more dry-goods than they want that they had better send them to us, and we in turn send them our fruits and flowers and grains; our timber, iron, fish, and ice?" "Yes, I go for everything free. Let nature, like individuals, make the most of what God has given them, have their neighbors to do the same, and then do all they can to serve each other. There is no use in one man, or one nation, to try to do or be everything. It is a good thing to be dependent on each other for something, it makes us civil and peaceable. But," said Sojourner, "where is Theodore Tilton's paper?" "Oh, the *Independent* is a weekly, it came out before the Convention." "But Theodore is not a weekly; why did he not come to the Convention and tell us what he thought?" "Well, here is his last paper, with a grand editorial," and Sojourner listened to the end with interest. "That's good," said she, "but he don't say woman." "Oh, he is talking about sectarianism, not suffrage; the Church, not the State." "No matter, the Church wrongs woman as much as the State. 'Wives, obey your husbands,' is as bad as the common law. 'The husband and wife are one, and that one the husband.' I am afraid Theodore and Horace are playing bo-peep with their shadows. Did you tell me that Mr. Greeley is a delegate to the Constitutional Convention?" Yes, and I hope that he will soon wake up to the fact that the Democrats are going ahead of him, and instead of writing articles on 'Democracy run mad,' on tariffs and mining interests, it behooves him to be studying what genuine republicanism is, and whether we are to realize it in the Empire State this very year or not. "Speaking of shadows," said Sojourner, "I wish the *World* to know that when I go among fashionable people in the Church of the Puritans, I do not carry 'rations' in my bag; I keep my shadow there. I have good friends enough to give me clothes and rations. I stand on principle, always in one place, so everybody knows where to find Sojourner, and I don't want my shadow even to be dogging about here and there and everywhere, so I keep it in this bag." "I think," said one of the group, "the press should hereafter speak of you as Mrs. Stowe's Lybian Sybil, and not as 'old church woman.'" "Oh, child, that's good enough. The *Herald* used to call me 'old black nigger,' so this sounds respectable. Have you read the *Herald* too, children? Is that born again? Well, we are all walking the right way together. I'll tell you what I'm thinking. My speeches in the Convention read well. I should like to have the substance put together, improved a little, and published in tract form, headed 'Sojourner Truth on Suffrage;' for if these timid men, like Greeley, knew that Sojourner was out for 'universal suffrage,' they would not be so afraid to handle the question. Yes, children, I am going to rouse the people on equality. I must sojourn once to the ballot-box before I die. I hear the ballot-box is a beautiful glass globe, so you can see all the votes as they go in. Now, the first time I vote I'll see if a woman's vote looks any different from the rest—if it makes any stir or commotion. If it don't inside, it need not outside. That good speech of Henry Ward Beecher's made my heart leap for joy; he just hit the nail right on the head when he said you never lost anything by asking everything; if you bait the suffrage-hook with a woman you will certainly catch a black man. There is a great deal in that philosophy, children. Now I must go and take a smoke!" I tell you in confidence, Mr. Editor, Sojourner smokes!

[Pg 927]

[Pg 928]

Yours respectfully,

E. C. S.

P. S.—She says she has been sent into the smoking-car so often she smoked in self-defense—she would rather swallow her own smoke than another's.

CHAPTER XIX.

THE KANSAS CAMPAIGN, 1867.

IMPARTIAL SUFFRAGE IN KANSAS—A VIGOROUS CANVASS ANTICIPATED.

St. Louis, April 3.

The *Democrat's* Topeka, Kansas, special says: "A large convention of those in favor of impartial suffrage is in session in this city. Lucy Stone and Dr. Blackwell, and delegates from different parts of the State are in attendance.

"An association has been formed for the purpose of canvassing the State thoroughly and distributing documents. The object is to carry the female suffrage clause as well as the negro. The officers of the association are Gov. Crawford, for President; Lieut. Gov. Green, for Vice-President; Judge S. N. Wood, for Corresponding Secretary; and an Executive Committee of fourteen, including such men as Chas. Robinson, J. P. Root, J. B. Abbot, Col. Moonlight, all the members of the Supreme Court, and other leading men of the State.

Arrangements are made to have the most prominent advocates of impartial suffrage from the East to stump the State. Money will be raised to conduct the fall campaign, which will probably be the most vigorously conducted of any which has yet taken place."

The *State Record*, Kansas, says: "The opponents of woman suffrage use the argument very freely that its advocates are not in favor of negro suffrage. This is wickedly and wilfully false. The most earnest and influential supporters of woman suffrage in the State are equally anxious to give the negro his rights, and Republicans, generally, will vote for both propositions. We hope none will be deceived by these false charges made by those who write and speak in the interest of saloons, and who to turn expect to be elevated to office through their agency. The most bitter and relentless and united efforts now making against woman suffrage, are by those who are devoting their lives to degrading men and women too, and we are sorry to see a few respectable men keeping them company, under the foolish impression that the movement originated and is carried on by those who aim to defeat negro suffrage. We earnestly hope the day is near at hand when all men and women everywhere will be allowed to exercise their political rights."

Extract from a letter written by Mrs. S. N. Wood for the Lawrence *Tribune*, May, 1867: "The women of Cottonwood Falls have passed through this horrid furnace of an election, and come out unscathed. Our laws require that a majority of all the legal voters in the district must vote to issue bonds to build a school-house, before bonds can be issued. As women were legal voters, to stay at home was to vote against bonds. The election had to be conducted exactly as other elections. It was a busy time; none of our men liked to leave their work to spend the day at the polls, so three women were chosen and qualified to act as judges. No guardians of the ballot-box ever acted with more ability or behaved with more propriety and dignity than they. There was not the least rudeness among the men; no brawling or swearing. Not a woman there lost a particle of refinement, or became a grain coarser, or neglected her family. Not one of the misguided women whose bad influences Mr. Reynolds, of the *Journal*, so much dreads, came to the polls. That kind of women, I judge, are literally opposed to women demoralizing themselves by voting. But if such lived in our district, and had offered to vote, I trust their votes would have been received and counted just the same as the votes of the men who support and encourage them in their wicked career. I never knew what men meant when talking about bonds, until I learned that I must vote on the subject. I wanted to vote intelligently; sought the requisite information; and I went to the polls feeling stronger and safer for that little knowledge gained. When I came home my little ones hailed me as lovingly as ever, and the same mother-love guided my hands for their comfort.

[Pg 929]

"In 1858, a 'woman's rights' man, in Kansas, believing that there should be a perfect equality as to property rights between men and women, wrote to Gerrit Smith, Wm. Goodell, Lucy Stone, and other advocates of woman's rights, asking them to send him a form of a law that would secure that object. Among others he received the framework of a law written by Lucy Stone. He wrote it over according to her pattern, and Lyman Allen introduced it into the Legislature. It became a law in February, 1859. The original in Lucy Stone's handwriting is yet in existence. The law is virtually the one that, to-day, on our statute book testifies to the honest sense of justice that their conflict with tyranny nurtured in our men in the early days of Kansas. It testifies to Lucy Stone's zeal in behalf of her sex."

The following address to the Southern people was largely circulated in Kansas during the spring campaign, by Mr. Blackwell.

WHAT THE SOUTH CAN DO.

HOW THE SOUTHERN STATES CAN MAKE THEMSELVES MASTERS OF THE SITUATION.

TO THE LEGISLATURES OF THE SOUTHERN STATES:—I write to you as the intellectual leaders of the Southern people—men who should be able and willing to transcend the prejudices of section—to suggest the only ground of settlement between North and South which, in my judgment, can be successfully adopted.

Let me state the political situation. The radical principles of the North are immovably fixed upon negro suffrage as a condition of Southern State reconstruction. The proposed Constitutional Amendment is not regarded as a finality. It satisfies nobody, not even its authors. In the minds of the Northern people the negroes are now associated with the idea of loyalty to the Union. They are considered citizens. They are respected as "our allies." It is believed in the North that a majority of the white people of the South are at heart the enemies of the Union. The advocates of negro suffrage daily grow stronger and more numerous.

On the other hand, a majority of the Southern white population are inflexibly opposed to negro suffrage in any form, universal or qualified, and are prepared to resist its introduction by every means in their power. In alliance with the President and the Northern Democracy, they protest against any and all terms of reconstruction, demand unconditional readmission, and await in gloomy silence the Republican initiative.

This absolute and growing antagonism can only end, if continued, in one of two results, either in a renewal of civil war, or in a concession by the South of political equality to the negro. But in case of war, the South can not possibly succeed. The North is to-day far stronger in men and money, in farms and factories, than she was in 1860. She is now trained to war, conscious of overwhelming strength, flushed with victory, and respected, as never before, by the nations of Europe. Moreover, she is much more united in political sentiment. Do not again deceive yourselves. If you should resort to arms, the North would be practically unanimous. The President would instantly be impeached and a radical successor appointed. The South has lost social unity with the loss of slavery. She can not fight better than before. And the braver her action, the more terrible would be her fate.

[Pg 930]

Gentlemen, these are facts—not theories. Wise men try to see things as they are, uncolored by opinion or preference. The interest of both North and South, since they must live together, is peace, harmony, and real fraternity. No adjustment can fully succeed unless it is acceptable to both sections. Therefore the statesman and patriot must find a common ground as a basis of permanent reconciliation.

Now the radicalism of the North is actual, organic, and progressive. Recognize the fact. But if "governments derive their just powers from the consent of the governed"—if "taxation without representation is tyranny"—and "on these two commandments hang all the (Republican) law and the prophets"—then these propositions are as applicable to women as to negroes. "Consistency is a jewel." The principle is so broad that, if you accept it in its entirety, you can afford to lead—not follow.

The population of the late slave States is about 12,000,000; 8,000,000 white, 4,000,000 black. The radicals

demand suffrage for the black men on the ground named above. Very good. Say to them, as Mr. Cowan said to the advocates of negro male suffrage in the District, "Apply your principle! Give suffrage to all men and women of mature age and sound mind, and we will accept it as the basis of State and National reconstruction."

Consider the result from the Southern standpoint. Your 4,000,000 of Southern white women will counterbalance your 4,000,000 of negro men and women, and thus the political supremacy of your white race will remain unchanged.

Think well of this. It is a calculation of the relative political influences of white women and of negroes which perhaps your people have not yet considered. Let us make the statement in figures. Estimating one male voter to every five persons, your present vote is:

White males	1,600,000
Add white females	<u>1,600,000</u>
Total white voters	3,200,000
Negro males	800,000
Negro females	<u>800,000</u>
Total negro voters	1,600,000

Suppose all the negroes vote one way and all the whites the other, your white majority would be 1,600,000—equal to your present total vote. Thus you would control your own State legislation. Meanwhile, your influence in the councils of the nation will be greater than ever before, because your emancipated slaves will be counted in the basis of representation, instead of as formerly, in the ratio of five for three. In the light of the history of your Confederacy, can any Southerner fear to trust the women of the South with the ballot?

But the propriety of your making the proposal lies deeper than any consideration of sectional expediency. If you must try the Republican experiment, try it fully and fairly. Since you are compelled to union with the North, remove every seed of future controversy. If you are to share the future government of your States with a race you deem naturally and hopelessly inferior, avert the social chaos, which seems to you so imminent, by utilizing the intelligence and patriotism of the wives and daughters of the South. Plant yourselves upon the logical Northern principle. Then no new demands can ever be made upon you. No future inroads of fanaticism can renew sectional discord.

The effect upon the North would be to revolutionize political parties. "Justice satisfies everybody." The negro, thus protected against oppression by possessing the ballot, would cease to be the prominent object of philanthropic interest. Northern distrust, disarmed by Southern magnanimity, would give place to the liveliest sentiments of confidence and regard. The great political desideratum would be attained. The negro question would be forever removed from the political arena. National parties would again crystallize upon legitimate questions of National interest—questions of tariff, finance, and foreign relations. The disastrous conflict between Federal and State jurisdiction would cease. North and South, no longer hammer and anvil, would forget and forgive the past. School-houses and churches would be our fortifications and intrenchments. Capital and population would flow, like the Mississippi, toward the Gulf. The black race would gravitate by the law of nature toward the tropics. The memory and spirit of Washington would be cherished; and every deed of genuine gallantry and humanity would be treasured as the common glory of the republic.

[Pg 931]

Do you say that Northern Republicans would not accept such a proposition? They can not avoid it. The matter is in your own hands.

In New Jersey (then a slave State) from 1776 to 1807, a period of thirty-one years, women and negroes voted on precisely the same footing as white men. No catastrophe, social or political, ensued. The following is an extract from the New Jersey election law of 1797:

"SEC. 9. Every voter shall openly and in full view deliver his or her ballot, which shall be a single written ticket containing the names of the person, or persons, for whom he or she votes," etc.

Your Southern Legislatures can extend suffrage on equal terms to "all inhabitants," as the New Jersey State Convention did in 1776. Then let the Republicans in Congress refuse to admit your Senators and Representatives, if they dare. If so, they will go under. Upon that issue fairly made up, the men of positive convictions would rally round the new and consistent Democratic party. The very element which has destroyed slavery would side with the victorious South, and "out of the nettle danger you would pluck the flower safety."

Respectfully yours,

HENRY B. BLACKWELL.

NEW YORK, January 15, 1867.

SUPPRESSED PROCEEDINGS.

The Republican State Central Committee met last week in Leavenworth. The Leavenworth papers published or pretended to publish the proceedings of the Committee, but suppressed an important portion. Fortunately, Mr. Taylor, the honest and able editor of the Wyandotte *Gazette*, is a member of the Committee, and was present at the meeting. From his paper we get the following that was for some cause or other suppressed:

"Mr. Taylor offered the following resolution:

"*Resolved*, That the Republican State Central Committee do not indorse, but distinctly repudiate, as speakers, in behalf and under the auspices of the Republican party, such persons as have defamed, or do hereafter defame, in their public addresses, the women of Kansas, or those ladies who have been urging upon the people of Kansas the propriety of enfranchising the women of the State.

"Whiting moved to lay the resolution on the table.

"Ayes—Whiting, Eskridge—2.

"Noes—Taylor—1.

"Taylor moved to strike the name of I. S. Kalloch from the list of speakers in the Republican State Canvass.

"Ayes—Taylor—1.

"Noes—Whiting, Eskridge—2.

PROTEST OF MR. TAYLOR.

"The undersigned, a member of the Republican State Central Committee of Kansas, protests against the action of the Committee this day had so far as relates to the placing of the names of I. S. Kalloch, C. V. Eskridge, and P. B. Plumb, on the list of speakers to canvass the State in behalf of Republican principles, for the reason that they have within the last few weeks, in public addresses, published articles, used ungentlemanly, indecent, and infamously defamatory language, when alluding to a large and respectable portion of the women of Kansas, or to women now engaged in canvassing the State in favor of impartial suffrage.

"R. B. TAYLOR.

"LEAVENWORTH, Sept. 18, 1867.

Address by the Women's Impartial Suffrage Association of Lawrence, Kansas.

[Pg 932]

TO THE WOMEN OF KANSAS:—At the coming election on the 5th of November, questions of the greatest importance to every citizen of Kansas, whether man or woman, will be presented for the action of the people. Shall the right of suffrage be extended to negroes? Shall the right of suffrage be extended to women?

The question of the enfranchisement of the negro now mainly occupies the attention of the Republican party. Upon the same principle, viz: that of equal rights and equal justice to all, we ask the ballot for woman, and expect to obtain it.

One great obstacle that the advocates of female suffrage have to contend with is the declaration on the part of many good and intelligent women that they do not want to vote. They say they are contented with their present condition; they have all the rights they want, and do not need the ballot; and they will take no interest in the matter, except to deprecate its agitation by women. Women of Kansas, let us reason together for a little concerning this matter.

Honored wives and mothers, dwelling at ease in the comfortable homes your husbands provide for you, declare you do not want to vote, and would consider it almost a reflection on your husbands to desire such a thing, do you consider yourselves capable of forming a correct judgment in reference to any matter of public interest? You read the newspapers and are familiar with the literature of the day, and pride yourselves upon your general information and intelligence; can you then form a judgment as to the justness of any law, or the character of any candidate for office? Were any one to assert that you were not capable of this, you would resent it as an insult.

But, say you, we feel no interest in public measures, laws, candidates, etc.; our sphere, cares, and duties are at home. So thought thousands of American women five years ago; but war, as the result of public measures, laws and candidates, called from the hearthstones and hearts of these same women, husbands, brothers, sons, and slew them on the field of battle—in crowded hospitals—in rebel prisons. Think you the women of America then had no interest in public measures? Can it be that any woman who has given one of her household to save our country will declare that she takes no interest in the government and affairs of that country? Consider a moment whether you have any interest in matters more immediately pressing upon our attention. Is it of any importance to you whether the dram-shops be closed or not? Perhaps your husbands are safe—above suspicion or fear of temptation; but those little sons playing around your knee, that young brother who is about to leave the paternal roof, when the hour comes that they shall go forth into the world, is it of any concern to you whether temptation meet them at every corner? Said a rumseller who is bitterly opposed to female suffrage, "What more do you want? a man can not now get license to sell liquor without the names of a majority of all the women of the ward upon his petition." Very true, but mark this, unless the women of Kansas obtain the ballot, that law will soon be blotted from the statute book.

Again: the women of Kansas now vote on questions concerning the erection of school-houses and matters pertaining to the facilities for the education of their children. Where has this provision wrought anything but good? How many school districts now have commodious school-houses because the women of the district, who were mothers and wanted schools for their children, outnumbered the men, who, though large landholders, are not residents or had no children and did not want schools? Can it be that any woman who has felt and wielded the power for good that the ballot gave her, in this respect, will yet declare that she does not want to vote?

If, then, you are capable of forming opinions on matters of public interest, and if you admit that you are in some degree liable to be affected by public affairs, in the name of Heaven, of Right, of Home—in the name of Husband, Brothers, Sons, can you not—will you not, give your voice in favor of right, and against wrong? Begin now, if you have never done so before, to inquire into the character of our law-makers, the justness of our laws, the regard our country pays to the rights of all. If you do not feel the need of so doing for yourselves, yet for the sake of generations yet to come, interest yourselves, "that our officers may be peace and our exactors righteousness." If you are in circumstances of ease and comfort, because shielded from every rude wind by noble protectors—father husband, son—yet listen to the cry of thousands of women less favored than yourselves, whose natural protectors, as we style them, the licensed dram-shop transforms into abusive tyrants, from whom they must be protected, or who, being deprived of husband and father, cry aloud of the injustice inflicted upon them in their dependent condition by laws framed in unrighteousness. Listen, we say, to their cry, and will you not desire, yea will you not demand the right to give your voice on all these questions in the only way in which you can effectually do so—the use of the ballot? Why, it would seem that every earnest, philanthropic woman would desire to do so, even were she obliged to go to the polls in their present condition instead of the reformed and purified state that will inevitably result from the enfranchisement of women.

[Pg 933]

The women of Kansas who, next to the Pilgrim mothers of America, have endured more privations and taken a more active part in public affairs than any other women of America, should of all others have a voice in

controlling the affairs of State and framing the laws by which they shall be governed. Say some opposers, "the good and true women would not vote, but only the ignorant and vicious." What a monstrous libel upon the intelligence and public spirit of the women of Kansas! and just so certainly as women obtain the ballot, as far as the intelligent and virtuous outnumber the ignorant and abandoned, will the vote of women swell the majority for just and righteous measures—for the moral and upright man—the man who has never imbrued his hands in blood—who has never robbed woman of her virtue—whose senses are never drowned in the intoxicating bowl. Why! this is the great moral question of the day! It is not that the prominent opposers of this measure fear that it will drag women down; it is because they fear, and justly, that women will lift suffrage so far into the realm of purity and morality that they can never be able even to offer themselves as candidates for office. Then will the destinies of our country be no more decided at drunken orgies, amid scenes that our opponents say it would degrade us to witness, but all questions of public weal will be decided in the hearts and at the firesides of pure-hearted men and women, surrounded by those whose destinies are dearer than life, and that decision shall be enforced when men and women shall together go up to the temple of justice to deposit their ballots.

Whatever, then, may be the opinion of fair ladies who dwell in ceiled houses in our older Eastern States and cities, who like lilies, neither toil nor spin, whose fair hands would gather close their silken apparel at the thought of touching the homelier garments of many a heroine of Kansas—whatever they may say in reference to this question, we, the women of the Spartan State, declare, we want to vote.

By order of the Executive Committee.

MRS. HON. E. G. ROSS,	MRS. GRIFFITH,
MRS. EX GOV. ROBINSON,	MRS. R. S. TENNEY,
MRS. JUDGE THACHER,	MRS. REV. W. A. STARRETT,
MRS. JUDGE MILLER,	MRS. REV. R. CORDLEY,
MRS. JUDGE BURNETT,	MRS. REV. G. S. DEARBORN,
MRS. JUDGE HENDRY,	MRS. REV. J. S. BROWN,
MRS. H. M. SIMPSON,	MRS. REV. GEORGE MEYER,
MRS. ROBT. MORROW,	MRS. J. H. LANE,
MRS. MAJOR PLATT,	MRS. JAMES HORTON,
MRS. MAJOR WHITNEY,	MRS. F. W. SPARR,
MRS. S. DENMAN,	MRS. JANE B. ARCHIBALD,
MRS. HENDERSEN,	MRS. CONE,
MRS. J. O. ADAMS,	MRS. WELSH,
MRS. MARY WHITCOMB,	MRS. MARSH,
MRS. THERMUTIUS SUTHERLAND,	

LAWRENCE, Sept. 24, 1867.

Committee on Address.

N. B.—Friends wishing tracts on the subject of equal rights, should address Equal Rights Office, 77 Massachusetts Street, Lawrence, Kansas.

[Pg 934]

THE HUTCHINSONS' KANSAS SUFFRAGE SONG.

WORDS BY P. P. FOWLER AND J. W. H.

As sung at the meetings and concerts during their grand campaign on the suffrage issue the season of 1867 in Kansas, and at the polls in Leavenworth, by the Tribe of John, on the day of election.

O, say what thrilling songs of fairies,
 Wafted o'er the Kansas prairies,
 Charm the ear while zephyrs speed 'em!
 Woman's pleading for her freedom.

CHORUS—Clear the way, the songs are floating;
 Clear the way, the world is noting;
 Prepare the way, the right promoting,
 And ballots, too, for woman's voting.

We frankly say to fathers, brothers,
 Husbands, too, and several others,
 We're bound to win our right of voting,
 Don't you hear the music floating?

We come to take with you our station,
 Brave defenders of the nation,
 And aim by noble, just endeavor
 To elevate our sex forever.

By this vote we'll rid our nation
 Of its vile intoxication.
 Can't get rum? Oh, what a pity!
Dram-shops closed in every city.

Fear not, we'll darn each worthy stocking,
 Duly keep the cradle rocking,
 And beg you heed the words we utter,
 The ballot wins our bread and butter.

All hail, brave Kansas! first in duty,
 Yours, the meed of praise and beauty,
 You'll nobly crown your deeds of daring,
 Freedom to our sex declaring.

CHAPTER XXV.

TRIALS AND DECISIONS.

LETTER FROM MISS ANTHONY ANNOUNCING HER HAVING VOTED.

ROCHESTER, November 5, 1872.

DEAR MRS. STANTON: Well, I have been and gone and done it! positively voted the Republican ticket—straight—this A.M. at seven o'clock, and *swore my vote in, at that*; was registered on Friday and fifteen other women followed suit in this ward, then in sundry other wards some twenty or thirty women *tried to register*; but all save two were refused. All my three sisters voted—Rhoda De Garmo, too. Amy Post was rejected, and she will immediately bring action against the registrars; then another woman who was registered, but vote refused, will bring action for that—similar to the Washington action. Hon. Henry R. Selden will be our counsel; he has read up the law and all of our arguments, and is satisfied that we are right, and ditto Judge Samuel Selden, his elder brother. So we are in for a fine agitation in Rochester on this question.

[Pg 935]

I hope the morning telegrams will tell of many women all over the country trying to vote. It is splendid that without any concert of action so many should have moved here.

Thanks for the Hartford papers. What a magnificent meeting you had! Splendid climax of the campaign—the two ablest and most eloquent women on one platform and the Governor of the State by your side. I was with you in spirit that evening; the chairman of the Committee had both telegraphed and written me all about the arrangements.

Haven't we wedged ourselves into the work pretty fairly and fully, and now that the Republicans have taken our votes—for it *is the Republican members* of the board; the Democratic paper is out *against us strong*, and that scared the Democrats on the registry boards.

How I wish you were here to write up the funny things said and done. Rhoda De Garmo told them she wouldn't swear nor affirm, "but would tell them the truth," and they accepted that. When the Democrats said that my vote should *not* go in the box, one Republican said to the other, "What do you say, Marsh?" "I say put it in." "So do I," said Jones; "and we'll fight it out on this line if it takes all winter." Mary Hallowell was just here. She and Sarah Willis tried to register, but were refused; also Mrs. Mann, the Unitarian minister's wife, and Mary Curtis, sister of Catharine Stebbins. Not a jeer, not a word, not a look disrespectful has met a single woman.

If only now *all the Woman Suffrage women* would work to *this* end of *enforcing the existing Constitutional supremacy of National law* over State law, what strides we might make this very winter! But I'm awfully tired; for five days I have been on the constant run, but to splendid purpose; so all right. I hope you voted too.

Affectionately,

SUSAN B. ANTHONY.

JUDGE SELDEN TO MISS ANTHONY.

ROCHESTER, November 27, 1872.

MISS ANTHONY—DEAR MADAM: The District Attorney says he can not attend to your case on any day but Friday. So it will be indispensable for you to be ready Friday morning, and I will do the best I can to attend to it.

I suppose the Commissioner will, as a matter of course, hold you for trial at the Circuit Court, *whatever your rights may be in the matter*.

In my opinion, however, the idea that you can be charged with a *crime* on account of voting, or offering to vote, when you honestly believed yourself to be a voter, is simply preposterous, whether your belief *was right or wrong*.

However, the learned (!) gentlemen engaged in this movement seem to suppose they can make a crime out of your honest deposit of your ballot, and *perhaps* they can find a respectable court or jury that will be of their opinion. If they do so I shall be greatly disappointed.

Yours, truly,

H. R. SELDEN.

(*Boston Transcript.*)

The last work came on the New York Calender; a person is discovered to have voted who had no right to; this is believed to be the first case of the kind ever heard of in New York, and its heinousness is perhaps aggravated by the fact that the perpetrator is a woman, who, in the vigorous language of the Court, "must have known when she did it that she was a woman." We await in breathless suspense the impending sentence.

The Rochester *Evening Express* of Friday, May 23, 1873, under the heading of "An Amiable Consideration of Miss Anthony's Case," said: United States District Attorney Crowley is a gallant gentleman, as gallant indeed as District Attorneys can afford to be, but he confesses himself no match for Miss Anthony. That lady has stumped Monroe County in behalf of impartial suffrage, and it appears that the Government very prudently declines to give her case to the jury in this county. The fact is, it is morally certain that no jury could be obtained in Monroe that would convict the lady of wrongdoing in voting, while it is highly probable that four juries out of five would acquit her. It is understood, of course, that the Court and prosecuting officers are merely fulfilling their official functions in recognizing this departure from ordinary practice at the polls, but would feel as deeply astonished at a verdict of guilty as the general public. The District Attorney is fortunate in having as a contestant (defendant, he would professionally call her) in this friendly little duel, a lady who is the embodiment of American common sense, courage, and ability; and we are certain that after this tournament is adjourned he will accept, with his usual urbanity, the aid of ladies' ballots to lift him to some other place where his conceded abilities shall be more widely known.

[Pg 936]

The New York *Commercial Advertiser*, under the heading, "Miss Anthony and the Jury of her Peers," said: There is perplexity in the Northern District of New York. It was in that jurisdiction that Miss Susan B. Anthony and sundry "erring sisters" voted at the November election. For this they were arrested and indicted. The venue was laid in Monroe County and there the trial was to take place. Miss Anthony then proceeded to stump Monroe County and every town and village thereof, asking her bucolic hearers the solemn conundrum, "Is it a crime for a United States citizen to vote?" The answer is supposed generally to be in the negative, and so convincing is Sister Anthony's rhetoric regarded that it is supposed no jury can be found to convict her. Her case has gone to the jurymen of Monroe in her own persuasive pleadings before they are summoned. The District Attorney has, therefore, postponed the trial to another term of the Court, and changed the place thereof to Ontario County; whereupon the brave Susan takes the stump in Ontario, and personally makes known her woes and wants. It is a regular St. Anthony's dance she leads the District Attorney; and, in spite of winter cold or summer heat, she will carry her case from county to county precisely as fast as the venue is changed. One must rise very early in the morning to get the start of this active apostle of the sisterhood.

Rochester *Democrat and Chronicle*: If Miss Anthony has converted every man in Monroe County to her views of the Suffrage question, as the District Attorney intimates in his recent efforts to have her case adjourned, it is pretty good evidence—unless every man in Monroe County is a fool—that the lady has done no wrong. "Her case," remarks the Auburn *Bulletin*, "will probably be carried over to another term, and all she has to do is to canvass and convert another county. A shrewd woman that! Again we say, she ought to vote."

The Syracuse *Standard* said: Miss S. B. Anthony is sharp enough for a successful politician. She is under arrest in Rochester for voting illegally, and she is conducting her case in a way that beats even lawyers. She stumped the county of Monroe and spoke in every school district so powerfully that she has actually converted nearly the entire male population to the Woman Suffrage doctrine. The sentiment is so universal that the United States District Attorney dare not trust his case to a jury drawn from that county, and has changed the venue to Ontario County. Now Miss Anthony proposes to stump Ontario immediately, and has procured the services of Mrs. Matilda Joslyn Gage, of Fayetteville, to assist her. By the time the case comes on Miss Anthony will have Ontario County converted to her doctrines.

The Rochester *Union and Advertiser* quoted the above and commented as follows: We give in another column to-day, from a legal friend, a communication which shows very clearly that Miss Anthony is engaged in a work that will be likely to bring her to grief. It is nothing more nor less than an attempt to corrupt the source of that justice, under law, which flows from trial by jury. Miss Anthony's case has passed from its gayest to its gravest character. United States Courts are not stages for the enactment of comedy or farce, and the promptness and decision of their judges in sentencing to prison culprits convicted before them shows that they are no respecters of persons.

SUSAN B. ANTHONY AS A CORRUPTIONIST.

To the Editors of the Union and Advertiser:

Gentlemen—I saw this morning with equal surprise and regret in the *Democrat and Chronicle* the following article:

"We understand that Miss Susan B. Anthony, in company with Mrs. Matilda Joslyn Gage, intends to lecture through Ontario County. She is confident that by June 16th a jury of twelve men can not be found in that county who will render a verdict of guilty against the women who are to be tried for illegal voting at the last fall election."

[Pg 937]

I had learned from the same source that Miss Anthony had made such an effort in Monroe County, and it was stated elsewhere that her trial had been sent thence to Ontario County by reason of such efforts to persuade juries of the justice of her cause. I can scarcely credit these statements.

Reduced to simple terms, it is an attempt by public lectures and female influence, by an accused party so to affect jurors 'that a jury of twelve men can not be found in that county who will render a verdict of guilty.' If this may be a part of the administration of justice, then the United States Attorney may by similar or other means attempt beforehand to secure an opposite result; and the administration of justice is brought into contempt, and corruption has entered the jury-box.... There is a statute and common law offense known as embracery, which is defined to consist "in such practices as lead to affect the administration of justice, *improperly working upon the minds of jurors.*" It seems clear, adds Russell in his Treatise on Laws and Misdemeanors, 'that *any attempt whatever to corrupt or influence or instruct a jury in the cause beforehand, or any way incline them to be more favorable to the one side than the other, by money, letters, threats, or persuasions, EXCEPT ONLY by the strength of evidence and the arguments of the counsel in OPEN COURT AT THE TRIAL OF THE CAUSE, is a proper act of EMBRACERY, whether the jurors upon whom the attempt is made give any verdict or not, and whether the verdict given be true or false.*' ... I trust no merely temporary excitement in respect to female suffrage will lead good citizens to sanction any attempt whatever to influence jurors out of Court, either before or during the trial of a cause. It is alike an insult to the juror and an imputation on our public virtue.

May 24, 1873.

LEX.

[New York *Sun*, Saturday, January 4, 1873].

GOING TO JAIL FOR VOTING FOR GRANT.

The arrest of the fifteen women of Rochester, and the imprisonment of the renowned Miss Susan B. Anthony, for voting at the November election, afford a curious illustration of the extent to which the United States Government is stretching its hand in these matters. If these women violated any law at all by voting, it was clearly a statute of the State of New York, and that State might be safely left to vindicate the majesty of its own laws. Is it only by an overstrained construction of the XIV. and XV. Amendments, that the National Government can force its long finger into the Rochester case at all.

But so it is. Eager to crowd in and regulate the elections at every poll in the Union, the power at Washington strikes down a whole State Government in Louisiana, and holds to bail a handful of women in New York. Nothing can escape its eye or elude its grasp. It can soar high; it can stoop low. It can enjoin a Governor in

New Orleans; it can jug a woman in Rochester. Nothing is too big for it to grapple with; nothing is too small for it to meddle with.... By the by, we advise Miss Anthony not to go to jail. Perhaps she feels that she deserves some punishment for voting for General Grant, but it is a bailable offense. "Going to jail for the good of the cause" may do for poetry, but it becomes very prosaic when reduced to practice. Let Miss Anthony enter into bonds, adjust her spectacles, face her accusers, and argue her own case.

The Worcester *Spy* said: Miss Susan B. Anthony, whatever else she may be, is evidently of the right stuff for a reformer. Of all the woman suffragists she has the most courage and resource, and fights her own and her sisters' battle with the most wonderful energy, resolution, and hopefulness. It is well known that she is now under indictment for voting illegally in Rochester last November. Voting illegally in her case means simply voting, for it is held that women can not lawfully vote at all. She is to be tried soon, but in the meantime, while at large on bail, she has devoted her time to missionary work on behalf of woman suffrage, and has spoken, it is said, in almost every school district in Monroe County, where her trial would have been held in the natural course of things. She has argued her cause so well that almost all the male population of the county has been converted to her views on this subject. The District Attorney is afraid to trust the case to a jury from that county, and has obtained a change of venue to Ontario on the ground that a fair trial can not be had in Monroe.

Miss Anthony, rather cheered than discouraged by this unwilling testimony to the strength of her cause and her powers of persuasion, has made arrangements to canvass Ontario County as thoroughly as Monroe. As county lines do not inclose distinct varieties of the human race, it is fair to presume that the people of the former county will be as susceptible to argument and appeal, as those of the latter, and by the time the case comes on, an Ontario jury will be as little likely to convict as a Monroe jury is now supposed to be. Some foolish and bigoted people who edit newspapers, are complaining that Miss Anthony's proceedings are highly improper, inasmuch as they are intended to influence the decision of a cause pending in the courts. They even talk about contempt of court, and declare that Miss Anthony should be compelled to desist from making these invidious harangues. We suspect that the courts will not venture to interfere with this lady's speech-making tour, but will be of the opinion that she has the same right which other people, male or female, have to explain her political views, and make converts to them if she can. We have never known it claimed before that a person accused of an offense was thereby deprived of the common right of free speech on political and other questions.

[Pg 938]

The New York *Evening Post* said: The proceedings of the Circuit Court of the United States at Canandaigua yesterday, before which Miss Susan B. Anthony was on trial for voting in Rochester at the late general election, were very remarkable. Hitherto the advocates of the right of our countrywomen to vote have hardly obtained a hearing, but Miss Anthony has made an important step in advance. It is a great gain to obtain a judicial hearing for her cause; to have the merits of woman suffrage carefully considered by careful and able men. The appearance of so eminent and distinguished a lawyer as Henry R. Selden in her defense will give to the question a new aspect in the minds of the people. The position he took is still more encouraging to those who think that women have a legal right to vote. The distinction he made between the absoluteness of this right and the belief of Miss Anthony that she possessed such a right, since the guilt relates only to the legal guilt in this particular instance, is of no general importance; but his emphatic testimony, irrespective of the present case, that all women have both an absolute and a legal right to vote, is a fact to command attention.

So convinced was Judge Selden of the validity of this opinion, that for the second time in his professional life, as he himself said, he was compelled to offer himself as a witness in behalf of his client. Being sworn, he testified that before the defendant voted she called on him for advice as to her legal right to vote; that he took time to examine the question very carefully, and then advised her that "she was as much a voter as I or any other man"; that he believed then that she had a legal right to vote, and he believed so now, and on that advice she voted. It seems likely that the decision of the Court will be in Miss Anthony's favor. If such be the result the advocates of woman suffrage will change places with the public. They will no longer be forced to obtain hearings from Congressional and Legislative Committees for their claims, but will exercise their right to vote by the authority of a legal precedent against which positive laws forbidding them from voting will be the only remedy. It is a question whether such laws can be passed in this country. A careful examination of the subject must precede any such legislation, and, the inference from the result of Judge Selden's investigation is that the more the subject is studied the less likely will any legislative body be to forbid those women who want to vote from so doing.

[The Rochester *Evening Express*, June 21st.]

THE NATIONAL CASES AT CANANDAIGUA.

The trial of Miss Anthony at Canandaigua on a charge of having voted illegally on the 5th of November last, in this city, has attracted attention throughout this country and in England. It was a great National trial, intended as Judge Hunt said, as the purpose of the act of voting in this case, to settle a principle. The eminence of the judge presiding and the reputation of the counsel engaged in the case, gave it further significance. All the counsel won new laurels in this contest. Judge Selden could scarcely increase the respect for his character and legal ability by any fresh contest in the forum, but he evinced the power of his logical faculties and his perfect acquaintance with law and legal precedent in his closely reasoned argument. Mr. Crowley, United States District Attorney, made a very able argument in reply, which all agree was worthy of his high position and of the cause in which he appeared for the Government. Mr. Van Voorhis showed legal erudition careful examination of the case in hand, and of the law and decision of courts bearing upon it, making bold and strong points which commanded the attention and respect of the Court, and elicited the approbation of clients and people.

[Pg 939]

[*Commercial Advertiser*, June 18, 1873.]

THE FEMALE SUFFRAGISTS.

When a jurist as eminent as Judge Henry R. Selden testifies that he told Miss Anthony before election that she had a right to vote, and this after a careful examination of the question, the whole subject assumes new importance, and Mr. Selden at once becomes the central object of adoration by all the gentle believers in woman's right to the ballot. And when the same able lawyer advocates the cause of Miss Anthony in the United States Courts, there is abundant reason why other men, both lay and legal, should put themselves in an attitude, at least of willingness to change their convictions upon this topic, which now threatens to take on very

enlarged proportions. The points made in the argument by Mr. Selden are that the defendant had a legal right to vote; that even if no such right existed, if she believed she had such right and voted in good faith, that she committed no offense; and lastly, he argued that she did vote in pursuance of such belief. The point that Miss Anthony had acted illegally only because she was a woman, was well put. Had her brother, under the same circumstances done the same thing, his act would have been not only innocent but laudable. The crime was, therefore, not in the act done, but in the sex of the person who did it. Women, remarked the Judge, have the same interest in the maintenance of good government as men. No greater absurdity, to use no harsher term, can be presented to the human mind than that of rewarding men and punishing women for the same act, without giving women any voice in the question of which shall be rewarded and which punished. How grateful to Judge Selden must all the suffragists be! He has struck the strongest and most promising blow in their behalf that has yet been given. Dred Scott was the pivot on which the Constitution turned before the war. Miss Anthony seems likely to occupy a similar position now.

[From *Democrat and Chronicle*, Rochester, July, 1873.]

WOMEN'S MEETING.

A meeting of the women's tax-payers' association was held at the Mayor's office yesterday afternoon, the President, Mrs. Lewia C. Smith, in the chair. It had been expected that Judge Selden would address the meeting, but in consequence of professional engagements he had been unable to prepare such an address as he desired, but will speak at a future meeting.

Miss Susan B. Anthony was present, and addressed the meeting. She stated that she had received many letters urging her not to be disheartened by the result of her case, and she assured all that she was far from being discouraged. In fact, she considered that they had won a victory by showing to the world that in order to accomplish her defeat the courts were obliged to set aside everything, even the sacred right of trial by jury. Miss Anthony read extracts from letters received from Mrs. Elizabeth Cady Stanton and Parker Pillsbury. Mrs. Stanton pours out her indignation in a letter to Mrs. Gage and Miss Anthony thus:

"To have my right to the earth and the fullness thereof equally with man; to do my work and say my say without his let or hindrance, or even question, has filled me with indignation ever since I began to think; and one more act of puny legislation, in line with all that has been done in the past, does not add a feather's weight to my chronic indignation.

"The insult of being tried by men—judges, lawyers, juries, all men—for violating the laws and constitutions of men, made for the degradation and subjugation of my whole sex; to be forever publicly impaled by the unwavering finger of scorn, by party press, and pulpit, so far transcends a petty verdict of a petty judge in a given case, that my continuous wrath against the whole dynasty of tyrants in our political, religious, and social life, has not left one stagnant drop of blood in my veins to rouse for any single act of insult.

"The outrage of trying intelligent, educated, well-bred, native-born American women by juries of men, made up of the riff-raff from the monarchies and empires of the old world, or ignorant natives of the new, who do not read the newspapers, nor form opinions on current events or United States citizens' rights, so overtops the insult of any verdict they could possibly render, that indignation at what they might say is swallowed up in the outrage that they have the right to say anything in limiting the rights of women as citizens in this republic. What are Centennials and Fourth of Julys to us, when our most sacred rights can be made foot-balls for the multitude. Do not, therefore, argue from my silence, that I do not feel every fresh stab at womanhood. Instead of applying lint to the wounds, my own thought has been, how can we wrest the sword from the hand of the tyrant."

[Pg 940]

The following resolutions were then offered and adopted:

Resolved, That the gross outrage committed in the case of Miss Anthony by the United States Circuit Court, the stamping under foot by Justice Hunt of the Constitution of the United States, and all the forms of law, in order to defeat a woman who could not be defeated otherwise, has in no way discouraged the true friends of woman suffrage, but to the contrary, the unjustifiable means to which the Court was compelled to resort in order to convict Miss Anthony has not only aroused the old woman's rights women into new life and action, but shocked all thinking minds throughout the country, to a consideration of the vital question of American citizenship. Does it, or does it not give to the possessor the right to vote?

Resolved, That we arraign Ward Hunt, a Justice of the Supreme Court of the United States, for high crimes and misdemeanors in his office, committed on the trial of Susan B. Anthony, on a charge of knowingly voting illegally for a representative in Congress. He denied the right of trial by jury; he refused to permit her counsel to address the jury in her behalf; he refused the request of her counsel that the jury be polled; he directed the clerk to enter a verdict of guilty without consulting the jury; he had prejudged her case, and had written his opinion against her before he came to the Court, or had heard the evidence, or the arguments of her counsel. He tried her in a manner indicating that he had undertaken to accomplish a certain result, and that he must do in spite of law or evidence. His assertion that the facts were admitted in her case is false. No facts were admitted on Miss Anthony's trial, except that she was a woman and had voted. The one fact of consequence to the United States was, whether or not Miss Anthony voted for a representative in Congress. To prove this the United States District Attorney proved that she handed to the inspectors four folded ballots, the contents of which were unknown. It did not appear that the ballots were not blanks. There were six boxes, and each elector might cast six ballots. Upon such evidence Judge Hunt decided that it was proved that Miss Anthony voted for a representative in Congress, and refused to submit the case, or the question of fact, to the jury. Therefore,

Resolved, That a violation of the Constitution so palpable, a disregard of the forms of law so flagrant, demand the impeachment of Justice Hunt, and his removal from a bench he has proved himself unfit to occupy.

Resolved, That we will petition Congress to reverse by Congressional enactment the judgments of Judge Hunt against Miss Anthony and the Inspectors of Election. These fiats of a judicial dictator must not be allowed to remain upon the records of the Court. Trial by jury must be restored to its throne, from which Judge Hunt has hurled it. A constitutional right so sacred must be vindicated by Congress. There is no other tribunal to which we can appeal. Therefore we shall confidently ask Congress to reverse these unjust judgments and rebuke and impeach this unjust judge.

Resolved, That to the Hon. Henry R. Selden for his able and earnest defense of their citizen's right to vote, the women of this country owe a debt of gratitude beyond their present power to pay or appreciate.

Resolved, That we tender our thanks to John Van Voorhis, counsel for the inspectors of the Eighth Ward, for his prompt and efficient defense of their right and duty to register the names and receive the votes of all United States citizens.

Resolved, That we bid Godspeed to our co-laborer, Susan B. Anthony, for the courage and persistence shown during her trial, and thank her for her assurance to the Court (which he did not need) of her unshaken conviction of the legality of her vote, and of her determination to persist in the exercise of her citizen's right of suffrage.

Resolved, That we tender our thanks to the inspectors of election of the Eighth Ward, Messrs. Jones, Marsh, and Hall, for their manliness and courage in receiving the women's vote and maintaining their right and duty in so doing through their long and unfair trial."

[Pg 941]

A paper of considerable length was read by Mrs. Hebard, which was very fine, and set forth the woman question in a philosophical manner.

Mrs. L. C. Smith said that in stamping his seal of death upon trial by jury, Judge Hunt had proved beyond all cavil the inseparability of man's and woman's interests. For in order to withhold the right of franchise from woman he was obliged to abolish trial by jury, man's only safeguard against the tyranny of the bench.

The meeting then adjourned to meet at three o'clock P.M. on the 24th inst.

Miss Anthony received material sympathy from many persons who sent money to aid in the payment of her fine—Dr. E. B. Foote, of New York, sending \$25, and Gerrit Smith, of Peterboro, \$100, accompanied by a letter. Dr. Foote has kindly furnished Miss Anthony's reply to him for publication:

ROCHESTER, July 2, 1873.

DR. E. B. FOOTE—MY DEAR SIR: Your letter of June 18, inclosing the quarter of the United States Government's fine for my alleged violation of *State law* was most welcome, I have waited this acknowledgment from fact of my absence from home since the judge pronounced that verdict and penalty. What a comedy! Such a *grave offense* and such a paltry punishment!

Now if the United States Government would only demand the payment of the \$100 and costs—but it will never do it, because all parties *know* I will never *pay a dime—no, not one*. It is quite enough for me pay all the *just claims* of the trial; my own counsel, etc. I owe no allegiance to the Government's penalties until I have a voice in it, and shall pay none. What the Government can *exact* it may, whether of cash or imprisonment.

Do you know my *one regret now is* that I am *not possessed of some real estate* here in Rochester so that my name would be on the tax list, and I would *refuse to pay the taxes thereon*, and then I could carry that branch of the question into the Courts. *Protests* are no longer worth the paper they are written on. Downright resistance, the actual throwing of the tea overboard, is now the word and work. With many thanks for the \$25.

Sincerely yours,

SUSAN B. ANTHONY.

WOMAN SUFFRAGE ABOVE HUMAN LAW.

LETTER FROM GERRIT SMITH.

PETERBORO, August 15, 1873

SUSAN B. ANTHONY—DEAR FRIEND: I have your letter. So you have not paid your fine; are not able to pay it; and are not willing to pay it! I send you herein the money to pay it. If you shall still decline doing so, then use the money at your own discretion, to promote the cause of woman suffrage.

I trust that you feel kindly toward Judge Hunt. He is an honest man and an able judge. He would oppress no person—emphatically, no woman. It was a light fine that he imposed upon you. Moreover, he did not require you to be imprisoned until it was paid. In taking your case out of the bands of the jury, he did what he believed he had a perfect right to do; and what (☞ provided there was no fact to be passed upon) he had precedents for doing. And yet Judge Hunt erred—erred as, but too probably, every other judge would, in like circumstances, have erred. At the hazard of being called, for the ten thousandth time, a visionary and a fanatic for holding opinions which, though they will be entirely welcome to the more enlightened future sense of men, are as entirely repugnant to their present sense, I venture to say that the Judge erred in allowing himself to look into the Constitution. Indeed, yours was a case that neither called for nor permitted the opening of any law-book whatever. You have not forgotten how frequently, in the days of slavery, the Constitution was quoted in behalf of the abomination. As if that paper had been drawn up and agreed upon by both the blacks and the whites, instead of the whites only; and as if slavery protected the rights of the slave instead of annihilating them. I thank God that I was withheld from the great folly and great sin of acknowledging a law for slavery—a law for any piracy—least of all for the superlative piracy. Nor have you forgotten how incessantly, in the late war, our enemies, Northern as well as Southern, were calling for this observance of the Constitution. As if the purpose of that paper was to serve those whose parricidal hands were at the throat of our Nation. I recall but one instance in which I was ever reconciled to profanity. It was when, during the war, I was witnessing a heated conversation between a patriotic Republican and a rabid secession Democrat. The Republican was arguing that the Government should put forth all its powers to suppress the rebellion. At this stage the Democrat thrust in the stereotyped rebel phrase: "but only according to the Constitution." This interruption provoked the Republican to exclaim, as he hurried on, "Damn the Constitution!" The oath so happily helped to express my own feeling that I had no more heart to censure it than the recording angel had to preserve the record of Uncle Toby's famous oath.

[Pg 942]

And now, in your case, is another wrongful use of the Constitution. The instrument is cited against woman, as if she had united with man in making it, and was, therefore, morally bound by the flagrant usurpation, and legally concluded by it. Moreover, an excuse for turning the Constitution against her is that doing so deprives her of nothing but the pastime of dropping in a box a little piece of paper. Nevertheless, this dropping, inasmuch as it

expresses her choice of the guardians of her person and property, is her great natural right to provide for the safety of her life and of the means to sustain it. She has no rights whatever, and she lives upon mere privileges and favors, if others may usurp her rights. In fact she lies at the mercy of men, if men only may choose into whose hands to put the control of her person and property.... I do not complain of Judge Hunt's interpretations of the Constitution on the suffrage question. I do not complain of his refusing to accept the constitutional recognition of woman's right to vote, though that right seems to lie on the very surface of the Constitution amongst her rights of citizenship. Nor do I complain of his passing by this recognition to dig down into the Constitution for proofs of there being two kinds of citizens—one that can vote and one that can not vote. What I complain of is that he did not hold as void, instead of arguing them to be valid, any words in the instrument which seemed to him to favor the disfranchisement of woman and consequent robbery and destruction of her rights. What I complain of is that, instead of his conscientious regard for his oath, he was not prepared to ignore and scout all human law so far as it is antagonistic to natural law and natural rights....

How striking and instructive is the following extract from a speech made a year or two ago in the Spanish Parliament: "Natural rights dwell essentially in the individual, and are derived directly from his own moral nature. They are therefore, so to speak, unlegislatable, since they do not arise from the law, do not depend on the law, and, not depending on the law, can not be abrogated by the law. Born of the organic constitution of the individual, with the individual they live and die, unless a tyrannical, unrighteous, and iniquitous law tears them from him, and then he will have the right to protest forever against this wrong and the iniquity of the law, and to rise against it whenever he can. Well, my lords, the inalienable rights of the Cubans have been torn from them by unrighteous, tyrannical, and iniquitous laws." Would that Judge Hunt and all our judges might, ere long, take the ground of this sublimely eloquent Spaniard, that natural rights are "unlegislatable".... Would that my much esteemed friend, Judge Hunt, had so far outgrown bad law and grown into good law, as to have pronounced at your trial the disenfranchisement of woman, and thus have set the name of Hunt in immortality by the side of the names of Brougham and Mansfield, and others who have had the wisdom and the courage to thrust aside false paper law and install in its place that sovereign law which is written upon the heart and upon the very foundations of human being! He does not doubt that they did right. He honors them for having done as they did. Nor can he doubt that to deny to woman all part in the making and executing of laws under which her life and property may be taken from her is a crime against her, which no paper law can sanction and which God's law must condemn.... This worship of the Constitution!—how blinding and belittling! I would that every judge who tends to this weakness (and nearly every judge, yes, and nearly every other person tends to it) might find his steps arrested by the warning example of Daniel Webster. This pre-eminently intellectual man, whom nature had fitted to soar in the high sphere of absolute and everlasting law, had so shrivelled his soul by his worship of the Constitution that he came, at last, to desire no other inscription on his grave-stone than his shameless confession of such base worship. And all this, notwithstanding the Constitution was, in his eye, the great bulwark of slavery!

[Pg 943]

Be of good courage and good cheer, my brave and faithful sister! I trust our country is on the eve of great and blessed changes.... Best of all, the ballot can not much longer be withheld from woman. Men are fast coming to see that it belongs to her as fully as to themselves, and that the country is in perishing need of her wielding it. If the silly portion of our ladies will but cease from their silly apprehension that the plan is to *make* them vote whether they will or no, and also cease from their ignorant and childish admissions that they already have all the rights they want—then will the American women quickly be enfranchised, and their nation will rapidly achieve a far higher civilization than it is possible for any nation to arrive at which is guilty of the folly and the sin of clothing man with all political power and reducing women to a political cipher.

Cordially yours,

GERRIT SMITH.

WASHINGTON NOTES.

BY GRACE GREENWOOD.

When I said that in the dull languor of our summer collapse we felt none of your fierce Northern excitements, I should have excepted the Anthony suffrage case. That touched nearly if not deeply. The ark of the holy political covenant resting here—the sacred mules that draw it being stabled in the Capitol for half a year at a time—the woman who has laid unsanctified hands upon it, is naturally regarded with peculiar horror. I did not take exception to the *Times'* article of June 19th on this case. It was mild and courteous in tone, and the view taken of the XIV. Amendment plea seems to me the only sound one. I certainly do not want to get into your political preserves by any quibble or dodge. I want my right there freely granted and guaranteed, and will be politely treated when I come, or I won't stay. The promised land of justice and equality is not to be reached by a short cut. I fear we have a large part of the forty years of struggle and zigzagging before us yet. I am pretty sure our Moses has not appeared. I think he will be a woman. Often the way seems dark, as well as long, when I see so much fooling with the great question of woman's claims to equal educational advantages with men; to just remuneration for good work, especially in teaching, and fair credit for her share in the patriotic and benevolent enterprises of the age. I do not say that equal pay for equal services will never be accorded to woman, even in the civil service, till she has the ballot to back her demand; but that is the private opinion of many high Government officials. I do not say that woman's right to be represented, as well as taxed, will never be recognized as a logical practical result of the democratic principle till the Democrats come in power. But it may be so. The Gospel was first offered to the Jews, but first accepted by the Gentiles.

In your article, fair as it was in spirit, you failed to touch upon two points which struck me rather painfully. It seems that Judge Hunt, after pronouncing a learned, and, I suppose, a sound opinion, peremptorily ordered the jury to bring the defendant in guilty. Now, could not twelve honest, intelligent jurymen be trusted to defend their birthright against one woman? Why such zeal, such more than Roman sternness? Again, in the trial of the inspectors of election, why were both judge and jurymen so merciful? No verdict of guilty was ordered, and the council of twelve who had seen fit to punish Miss Anthony by a fine of \$100 and costs, merely mulcted in the modest sum of \$25, each defenseless defendant sinning against light. Was it that they considered in their manly clemency the fact that women have superior facilities for earning money, or did they give heed to the old, old excuse, "The woman tempted me, and I did register"?

It surely is strange that such severe penalties should be visited on a woman, for a first and only indiscretion in the suffrage line, when a man may rise up on election morning and go forth, voting and to vote. If he be of an excitable and mercurial nature, one of the sort of citizens which sweet Ireland empties on us by the county, he may sportively flit about among the polls, from ward to ward, of the metropolis, and no man says to him nay; he

may even travel hilariously from city to city, with free passes and free drinks—who treats Miss Anthony?—making festive calls, and dropping ballots for cards, and no disturbance comes of it—he is neither fined nor confined. So, it would seem, "a little voting is a dangerous thing."

Say what you will, the whole question of woman's status in the State and the Church, in society and the family, is full of absurd contradictions and monstrous anomalies. We are so responsible, yet irresponsible—we are idols, we are idiots—we are everything, we are nothing. We are the Caryatides, rearing up the entablature of the temple of liberty we are never allowed to enter. We may plot against a government, and hang for it; but if we help to found and sustain a government by patriotic effort and devotion, by toil and hardship, by courage, loyalty, and faith, by the sacrifice of those nearest and dearest to us, and then venture to clutch at the crumbs that fall from the table where our Masters Jonathan, Patrick, Hans, and Sambo sit at feast, you arrest us, imprison us, try us, fine us, and then add injury to insult, by calling us old, ugly, and fanatical.

One is forcibly reminded of the sermon of the colored brother on woman, the heads of which discourse were: "Firstly. What am woman? Secondly. Whar did she come from? Thirdly. Who does she belong to? Fourthly. Which way am she gwine to?"

The law and the Gospel have settled the "secondly" and "thirdly." Woman came from man, and belongs to him by the mortgage he holds on her through that spare-rib; but "firstly" and "fourthly" remain as profound and unsolvable questions as they were before the Ethiopian divine wrestled with them. But perhaps this troublous and perplexed existence is our "be-all and end-all"; that in the life beyond, man may foreclose that old mortgage and re-absorb woman into his glorified and all-sufficient being.

I have never believed with Miss Anthony, that the XIV. Amendment was going to help us. I have never accepted certain other of her theories; but I believe in and accept her as a woman of intense convictions, of high courage and constancy; and I don't like to hear her ridiculed and abused. If anything can make me think meanly of my young brothers of the press, it is the way they pelt and pester Susan B. Anthony. For shame, boys! Never a one of you will make the man she is. Even some of our Washington editors turn aside from the fair game. Providence, in its inscrutable wisdom, has provided for them in the Board of Public Works, to vent their virtuous indignation and manly scorn of the woman they are determined shall stand in perpetual pillory in the market-place of this great, free Republic.—*New York Times*.

The Washington, D. C., *Star* says of Judge Hunt's opinion: "If his views are to prevail, of what effect are the suffrage amendments to the Federal Constitution."

[*The County Post*, Washington Co., N. Y., Friday, June 27, 1873].

NOT A VOTER.

The United States Courts have pronounced on Miss Anthony's case, which she so adroitly made by voting last fall, in company with fourteen others of her sex. The decision was adverse to the claim made by this devoted friend of female suffrage, that as the Constitution now stood, women had a right to vote. Accordingly the indomitable old lady was found guilty of violating the law regulating the purity of the ballot-box, and fined one hundred dollars and costs. A good many journals seem to regard this as a good joke on Susan B, as they call her, and make it the excuse for more poor jokes of their own. It may be stupid to confess it, but we can not see where the laugh comes in. If it is a mere question of who has got the best of it, Miss Anthony is still ahead; she has voted, and the American Constitution has survived the shock. Fining her one hundred dollars does not rub out that fact that fourteen women voted, and went home, and the world jogged on as before. The decision of the judge does not prove that it is wrong for women to vote, it does not even prove that Miss Anthony did wrong in voting. It only shows that one judge on the bench differs in opinion from other equally well qualified judges off the bench. It is not our province to find fault with this decision of the United States Court at Rochester. Miss Anthony may be wrong in attempting to vote; of that we are not certain. But of the greater question back of it, of Miss Anthony's inherent right to vote we have no question, and that after all is the more important matter. This Rochester breakwater may damn back the stream for a while, but it is bound to come, sweeping away all barriers. The opposition to extending the suffrage to the other sex is founded alone on prejudice arising from social custom. Reason and logic are both against it. Women will not be voters possibly for some years to come; it is not desirable that the franchise should come too quick; but they are certain to have the full privilege of citizenship in the end.

[*The Age*, Thursday, July 31, 1873.]

KU-KLUX PRISONERS.

The Ku-Klux prisoners are, it seems, now to be released. They are persons some of whom had committed assaults and other offenses cognizable by the laws of the States where they lived, and the Ku-Klux legislation by Congress was a political device as unnecessary as it was unconstitutional. Perhaps the most ridiculous, as well as the most unjust prosecution under the Ku-Klux law was that instituted against Miss Anthony for voting in Rochester. Under her view of her rights, she presented herself at the polls, and submitted her claims to the proper officers, who decided that she had a right to vote. She practiced no fraud or concealment of any kind. She did what every good citizen here would do, if any doubt arose from assessment, registration, or residence, as to his right to vote. He would state the case to the election officers, and abide their decision. Yet this, we are told, is a criminal offense under the Ku-Klux law, for which a citizen who has done exactly what he ought to have done, may be fined and imprisoned as a criminal. Nay, if, as often happens, a point of doubt is submitted to our Court of Common Pleas and decided in favor of the applicant, he is still liable to criminal prosecution under the Federal Ku-Klux law, if a United States Commissioner or Judge differs from the State Judge in the construction of the State law. Since the victims of the Ku-Klux act are now receiving pardons, we hope the fine of \$100 unlawfully imposed on Miss Anthony may be remitted. We do not think there was a case of more gross injustice ever practiced under forms of law, than the conviction of that lady for a criminal offense in voting, with the assent of the legal election officers to whom her right was submitted. If all the victims of this unconstitutional law were as innocent as she was, they can not be too soon released. Even those who were guilty of offenses cognizable by the State law, were unjustly tried and condemned under an unconstitutional statute passed for political effect.

[From the Philadelphia *Age*].

The case of Miss Susan B. Anthony seems to be dismissed with a laugh by most of the press; but from the first institution of a prosecution against her under the Ku-Klux law, we have regarded the proceeding as one in which the injustice was not cloaked by the absurdity. The law was passed by Congress on a political cry that massacre and outrage menaced negroes at the polls in the Southern States, and now we have it used to oppress a woman in Rochester, New York. We are not debarred from saying "oppressed" because the judge left the fine to be levied on her property instead of imprisoning her person—in a State in which women have, we suppose, long been exempt from imprisonment for debt. But the chief outrage in the case is that it affords the first case, we believe, in the United States, or anywhere in modern times, of a conviction for a crime when there was no criminal intent. The proof, or the presumption of this, is essential to a crime in the criminal law of every civilized nation. The case of Miss Anthony was that of a lady who believed that the much vaunted amendments of the Federal Constitution extended to white women; and many lawyers and Congressmen have also avowed this opinion. We do not hold it, but we do not doubt that Miss Anthony does, very sincerely. We think as the Judge says in her case, that the Federal Constitution has nothing to do with the matter; that is wholly regulated by the Constitution of New York. But every word of his argument was equally strong to show that he, a Federal Judge, had nothing to do with the matter, and that it wholly belonged to the courts of New York. They know, we presume, no law that can create a crime without a criminal intention, and we deny the right of Congress or any earthly authority to pass so monstrous a law. Every day in criminal courts that point arises. If a man charged with larceny is proved to have taken the goods of another, but under some idea that he had a right to them, no matter how erroneous, the criminal prosecution is instantly dismissed. Our eminent jurist, Judge King, used to say: "This is a civil suit run mad." Has any citizen of Philadelphia supposed that if there is a doubt as to his right to vote—one of those numerous doubts that arise in changes of residence, time of registration, naturalization, etc.—and wishing scrupulously to do right, he go to the window and fully and fairly state his case, and the election officers consider it, and adjudge that he should vote then and there, has any citizen heretofore known that he thus became liable to conviction for a crime under the Ku-Klux laws, if some judge of a court should think the election officers decided the point erroneously?

[Pg 946]

Yet that is the doctrine of Miss Anthony's case. Her garb and person sufficed to tell she was a woman when she approached the polls, and there was also argument over the matter, exhibiting afresh the fact notorious at her home, that she claimed a lawful right to vote under certain amendments of the Constitution. She was no repeater or false personator, or probably she would not be persecuted, and certainly she would be pardoned.

She submitted her right to the election officers, and they, the judges appointed by the law, decided in her favor. It is just the case we have supposed in Philadelphia, and which often really occurs here, and may occur anywhere. And now we are told the Ku-Klux law makes this hitherto laudable and innocent mode of procedure a crime, punishable with fine and imprisonment! This is the decision over which many journals are laughing because the first victim is a woman. We can not see the joke.

[Chicago *Evening Journal*, Dec. 1, 1874].

Mrs. Myra Bradwell, the editor and publisher of the *Legal News*, of this city, is a warm advocate of woman's rights. In the last number of the *News*, speaking of Susan B. Anthony, she declares that Judge Ward Hunt, of the Federal bench, "violated the Constitution of the United States more, to convict her of illegal voting, than she did in voting, for he had sworn to support it, she had not."

Sister Myra is evidently not afraid of being hauled up for contempt of court.

[St. Louis *Daily Globe*, Thursday, June 26, 1873].

MISS ANTHONY'S CASE.

JUDGE HUNT'S DECISION REVIEWED—SHE HAD A RIGHT TO A JURY TRIAL.

Editor of St. Louis Globe:—I ask the favor of a small space in your paper to notice the very remarkable decision of Judge Hunt, in the case of the United States vs. Susan B. Anthony.

The Judge tells us "that the right of voting, or the privilege of voting, is a right or privilege arising under the constitution of the States, and not of the united States. If the right belongs to any particular person, it is because such person is entitled to it as a citizen of the State where he offers to exercise it, and not because of citizenship of the United States."

If this position be true (which I do not admit), then Judge Hunt should have pronounced the act of Congress unconstitutional, and dismissed the case for want of jurisdiction. If the matter belongs exclusively to the States, then the United States have nothing to do with it, and clearly have no right to interfere and punish a person for the (supposed) violation of a State law. But this is one of the least of the criticisms to which this opinion is exposed. A far graver one consists in the fact that the defendant was denied the right of a trial by jury.

The Supreme Court of the United States say: "Another guarantee of freedom was broken when Milligan was denied a trial by jury. The great minds of the country have differed on the correct interpretation to be given to various provisions of the Federal Constitution, and judicial decision has been often invoked to settle their true meaning; but, until recently, no one ever doubted that the right of trial by jury was fortified in the organic law against the power of attack. It is now assailed; but if ideas can be expressed in words, and language has any meaning, this right—one of the most valuable in a free country—is preserved to every one accused of crime, who is not attached to the army, or navy, or militia in actual service. The VI. Amendment affirms that in 'all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury,' language broad enough to embrace all persons and cases."—*Ex parte Milligan*, 4 Wallace, p. 122.

[Pg 947]

It is true a jury was impaneled, but this was all, for we are informed that, at the conclusion of the opinion, Judge Selden requested that the case should be submitted to the jury upon the question of intent, and upon certain propositions of law; but the court declined to submit the case upon any question whatever, and directed them to render a verdict of guilty against the defendant.

I have been pained to witness, on the part of some of our newspapers, a disposition to treat this decision with indifference, by some even with levity. Has it come to this, that because she is a woman the defendant can not

[*The Journal*, Thursday, July 30, 1874].

THE ALBANY LAW JOURNAL ON SUSAN B. ANTHONY'S CASE.

To the Editor of the Syracuse Journal:—I wish to call the attention of the readers of *The Journal*, especially legal ones, to the underlying intent and unjust perversions of the Albany *Law Journal* of this month, in its leading article, entitled "Can a Judge direct a Verdict of Guilty?"

This *Law Journal*, which professes to lead the legal craft of the Empire State in the devious ways of legal justice, has but now, thirteen months after its date, a review of Miss Anthony's celebrated trial, as conducted by Judge Ward Hunt. Having taken a year and a month to get the first principles of justice and of constitutional law through his head, the belated editor of that law journal has come to the conclusion—self-evident as it ought to be to a child—that a judge has no legal right to take from an accused person the right of trial by jury. Sapient editor, wise man! No second Solomon, you. You, with all your legal lore, have at last managed to see, in a year and a month, what the veriest simple woman in the land, all uneducated as women are in the technicalities of the law, had no difficulty of seeing in an hour. Right of trial by jury holds all other legal rights within its grasp. Deprive a man or woman of that, and of what use is your habeas corpus act, of what use your law of penalties or acquittal? The terrors of the middle ages, the *lettres de cachet*, sequestration, confiscation, rayless dungeons, and iron masks at once rise in view.

We will, however, allow to this editor one grain of sense, as he acknowledges the dangerous power in the hands of judges of the United States Circuit Court, a power they possess outside of right, a power through which one of them can, as did Judge Ward Hunt in Miss Anthony's case, transcend his legal rights, to warp and bend constitutional guarantees to his own ends, and having so done that there is no legal appeal from his unwarrantable decision. A United States judge is practically irresponsible. Nothing can touch him for illegality in office but a Congressional impeachment, which from a combination of circumstances is difficult to bring about. He holds the dearest rights of American citizens at pleasure in his hands, and this is law and justice in the United States. These are solely and entirely man-made laws. No woman had finger or tongue in the matter.

But Mr. Albany *Law Journal* editor, after acknowledging their injustice toward accused persons, and their dangers to the liberties of every individual, tells Miss Anthony that "if she" is dissatisfied with "our laws," meaning, of course, man-made laws like these, "she would better adopt the methods of reform that men use, or, better still, emigrate." Was ever a more disreputable phrase penned? Disgraceful to its author, and doubly so, as he pretends to be a teacher of law. This is the language of a very Nero come to judgment.

"Our laws." Whose laws, pray? The laws of men made for "our" benefit alone. Is this what Mr. Editor of the Albany *Law Journal* means? Pray, Mr. Albany *Law Journal*, what are "the methods of reform that men use," when they are dissatisfied with "our laws," only to speak against such laws, and to vote for men to make better ones? Miss Anthony has tried both of "the methods of reform men use," and for doing the last was arrested, tried, fined, and all but imprisoned. It seems "the methods of reform men use" are, after all, not just the kind of methods for Miss Anthony and her friends to use. But then, Mr. Albany *Law Journal* allows Miss Anthony and Mrs. Gage one other alternative, which he deems a "better one," *i.e.*, to "emigrate."

[Pg 948]

Mr. Editor continues: "We can well afford to lose her who rehearsed the story of her wrongs in public addresses, in twenty-nine of the post-office districts of Monroe, and twenty-one of Ontario, in her canvass of those counties prior to her trial, and Mrs. Matilda Joslyn Gage, who made a speech on this subject in Canandaigua and sixteen other towns of Ontario County, previous to Miss Anthony's trial, June 17, 1873, with a view, of course, of influencing public opinion in that region, so that a conviction could not be had."

As Judge Hunt trampled on the citizen's right of trial by jury, so Mr. Albany *Law Journal* shows himself to be of the same ilk, by desiring to trample on that other guaranteed constitutional right of free speech. He would ostracise Miss Anthony and Mrs. Gage; he would banish them from the country because they dared to use one of "the methods of reform that men use," *i.e.*, speaking of their "wrongs" in order to educate and enlighten public opinion. If old Greece could banish her best citizen, Aristides, simply because he was her most just one, Miss Anthony and myself certainly ought to consider it a matter of self-gratulation that we are deemed fit for banishment because of our demand for justice; justice not merely for ourselves, but for one-half the nation.

That editor's contempt of rights and justice, as shown in his article, is simply amazing. He might as well have said in so many words, "This country and its government is for the benefit of us males alone; you women are part and parcel of our property; if you are not suited with all things as we fix them for you, then get out from our country." This is the tenor of what Mr. Albany *Law Journal* editor says. Does not every honest lawyer's face tingle with shame when he reads this disgraceful sentiment in that journal to which he so constantly looks for instruction in the higher departments of justice? Does not his republicanism revolt from such a sentiment? Does he not here recognize the enunciation of a principle as directly opposed to liberty as even Judge Hunt's control of jury trial?

This journal shows that the right to do a thing and the power to do it are distinctly separate. Judge Hunt did what he had the power to do, but not the right to do. Mr. *Law Journal* possesses neither the right nor the power of banishing those citizens who do not conform to his wishes, but he has evinced a desire to hold such power, and did he have it, the country would find in him a tyrant of the same class as Judge Hunt.

As dilatory as this editor has been in reviewing this important case, he is equally timid in his criticism upon it. Currying to judicial and political power, he terms Judge Hunt's willful and knowing infraction of law "a mistake," but in regard to Miss Anthony, he says, "she intended deliberately to break the law." A large class of people believe just the contrary. We who know Miss Anthony well, and who believe with her, know that, on the contrary, she intended to do an act which is protected by the law, instead of breaking law; she was acting under authority of the law. Because Judge Hunt defied the law; because the editor of the Albany *Law Journal* is inexcusably ignorant of, or recklessly indifferent to the law, it does not follow that Miss Anthony belongs to that class, or should be judged by their corrupt standard. Miss Anthony, in common with hundreds, nay, thousands of other women, as well as of a large class of scholarly men—men of intelligence and a broad sense of justice—men, too, of political insight—fully believes that to woman, equally with man, does the Constitution secure political rights. These persons, this large class, believe that the XIII., XIV., and XV. Amendments to the national

Constitution overrode and destroyed all those parts of State constitutions which were, or are now, by expression contrary to their provisions, and they believe that the fundamental right of citizens of the United States is the right to take part in making the laws which shall govern them; the exercise of this right to be regulated (not prevented) by States. They do not concede Miss Anthony to have been a law-breaker as the *Albany Law Journal*, the Judiciary Committee of the House of Representatives, and other friends of Judge Hunt concede her to have been. If the judiciary of the country is so far powerful, and so far irresponsible as to warp the law in favor of its own prejudices, even to the extent of preventing trial by jury, as Judge Hunt is conceded to have done, then our judiciary and not our criminals is our dangerous class. With such judges as Hunt, who has attempted to crush out the trial by jury, and make of the jury merely an ornamental tail to his judicial kite; with such teachers as the *Albany Law Journal*, which, while acknowledging Hunt's outrageous illegality of action, yet calls it "a mistake," and speaks of him as "a good and pure" man, the administrators and the expounders of law have become the most dangerous enemies of the people. The eminent Judge Brady recognizes the low condition of legal honor, and in a recent speech, said he hoped to see the day when his legal brethren would understand that it was their duty to assist in the administration of justice, and not to lend themselves to degrading efforts to defeat it. We commend these remarks to the consideration of Judge Hunt and the editor of the *Albany Law Journal*.

[Pg 949]

With that lack of self-respect which seems to inhere in all opponents of woman suffrage, that editor, in addition to all else, tries to indulge in a little facetiousness over the threadbare witticisms that Miss Anthony "was a woman when she voted." Coming down through the lips of Judge Hunt and the United States District Attorney of the prosecution, it reaches the law editor in time for him to say that "on the trial of Miss Anthony she conceded that on the day of election she was a woman," and in a parenthesis ("we know that she generally was a woman, and are not surprised to learn that she was on election day.") What an amazing platitude this is to fall from the lips of a teacher of law. That the United States District Attorney engaged in the prosecution should degrade the dignity of the law by the question (to Judge Selden) "if it was conceded that on the day of election Miss Anthony was a woman?" to which the reply was, "Yes, now and ever heart and soul a woman"; that Judge Hunt should ask her "if she voted as a female"? to which he got the answer, "No, sir, I voted as a citizen of the United States"; those questions, I say, were not so much a matter of surprise under the peculiar forms of the trial, but that a law journal should so far forget its dignity; should so far descend from argument, from discussion of law to unseemly banter on the question of sex; that it should so far stoop from a canvass of the most important trial that ever took place, to a senile jest on woman, must be matter of astonishment to every candid mind in the legal fraternity, and certainly has a tendency to convince the female portion of the country that the male man is fast losing his right to the definition of "man, a reasoning animal."

In regard to that editor's expressed desire that the case of Miss Anthony should have gone to the jury, as they would have brought in a verdict of guilty, I will inform him that one of those jurymen told me his verdict would have been "not guilty" had he been allowed by Judge Hunt to express his opinions, "nor would he have been alone." This was just what Hunt knew and feared and was determined should not take place. Therefore he gagged the jury and ordered the verdict of guilty entered—a verdict which, as this editor acknowledges, was never rendered.

Fayetteville, N. Y.

MATILDA JOSLYN GAGE.

ULYSSES S. GRANT,

PRESIDENT OF THE UNITED STATES OF AMERICA.

To all to whom those Presents shall come, Greeting:

WHEREAS, at the June term, 1873, of the United States Circuit Court of the Northern District of New York, one Beverly W. Jones, one Edwin T. Marsh, and one William B. Hall were convicted of illegally registering certain persons as voters, and receiving their votes, and were sentenced each to pay a fine of twenty-five dollars,

AND WHEREAS, the Honorable H. A. Sargent asks that they be pardoned, in view of the peculiar circumstances of their offense,

Now, therefore, be it known, that I, Ulysses S. Grant, President of the United States of America, in consideration of the premises, divers other good and sufficient reasons me thereunto moving, do hereby grant to the said Beverly W. Jones, Edwin T. Marsh, and William B. Hall, a full and unconditional pardon.

In testimony whereof, I have hereunto signed my name and caused the Seal of the United States to be affixed.

[SEAL.] Done at the City of Washington, this Third day of March, A.D. 1874, and of the Independence of the United States the Ninety-eighth.

By the President.
HAMILTON FISH, Secretary of State.

U. S. GRANT.

CORRESPONDENCE FROM WASHINGTON—SPECIAL TO THE *COMMONWEALTH*.

[Pg 950]

WASHINGTON, *April 14, 1874.*

SUSAN ANTHONY'S CASE.

Speaking of women, reminds me that a report will soon be made by the Judiciary Committee upon the petition of Susan B. Anthony for a remission of her fine for voting in the last Presidential campaign for General Grant and Henry Wilson. The friends of woman's suffrage confidently expect a favorable report upon this subject from the committee. It was a clear case of a decision by a judge in excess of his authority, and acting without warrant of law. It will not be a decision if favorably made into which the right of suffrage will necessarily enter. Miss Anthony claims her conviction was unconstitutional under the law, the judge having refused her the right of trial by jury in that he directed the jury to bring in a verdict of guilty. She insists that this proceeding of the judge was in derogation of her legal right of trial by jury, and as by law she had no appeal in a criminal case from the decision of a single judge, that it is the duty, as it is in the power, of Congress to remit the fine which she has been ordered to pay with the costs. This simply involves a legal question, and one which the Judiciary

Committee will be quite likely to decide in Susan's favor as she has both law and precedent on her side. If the committee report favorably to the House, it will be quite likely to pass on its merits as a legal question, giving many members an opportunity to vote as their sympathies would direct without committing themselves squarely to the question of woman's suffrage. It is a step that will pave the way to this in the future. Mr. Sargent has introduced a similar bill in the Senate, and Senator Carpenter is pledged not only to its support but announces himself ready to work for its passage.

The question of whether woman shall vote has become one of live issues in politics to-day, and must be met by parliaments and people whether they will or no. Susan B. Anthony, as the pioneer in this crusade, holds the respectful consideration of a large number of our public men. They have learned that she is in earnest in the advocacy of equal rights, social and political, for her sex. She has no other religion than work for this cause, unless it be war upon what she calls the male despotism of both church and State. She will have gained in this, the great cause to which she has consecrated her life, a substantial victory. Notwithstanding it does not bear directly upon the question of suffrage, it will be a recognition of the fact that judges can not with impunity make decisions that woman has no rights that they are bound to respect, and the rebuke that this remission of her fine, if ordered by Congress, will be to the judge presiding in her case is one that his associates throughout the country will be sure to heed. This will at the same time give courage and hope to the friends of equal rights to all regardless of race, sex, or previous condition of servitude.

MINOR vs. HAPPERSETT.

(*Toledo Sunday Journal, April, 1875,*)

We insert to-day a communication from a friend of equal rights, who highly condemns the interpretation of the Constitution by the Supreme Court—his opinion also being from a legal standpoint. There is no doubt but that although the mere letter of the Constitution may be adhered to, *women* not being *specified* as being *people and not non-entities*, the interpretation is clear behind the spirit of the Constitution. It is then the manifest duty of Congress, since the Supreme Court gives the conservative interpretation, to so amend the Constitution as to bring it up unmistakably to the design of the framers, which was representation for all the people.

THE GREAT USURPATION.

President Woman's Suffrage Association, Toledo, Ohio:

DEAR MADAM: What a fraud is practiced by the administration of this government upon the provisions of the Constitution of the United States! As government is administered, the female portion of the public are defrauded of constitutional right, and made to become political slaves. Since the beginning, all the way down to the present day, woman has been debarred of all political privilege, though reckoned and accounted as one of the people, in matters of census and taxation. Her disabilities in this behalf were removed by the adoption of the National Constitution; but nullification of that Constitution and a high handed usurpation on the part of the States, have ever hindered the enjoyment of her constitutional rights. But so long as she is classed by the Constitution as one of the people—so long as the people are the owners, the proprietors of the government established by the Constitution—so long as it provides for self-government, popular sovereignty—so long must she be *entitled* to take part in administration, though prevented from doing so by fine and imprisonment.

[Pg 951]

I am awakened to this subject of woman suffrage by a decision of the Supreme Court of the United States, made at Washington this week. I have not seen the text of the opinion read by the Chief Justice, but I find this statement in the Court news of Monday last:

"No. 182.—Virginia L. Minor agt. Reese Happersett: in error to Supreme Court of Missouri.—The plaintiff in error instituted an action against Happersett, who was the judge of an election, for denying her the right to vote. She based her right to vote upon the ground that as a citizen of the United States she had that right under the Constitution. Mr. Chief Justice Waite delivered the opinion, holding, first, that women are and always have been citizens of the United States as well as men; second, the Constitution of the United States does not attach the right of voting to the right of citizenship; third, nor does the Constitution of any of the States make the right to vote coextensive with citizenship; fourth, consequently, women are not entitled to vote by virtue of the Constitution of the United States, when the State laws do not give the right. Affirmed."

The great usurpation is now affirmed, legalized, by the decree of the Judicial Department of this government! More than 20,000,000 of the people of this Nation have been declared without the pale of political rights secured to them by the Constitution of the fathers. This decision indorses the disfranchisement of every female in the land, so long endured by her. Her citizenship, which the National Constitution makes evidence of her copartnership, or tenancy in common, or proprietorship in the Government, is worthless—is only a name; and does not enable her to exercise the privileges and immunities of our system of self-government which that Constitution declares this government to be—a government by and for its citizens. Woman can not now exercise her constitutional right—she is only a cipher, important once in a decade, in numbering the people—she is only a political slave, a helpless Helot. Make ready, adorn your person, O woman, to celebrate the coming centennial of the Declaration of American Independence of the British throne! Mark! a woman sits upon that throne and wears the royal crown! But, glorious parchment is that old Declaration. That instrument marks an epoch in government and political philosophy. It certifies the rights of the human race. Its truths sounded in American ears on every fourth of July, for one hundred years, save one, have, nevertheless, failed in their realization, and, to-day, one half the population of this Nation can not exercise a political right. How happens this state of affairs?—not that the Constitution hinders woman and prevents her participation in matters of government, for it is abundant in its provisions in her behalf. Let me examine and try to ascertain the point of difficulty. I copy from the Constitution a provision which covers the entire question of woman's right of suffrage:

"The House of Representatives shall be composed of members chosen every second year, by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature."—[*Art. 1. Sec. 2.*]

The law and logic of woman's right—her political right—to vote for members of Congress, President and Vice-President, appear thus in argument: These officers are to be chosen "by the people of the several States"—that is by the men and women of the Nation. The personality of the people, by the creative fiat, is distinguished by difference of sex, male and female. The choosers, the people of the several States, are required to have certain

qualifications to enable them to choose, and these qualifications are to be subject to State regulations. The right to vote for these officers of the United States is anchored in the Constitution—no State may nullify that right—it can only regulate its exercise:—for example, prescribe, as qualifications for access to the ballot-box, that the chooser or voter shall be twenty-one years old, a resident of the State for one year, of the county or town for thirty days, etc.—these are properly qualifications and such as the Constitution intends. Every State Constitution limits the right to a part only of the people, which is denial of right to the other portion of the people, and not regulation or the right by way of adjective qualifications, as illustrated above.

Can sex either qualify or disqualify a chooser, one of the people to cast a ballot for President? All the States, in unchecked nullification, pronounce in the affirmative and write it in their constitutions—the masculine qualifies, the feminine disqualifies—and this has just now been echoed by the Supreme Court of the United States! My mind and reason forbid my acceptance of such postulate.

The term "people" comprehends and includes female persons as well as male persons. It is impossible, therefore, that sex, either the one or the other, is contemplated by the Constitution as a qualification or disqualification for suffrage. There must be National officers, President, etc., else no government; they are to be chosen—this calls for choosers or voters; the "people" are to choose—the people are a majority of persons—these persons are, some male, some female—no limitation is indicated as to which shall belong the right to vote; sex, it seems, is out of the question, as the people are of both sexes, so both male and female must vote or choose at the polls. Let the States regulate the approaches to the ballot-box, but not deny the right of user, by the people of the Nation. The Constitution exacts all this—it is plain, it is positive—there is no hint in the same that there shall be had at the polls any preference on account of sex. Expulsion of woman from the polls by State nullification is a gigantic wrong—a villainous usurpation.

Again, some things carry in their very face the absurd, the incongruous, the ridiculous; States enacting laws and forming constitutions which are interpreted as warrants of right to vote—the masculine gender, this qualifies for voting—the feminine, this disqualifies the voter. How ridiculous! Virility the distinguishing qualification of voters in the United States! How queer this looks and sounds. Sex is elemental—inherent in all the people, and should never be deemed ground of qualification or disqualification to vote, any more than the height or weight of person. But the Supreme Court of the United States wink at the wickedness of the States as nullifiers, and allow the masculine usurpation to remain. Perhaps this grave body of learned Justices look upon the question of qualification in a broader or other sense than that taught by Dr. Webster. Their decision, it seems, turns upon the use and meaning of that word. This, then, is the solemn conclusion of the embodied justice of the land—*qualification to vote*, MASCULINE GENDER!—and not things in common belonging to every person of the entire population, no matter what the sex; such as age, residence, etc.

Madam, you have no available political rights—the Constitution intends you shall have and exercise them, and it has made provisions accordingly—but the false interpretations of the courts, and the trespassing State Constitutions have hitherto hindered you. But I believe a day of revolution, call it reckoning if you please, is at hand—fast approaching. President Lincoln liberated by proclamation, three or four millions of chattel slaves. President Grant has the power, Constitutional power, to liberate, to-day, twenty millions of political slaves, of which, I am sorry to say, you are one. Let politicians and political parties beware how they treat this question of woman suffrage. What became of the old Whig Party, in consequence of its alliance with chattel slavery. *Illium fuit.*

Sincerely yours, etc.,

HORACE DRESSER.

[The Toledo *Sunday Journal*.]

The New York *Evening Post* has a long article relative to the decision of the Supreme Court regarding the right of women to vote under the Constitution of the United States, coinciding in the decision. It closes by saying: "The advocates of woman suffrage will scarcely be disappointed by this judgment. We do not believe that sincere friends of the proposed reform will regret the failure to secure it by trickery."

There are few who have maintained that the XIV. and XV. Amendments secured suffrage to women as well as to colored men, who would be willing to admit that they desired to obtain suffrage through trickery? Either it is, or is not, conveyed through the Constitution and the Amendments. Certainly if it is, they have a right to avail themselves of it; and even if it is not, it is nevertheless, a right. The woman suffragists believe that the withholdal from women of the right of suffrage is a fraud and an imposition. To secure them what is already their right, can not involve trickery. Every day and every hour that the right of suffrage is withheld from women, a monstrous wrong is practiced upon them. As long as there were no women who demanded the ballot, and by tacit consent it was relinquished, the fraud practiced by debarring them from it was merely of a negative character—but the privilege should have been left open; but from the moment that one woman demanded it, an outrage was practiced upon her by the entire people in denying it her, and the plea that it is not woman's sphere, which is sometimes made, is the most shallow subterfuge of any, for it is not for men, but for woman alone, to determine what that sphere is, or is not.

FOOTNOTES:

[208] Alvin Stewart, one of the noble pioneers in Anti-Slavery.

Transcriber's Notes

The transcriber made changes as below indicated to the text to correct obvious errors:

1. p. 10, permanance --> permanence
2. p. 18, batte-field --> battle-field
3. p. 80, menancing --> menacing
4. p. 84, ALL HUMAN GOVERNMENT. --> ALL HUMAN GOVERNMENT."
5. p. 88, Footnote #47, no footnote marker in footnote text.
6. p. 103, enfrachising --> enfranchising
7. p. 112, I have read --> "I have read
8. p. 119, Doubtles --> Doubtless
9. p. 125, it will led --> it will lead
10. p. 139, Do they like --> "Do they like
11. p. 189, "I ask you --> I ask you
12. p. 190, resolutions --> resolutions.
13. p. 224, consience --> conscience
14. p. 246, Thank you --> Thank you.
15. p. 284, Footnote #99, TRIAN --> TRAIN
16. p. 327, inviduous --> invidious
17. p. 348, everhelp --> everheld
18. p. 371, suffage --> suffrage
19. p. 424, indignat --> indignant
20. p. 435, devolop --> develop
21. p. 438, Aniversary --> Anniversary
22. p. 439, sincerly --> sincerely
23. p. 442, Athony --> Anthony
24. p. 444, appropriate --> appropriate
25. p. 455, delaring --> declaring
26. p. 530, sate --> state
27. p. 531, elswhere --> elsewhere
28. p. 554, surrended --> surrendered
29. p. 587, Dictrict --> District
30. p. 638, stautte --> statute
31. p. 666, syonymous --> synonymous
32. p. 691, ursurped --> usurped
33. p. 692, eithth --> eight
34. p. 708, folowing --> following
35. p. 723, 4 Wallace, 351-323 (left as published)
36. p. 727, plantiff --> plaintiff
37. p. 733, privieges --> privileges
38. p. 755, disabilty --> disability
39. p. 791, acording --> according
40. p. 803, Footnote #188, standardized punctutation in list of states and individuals
41. p. 900, a a (left as published)
42. p. 921, Wom n's --> Woman's
43. p. 934, ther campaign (left as published)
44. p. 947, dissatisfied --> dissatisfied

*** END OF THE PROJECT GUTENBERG EBOOK HISTORY OF WOMAN SUFFRAGE, VOLUME II

Updated editions will replace the previous one—the old editions will be renamed.

Creating the works from print editions not protected by U.S. copyright law means that no one owns a United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg™ electronic works to protect the PROJECT GUTENBERG™ concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for an eBook, except by following the terms of the trademark license, including paying royalties for use of the Project Gutenberg trademark. If you do not charge anything for copies of this eBook, complying with the trademark license is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. Project Gutenberg eBooks may be modified and printed and given away—you may do practically ANYTHING in the United States with eBooks not protected by U.S. copyright law. Redistribution is subject to the trademark license, especially commercial redistribution.

START: FULL LICENSE
THE FULL PROJECT GUTENBERG LICENSE
PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project Gutenberg™ mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase “Project Gutenberg”), you agree to comply with all the terms of the Full Project Gutenberg™ License available with this file or online at www.gutenberg.org/license.

Section 1. General Terms of Use and Redistributing Project Gutenberg™ electronic works

1.A. By reading or using any part of this Project Gutenberg™ electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg™ electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg™ electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.

1.B. “Project Gutenberg” is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg™ electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg™ electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg™ electronic works. See paragraph 1.E below.

1.C. The Project Gutenberg Literary Archive Foundation (“the Foundation” or PGLAF), owns a compilation copyright in the collection of Project Gutenberg™ electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is unprotected by copyright law in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg™ mission of promoting free access to electronic works by freely sharing Project Gutenberg™ works in compliance with the terms of this agreement for keeping the Project Gutenberg™ name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg™ License when you share it without charge with others.

1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg™ work. The Foundation makes no representations concerning the copyright status of any work in any country other than the United States.

1.E. Unless you have removed all references to Project Gutenberg:

1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg™ License must appear prominently whenever any copy of a Project Gutenberg™ work (any work on which the phrase “Project Gutenberg” appears, or with which the phrase “Project Gutenberg” is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org. If you are not located in the United States, you will have to check the laws of the country where you are located before using this eBook.

1.E.2. If an individual Project Gutenberg™ electronic work is derived from texts not protected by U.S. copyright law (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase “Project Gutenberg” associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project Gutenberg™ trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg™ electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg™ License for all works posted with the permission of the copyright holder found at the beginning of this work.

1.E.4. Do not unlink or detach or remove the full Project Gutenberg™ License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg™.

1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg™ License.

1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project Gutenberg™ work in a format other than “Plain Vanilla ASCII” or other format used in the official version posted on the official Project Gutenberg™ website (www.gutenberg.org), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original “Plain Vanilla ASCII” or other form. Any alternate format must include the full Project Gutenberg™ License as specified in paragraph 1.E.1.

1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg™ works unless you comply with paragraph 1.E.8 or 1.E.9.

1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg™ electronic works provided that:

- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg™ works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg™ trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, “Information about donations to the Project Gutenberg Literary Archive Foundation.”
- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg™ License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg™ works.
- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.
- You comply with all other terms of this agreement for free distribution of Project Gutenberg™ works.

1.E.9. If you wish to charge a fee or distribute a Project Gutenberg™ electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from the Project Gutenberg Literary Archive Foundation, the manager of the Project Gutenberg™ trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread works not protected by U.S. copyright law in creating the Project Gutenberg™ collection. Despite these efforts, Project Gutenberg™ electronic works, and the medium on which they may be stored, may contain “Defects,” such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.

1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES - Except for the “Right of Replacement or Refund” described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg™ trademark, and any other party distributing a Project Gutenberg™ electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH 1.F.3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND - If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may

demand a refund in writing without further opportunities to fix the problem.

1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you 'AS-IS', WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg™ electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg™ electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg™ work, (b) alteration, modification, or additions or deletions to any Project Gutenberg™ work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg™

Project Gutenberg™ is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need are critical to reaching Project Gutenberg™'s goals and ensuring that the Project Gutenberg™ collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project Gutenberg™ and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation information page at www.gutenberg.org.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non-profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887. Email contact links and up to date contact information can be found at the Foundation's website and official page at www.gutenberg.org/contact

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg™ depends upon and cannot survive without widespread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine-readable form accessible by the widest array of equipment including outdated equipment. Many small donations (\$1 to \$5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit www.gutenberg.org/donate.

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg web pages for current donation methods and addresses.

Donations are accepted in a number of other ways including checks, online payments and credit card donations. To donate, please visit: www.gutenberg.org/donate

Section 5. General Information About Project Gutenberg™ electronic works

Professor Michael S. Hart was the originator of the Project Gutenberg™ concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project Gutenberg™ eBooks with only a loose network of volunteer support.

Project Gutenberg™ eBooks are often created from several printed editions, all of which are confirmed as not protected by copyright in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our website which has the main PG search facility: www.gutenberg.org.

This website includes information about Project Gutenberg™, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.