

## THE CASE OF HESTER VAUGHAN.

On the 6th of last August an editorial appeared in "THE REVOLUTION," calling public attention to the case of Hester Vaughan, under sentence of death for alleged infanticide. It was pronounced by it "judicial murder." On Thursday evening, Nov. 5th, Anna E. Dickinson, in her lecture at the Cooper Institute in behalf of the "Working Women's Association," in her usual graphic and feeling manner, described the girl's terrible wrongs and sufferings, and in this way aroused a large amount of interest in her behalf. Mrs. Stanton then treated the narrative to an editorial article in "THE REVOLUTION," which was very extensively copied by the press in all parts of the country. After this, several members of the "Working Women's Association," as well as many outside of this organization, called at the office of "THE REVOLUTION," 37 Park Row, to see what steps could be taken in the wretched woman's behalf. Nothing was decided upon until Eleanor Kirk, at the suggestion of E. J. Johnston, arose, in the next meeting of the Working Woman's Association and moved that the very first public step taken by this new Society should be to petition Gov. Geary for the pardon and release of Hester Vaughan. It was responded to heartily and a committee appointed to make the necessary arrangements, of which Eleanor Kirk was chairman. It was deemed proper by our committee to send a delegation to Philadelphia to have an interview with the doomed woman, and gain from her own lips the sad particulars; also to report as to the circumstances of the trial, and in this manner present an unbiassed account to the Association. Mrs. Dr. Lozier, on account of her scientific knowledge, which knowledge at this time your committee knew would be all-important, was chosen with Eleanor Kirk to act in this capacity. Accordingly, on the evening of the 25th of November, they proceeded to Philadelphia, and executed their commission. Upon their return, it was thought best to call a public meeting in behalf of Hester Vaughan to hear their report. The meeting was held at the Cooper Institute on Tuesday evening, Dec. 1st, Horace Greeley in the chair. Reports were made by the visiting committee, and speeches by Horace Greeley, Parker Pillsbury, Mrs. E. C. Stanton, Susan B. Anthony, and Ernestine L. Rose. The greatest interest was manifested; a vote of the immense audience was taken in favor of the immediate liberation of Hester Vaughan. The eager, spontaneous, affirmative response expressed more plainly than any language could, the depth of feeling on this subject. A memorial was read and unanimously approved, which was to be presented to Gov. Geary, also a series of resolutions which we append to this report.

## MRS. KIRK'S REPORT.

When, one week ago last evening, the motion was carried by the Working Women's Association in regard to petitioning Gov. Geary for the pardon and release of the unfortunate English girl now under sentence of death for infanticide, it was certainly with the expectation of arousing a large amount of public feeling in her behalf; but we were entirely unprepared for so spontaneous and enthusiastic a demonstration. Was there ever such a place as New York to do a good work in? Is there a spot on earth where the popular heart can be reached as here? To me there was always something strangely electrical in the moral atmosphere of New York City. Let injustice and abuse be once proved, and

the electric current thrills and vibrates until with one grand outburst, as in the case of this friendless girl, justice is demanded. The particulars of her story, as first publicly stated on this platform not long ago by Miss Dickinson, touched many a heart; and when it was decided to send a committee to Philadelphia to learn from the girl's own lips the sad particulars, not only did the Association of Working Women offer their means and time towards the furtherance of the grand object, but the women of the whole country—excuse me, with the exception of Pennsylvania—demanded an investigation of the case. On Thursday morning last, Mrs. Dr. Lozier and myself, accompanied by Mr. Seward, knocked at the prison door of Moyamensing. The Hon. Mr. Chandler, former Minister to Italy, and now acting as Prison Inspector, informed us that no visitors were admitted on this day. "Sir," said we, "we have come from New York on purpose to see and converse with Hester Vaughan," and then gave him our passports. Thank God, for great names! They unlock the gates of trade to the deserving, unearthy infamy and double-dealing, and waft, like a breeze from Araby, the blest, joy and comfort to the poor prisoner. "Now, I warn you to be careful," said Mr. Chandler, as he walked by our side, through the long corridor. "Hester's mind has been very much agitated lately by the visits of a certain woman who has very foolishly and wickedly held out hopes of a pardon which can never be realized." We found afterwards that he referred to a Dr. Smith, a very successful female practitioner in Philadelphia, and one of the noblest women I have ever met. For the last five months she has been visiting Hester, and is the only woman in Philadelphia, during the long period of her incarceration, who has interested herself in the prisoner's behalf. Doctor Smith has been instant in season and out of season; has laid the "facts," which she has from time to time gathered before the Governor, and kept the poor child from sinking into utter despondency. Do not, I beseech you, my friends, forget that there is one woman, at least, in Philadelphia, who loves her sex, and that one Dr. Smith. Imagine, if you please, a girlish figure; a sweet, intelligent face; soft, brown eyes; broad forehead; warm, earnest mouth, and you have a slight idea of Hester Vaughan. Her story is quickly told. She was born in Gloucestershire, England; well reared by respectable parents; married a man, a native of Wales, and came to this country full of hope and enthusiasm for the future. A few weeks, and Hester was deserted. Some other woman had a prior claim, it is supposed, and the scamp has never since been heard of. Then came the tug of war for Hester Vaughan, as for every other woman who, from what cause soever, finds herself compelled to fight the battle of life alone. Think of this young girl, a stranger in a strange land, with neither friend or relative to advise or comfort. For several weeks she lived out as servant in a family at Jenkintown; was then recommended as dairy maid to another family, and here misfortune befel her. Overcome, not in a moment of weakness and passion, but by superior strength—brute force—Hester Vaughan fell a victim to lust and the gallows. That man also went his way. Three months after this terrible occurrence, Hester removed to Philadelphia and hired a room there. She supported herself by little odd jobs of work from different families, always giving the most perfect satisfaction. During one of the fiercest storms of last win-

ter she was without food or fire or comfortable apparel. She had been ill and partially unconscious for three days before her confinement, and a child was born to Hester Vaughan. Hours passed before she could drag herself to the door and cry out for assistance, and when she did it was to be dragged to a prison where she now lies with the near prospect of a halter. Is it not terrible that this victim of a man's craven lust should be thus foully dealt with, while her seducer walks the earth free and unmolested? In this connection let me say that no amount of coaxing or entreaty will induce Hester Vaughan to name the man who thus cruelly wronged her. Since that time he has married. "If he were alone," said Hester, "I would ring his name through the whole country, but nothing will induce me to send terror and disgrace into the heart of an innocent, trusting woman." Glorious Hester Vaughan! True as steel to her own sex. Dr. Lozier will inform you how she came to be accused of infanticide. This comes under the head of medical testimony, and as I am entirely at sea on that subject I can only give as my belief from all that I saw and heard at Philadelphia, that Hester Vaughan is no more guilty of infanticide than I am.

There is a quiet, womanly dignity about Hester Vaughan which immediately enlisted our sympathies. As we entered the cell, she stood a little one side, as if shrinking from curiosity-seekers, but notwithstanding the advice of Mr. Chandler we managed in two minutes' time to make Hester feel that we were her friends, ready to assist her to life, liberty, and the pursuit of happiness, if woman's wit and woman's sympathy could possibly accomplish it. The cell gave evidence of the most exquisite neatness and good taste. There was no evasion or circumlocution in her replies to our varied questionings. Truth beamed from every feature of her expressive face. She pointed to several hymns which gave her a great deal of comfort. Never shall I forget the expression of her beautiful eyes, heavy with their weight of unshed tears, as she repeated,

Jesus, lover of my soul,  
Let me to thy bosom fly;  
While the billows o'er me roll,  
While the tempest still is high;

and then, as if brought to new hope by the glorious sentiments, said—and here is another which I learned at home at Sabbath-school;

God moves in a mysterious way,  
His wonders to perform,  
He plants his footsteps in the sea,  
And rides upon the storm.

We were with her nearly two hours, and were every moment more impressed by her innocence and truthfulness. When we bade her good-by, she said: "Ladies, I know you will do all for me that lies in your power, but my trust must be in God." It is said by Philadelphians that Hester Vaughan was not properly defended. Let me tell you about it. She had managed to save, by the strictest economy, \$30; a grasping, avaricious lawyer, of Philadelphia, offered his services, and took from the poor child her last penny. During the long five months before her trial, this man never came to her cell, and the only conversation she ever had with him was in the open court. When we came out on the corridor, Mr. Chandler very kindly invited us to take a survey of the prison. Moyamensing is a credit to Pennsylvania—there is no mistake about that—and if there be one thing more than another which I firmly believe in, it is justice to all, and honor to whom honor is due. At the door of each cell

hangs a slate with the name of the occupants and crime of which they are accused. On one was written Mary McClintkey—"R. C."—which, interpreted, means "riotous conduct." Ay! didn't I know there was a man at the root of that trouble! What phase of riotous conduct was here exhibited? "Well," he replied, "this family is from Maine—very nice woman—and two lovely children. Her husband left her under very suspicious circumstances, and she followed him to Philadelphia, and then found he was living with another woman. Now, this wife became demonstrative, and insisted that the father of her children should support them." This was riotous conduct, my friends, with a "vengeance." Let us, for a moment, to use a homely expression, put the boot on the other foot. If Mrs. McClintkey had left her husband and two children, and walked away with a paramour, not a court of justice in the land but would have acquitted the outraged husband should he have shot and killed both wife and paramour. Are we to dignify such legal partiality as this by the name of justice. A man may shoot down, in cold blood, the destroyer of his peace; and he has only vindicated his wounded honor, while if a woman protests even against such infernal proceedings she is locked up in a cell. (Immense applause.) "Woman has all the rights she wants," has she? Not while we have men empowered to make such laws as these. (Applause.) "Sir," said we, "can you give us any idea of the commencement of the downfall of these women?" "Yes, ladies," he replied, "faith in man!" "There is nothing on earth so common and nothing so little rewarded." What a scathing truth to come from the lips of an educated public man, who has travelled in all parts of the world, and is 77 years of age! I had an interview with Judge Ludlow, the man who pronounced the sentence of death upon poor Hester. "I do not think her a bad woman naturally," said the Judge; "she has an excellent face, but there was no other course open for me but the broad course of condemnation; she was, in the opinion of the jury, guilty of the murder of her child. Mrs. Kirk," he continued, quite earnestly; "you have no idea how rapidly the crime of 'infanticide' is increasing. Some woman must be made an example of. It is for the establishment of a principle, ma'am." "Establishment of a principle" indeed. I suggested to the Judge that he inaugurate the good work by hanging a few men, but, strange to relate, he has not been able to see it in that light. Women of New York, women of America, turn your backs upon libertines. The victims of the fiends, you will see upon all sides as you go from your respective houses. Be careful that the very arm you are now leaning on has not just wound itself around the waist of one of these fallen creatures, the touch of whose garment even you would consider the rankest contamination. And, above all things, my sisters, sustain, comfort and cheer each other. The very day that poor Hester was sentenced to be hung by the neck until she was dead, Oxford Alexander, a colored man, was also sentenced for the murder of his wife. Hester, imprisoned for a man's diabolical lust, is so heinously guilty that she may not walk out on to the corridor near by the side of her cell, while Oxford Alexander can work in the prison-yard, have the benefit of out-door air, and exercise; and more than this, 20,000 of the most respectable citizens of Pennsylvania have petitioned Governor Geary for the man's pardon; and not one wo-

man in Philadelphia, so far as, we could learn with the exception of Dr. Smith, has said a good word for Hester Vaughan.

#### MRS. DOCTOR LOZIER'S REPORT.

Mrs. Doctor Lozier said: I freely corroborate all that has been said by Mrs. Kirk; as a physician I was cordially invited to accompany her to Philadelphia, and had authority, not only to question this poor woman in regard to her own condition, but also in regard to all that occurred. I judged for myself, from her own honest and ingenuous answers to the questions; but I also consulted with Mrs. Doctor Smith, who has been a practising physician for fifteen years, a woman of large influence and a neighbor of the judge who condemned Hester Vaughan. Doctor Smith had not heard of the case till she read of the sentence the next morning, and she concluded to call on Judge Ludlow and ask him the particulars. He gave her a permit to visit Hester Vaughan at her pleasure. She has done so once or twice a week, for five months. She told me she had questioned and cross-questioned the girl; had taken her by surprise; and had come to the conclusion that she was innocent of the crime of infanticide. It appears that the plea of puerperal fever and puerperal blindness was never used on her behalf. Her lawyer, after visiting her once, never came near her again. He paid her a visit and took her money, and promised to defend her; but he never saw her again until she was brought into court. He never inquired into any of the particulars of her former history, or of her present condition. When Mrs. Dr. Smith went to see him he said, "Oh, yes; it is now too late; she has been condemned, and is to be hung." For over five months, not one benevolent person has condescended to visit her in her sickness—for she has been very sick. "Well," said Mrs. Smith, "you took her last thirty dollars, and promised to defend her; and have you called on her?" He replied, "Is that so? Was that all the money she had?" Well, then he remembered that he had not called on her; consequently when her case came up he was unprepared to give her any defence. Dr. Smith, by the kindness of Judge Ludlow, has been permitted to visit her, and to report to him and to Governor Geary in regard to the poor girl's condition, and she has sent to Governor Geary ten letters, praying for his immediate release on the ground of her innocence, as she thinks her entirely innocent. For three months she thinks that she was irresponsible for her acts—the victim of puerperal mania. When she is spoken of about her condition at the time, she says: "It was so dark"—she seems hardly to have recognized a ray of light—and she adds: "I never saw my child." I have had large experience in obstetric practice; my record shows over two thousand cases; and I have had several cases of puerperal blindness—in one case lasting over four days and four nights; for four days and nights the patient did not see. And I believe what this poor girl says when she says, "I did not see." I asked her how the skull could have been injured, for it seems the skull was indented, and she said "I must have lain on it; when I waked up, the child lay under me." She might have swooned or fainted in her agony. I have no doubt that she suffered from puerperal mania for at least three months. Her sight is still very weak. But there is another point. The child was never examined. No one can prove that it ever lived. The lungs should have been examined. If the child had lived, the lungs would float: but if the air had never per-

meated those vessels, the lungs would sink. So, I repeat, it was never proved that the child was alive. Now, it was a premature birth; it was an eight months' child, and the children of that period very seldom live. The foramen between the auricles of the heart remain so open that the natural circulation is very difficult to establish, and such children very seldom live. It has been said in some of our papers to-day, that the marks on the head prove that the child was destroyed. I do not see that it is proved. That poor woman, in her agony, alone, without fire, without light, may have injured the child, but not wilfully. I said to her: "Hester, do you love children?" She replied: "No one ever loved children more than I do—no one, I dearly love them. I wish I had my poor little babe. It would be some comfort to me." She is here among strangers; but her friends write to her and beg her to come home. Her poor father does not know of her sad fate, and she is fearful that he may know of it. It appears that the name of the man she married was Harris, and her father gave his consent to the marriage. It was not a runaway match. It was not as a disobedient, wilful child that she came to this country. I could see by the tone of her father's letter, and by the kisses sent to her from her younger sister, that it was a very affectionate family. She longs to go home. I had the opportunity of conferring with some of the most influential ladies of Philadelphia, and it appeared that the story was all new to them. They are not lacking in sympathy. Some very dear friends of mine, in the very highest positions, melted into tears when I told them of the matter; and one young lady, who was deeply interested, said, "Oh, pa will soon be home to dinner; but I can't wait; he won't be home time enough; let us jump into the cars." So I went down with her, and there I had an opportunity of conversing with Jay Cook and Mr. Sherwood, upon the merits of the case. They said it must be investigated; they took down the data. The gentleman said, "I will send it all to the Governor." In conclusion, Mrs. Lozier read some comments of "THE REVOLUTION" upon the case.

#### MEMORIAL.

To His Excellency the Governor of the State of Pennsylvania:

The Working Women's National Association, through their Committee, whose names are hereto appended, after careful investigation of the case of Hester Vaughan, now confined in a Pennsylvania prison for the alleged crime of INFANTICIDE, would respectfully represent that, as they believe she was condemned on insufficient evidence and with inadequate defence, justice demands a stay of proceedings and a new trial; or, if that be impracticable, they most earnestly pray your Excellency to grant her an unconditional pardon.

#### RESOLUTIONS.

Whereas, The right of trial by a jury of one's peers is recognized by the governments of all civilized nations as the great palladium of rights, of justice, and equality to the citizen: therefore,

Resolved, That this Association demand that in all civil and criminal cases, woman shall be tried by a jury of her peers; shall have a voice in making the law, in electing the judge who pronounces her sentence, and the sheriff who, in case of execution, performs for her that last dread act.

Resolved, That the existence of the Death Penalty, odious as it is when man is the victim, is doubly so in a case like this of Hester Vaughan—a young, artless, and inexperienced girl—a consideration that should startle every mother into a sense of her responsibility in making and executing the laws under which her daughters are to live or perish.

Resolved, That, as capital punishment is opposed to the genius of our institutions and the civilization of the age, we demand that the gallows—that horrible relic of barbarism—be banished from the land; for human life should be held alike sacred by the individual and the state.