

The Revolution.

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NEW YORK, DECEMBER 10, 1868.

NOW'S THE HOUR.

Nor 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.

HESTER VAUGHAN.

From the facts in the case of Hester Vaughan, which we publish in another column, every lawyer accustomed to examine evidence must see the strong points for doubt as to her guilt. In Archbold's Criminal Practice and Pleading, in the comments on Infanticide, he shows that new-born infants are easily killed by cold and starvation, which are two strong points in the case under consideration. Hester Vaughan was alone in a cold room in the depth of winter, and no help came to her for forty-eight hours after the birth of her child; long enough, without any violence, for a child to die, with either cold or starvation. The previous character of the woman, her manners, appearance, good head and open face, and all the facts of the case, go to prove that she was not guilty of the crime of murder. At all events, there was so much room for doubt in the case that if she had been

properly defended, the jury would either have acquitted her, or disagreed, which latter would have ultimately resulted in her discharge. But she gave her last dollar to a lawyer, who betrayed her at the trial, either through utter ignorance, or culpable indifference; hence, practically, she was not defended at all, and cannot be said to have had a full and fair trial. We hope the bar of Philadelphia, for its own honor, will put that man in Coventry.

The circumstances of this case demand a stay of proceedings that a full and fair trial be obtained. If this cannot be done, then, because of the extreme hardship of the case, of the many grave doubts as to her guilt, even under the most rigid construction of the law, and the peculiar and touching character of the circumstances that surrounded her, extenuating her conduct when tested by the severest rules, the women of this country have a right to demand for the prisoner an unconditional pardon of the Executive of the Commonwealth of Pennsylvania, in whose hands her life is.

This case carries with it a lesson for the serious thought of every woman, as it shows the importance that women of wealth, education and leisure study the laws under which they live, that they may defend the unfortunate of their sex in our courts of justice, and, as able advocates, avail themselves of every advantage the law gives for their acquittal. The success of Mrs. Bradstreet, of New York, and Mrs. Gen. Gaines, of Louisiana, in securing their large estates, was owing to the fact, that they knew their rights, and defended them in the courts in person. To this end, let the wise men of New York open Columbia Law School at once to girls who have brains to understand the science of jurisprudence and hearts big enough to demand justice for the humblest of God's children. Had Hester Vaughan been informed of her rights and privileges, she might have challenged her jurors, for four different reasons. This right has always been accorded to criminals if they or their counsel knew enough to ask it. These challenges are of four sorts. 1. Challenge *propter honoris respectum*, or in respect to nobility. This, a learned jurist tells us, "of course does not exist in the United States, where we have no nobility." We differ with him. So long as we have a class endowed with political privileges that millions of other citizens have not, we have our nobility, a favored class, a privileged order, whatever men may choose to call it. In this country the nobility are "white males" who make laws for their own protection, in whose rights and privileges disfranchised classes have no part, hence the unequal laws women and negroes suffer to-day, in nearly every state of the Union. On this ground women have the right to challenge all male jurors, because the difference in our political position is as wide as that of noble and peasant in the Old World. If, in aristocratic countries, kings, nobles, and common people demand, in all cases, to be tried by juries of their own peers, as thus alone could justice be secured, is it too much for women to ask under our republican institutions?

2. Challenge *propter defectum*, or for want of proper qualifications. Under this head is mentioned non-freeholders, minors, aliens, slaves, those convicted of infamous crime and women. We find ourselves here in quite as flattering a category as in the second article of the New York Constitution, where the qualifications for voters are set forth; but inasmuch as women may not be minors, aliens, slaves or convicts, but honest, virtuous, law-abiding freeholders of legal age, we see no reason why they should be challenged,

if they should chance to stray into the jury-box. They certainly lack no "proper qualifications," as Hester Vaughan would have found, could half her jurors have been noble, thinking women.

3. Challenge *propter affectum*, for suspicion of bias or partiality. On this ground, too, Hester Vaughan might have challenged her jurors, for judging of man by his laws and life, his first consideration is ever his own protection; for although the real interests of man and woman are one and identical, yet in our present discordant, fragmentary condition, they are too often in direct antagonism. In talking with the men we meet every day, we do not find them so unbiased in their judgments of women that we should be willing to accept them as jurors if our daughter were a prisoner at the bar of justice for the crime of infanticide.

4. Challenge *propter delictum*, or on account of some crime, such as treason, felony, perjury or conspiracy. On the ground of "conspiracy" the prisoner had a right to challenge her jurors. When a class of men conspire, either under forms of law of their own making, or outside of law, to deprive a large body of citizens of their inalienable rights to life, liberty and happiness, when they deprive them of the rights of person, property, wages, and of the ballot, the only means of protection under government, such citizens have a right to object to such laws, judges and jurors, on the ground of "conspiracy," for whether these things are ignorantly or willfully done, they are, nevertheless, treasonable to the first principles of human rights.

If any woman, hereafter, is ever so unfortunate as to find herself in the iron grip of the law, let her remember that criminals have some privileges under this great palladium of rights called trial by a jury of one's own peers; and remember, too, that in some of the states they may call on any noble woman who is able to defend her in the courts, who, we trust, would not, like Judas Iscariot, betray her for thirty pieces of silver.

If we look over the history of Jury trial, we find in all ages, and nations, the greatest stress laid on every man being judged by his equals. This idea is the foundation and essence of juries, running so far back in English history as to be lost in the Saxon colonies, and probably derived from the feudal institutions in Italy, France and Germany; for in the old German courts, generations ago, the interests of the criminal were so carefully guarded, that equality of birth between the judge and the criminal was considered imperative, not so much that no inferior could be judged by a higher as that no higher could be judged by an inferior. Now, if that was the case centuries ago in a civilization we should blush to represent, what shall we say of the nineteenth century, when men sit in judgment on the mothers of the race, on those conceded by all to be their superiors, not in intellect or strength, but in those diviner elements of human nature, in love, spiritual perception and moral power. If nobles cannot judge peasants, or peasants nobles, how can man judge woman? But, cannot woman trust her own father, husband, brother for wise laws and just judgments? The Hester Vaughan's—the very class that most need protection—are often bound to earth by no ties like these. Their betrayers may be their judges and their jurors. Hawthorne, in his Scarlet Letter, gives us a case in the early days of New England, where a woman, for the crime of adultery, was compelled to stand three hours in the pillory, subject to

the gaze of the multitude, while the judge, whose duty it was to rebuke, counsel, and warn her, was her seducer. She, too, was urged by his own lips to reveal the name of him who had betrayed her, but she steadily refused. That picture of Hawthorne's of a grand woman, in all her native dignity, standing calm and self-poised through long years of dreary isolation from all her kind, is in marked contrast with the cowardly selfishness of the man who betrayed and judged her.

E. C. S.

THE HESTER VAUGHAN MEETING AT COOPER INSTITUTE.

THE meeting held last week in behalf of Hester Vaughan, proved that there is in this city a deep tide of sympathy flowing as well in the hearts of men as of women in behalf of the class of fallen and unfortunate to which she belongs. The Working Woman's Association that called the meeting deserve unspeakable praise for acting so promptly and effectively in the case, after it was brought to their notice in the lecture of Anna E. Dickinson. Some of the city newspapers (not many, nor the best of them) complained that it was out of the province of the Association to take cognizance of such an affair. But was it Terrence who should forever have silenced all such carping by his immortal confession: "*I am a man; and all that concerns man, concerns me?*" Hester Vaughan is a woman. She is a woman in sorrow. In the deepest depths of sorrow. No matter though she be an accomplice in that which led to it. It is still true, it is none the less true, that man's inhumanity to woman in general, to her in particular, has pointed, poisoned every arrow of her affliction. And then she is a *working* woman, like the members of the Association; and possessing special claim to their regard on that account. And possibly, more than for all other reasons together, they should have moved in her behalf because nobody else did, or seemed ever likely to move. New York was as unconcerned as Philadelphia. And even now there are presses here of immense circulation, that talk in this way about the Hester Vaughan meeting:

Horace Greeley, Miss Anthony, Parker Pillsbury, Mrs. Dr. Lozier and Mrs. Stanton made addresses in which the case of the prisoner was dressed up in all the glowing colors of a morbid sympathy, and the woman, who is supposed to have provided a final settlement for her child by driving in the soft part of its head upon its brain, might have been taken for a perfect saint and one of the most virtuous and tender-hearted of mothers. Greeley snivelled, Miss Susan snarled, Parker Pillsbury ranted, Mrs. Stanton argued, and Mrs. Dr. Lozier dis-cussed the philosophy of temporary aberration of intellect arising from puerperal mania, but not one of them spoke of the terrible increase of the crime of infanticide.

The last statement is singularly wrong, because the main purpose of one of the addresses was to unfold that very evil in all its horrible enormity and extent; and the immeasurable shame and guilt of those who make it a profession and grow enormously rich in the murderous business; and yet walk unblushingly, and ride most magnificently on Broadway in broad day, and receive both the gratitude and gold of the unnatural fathers and mothers who, in marriage as well as on it, employ them—and the not less inexcusable crime of those newspapers that advertise for greed and gain, the loathsome operators of the abomination! This was the burden of at least one of the Cooper Institute addresses, and some of the others were surely not silent on the subject.

Another complaint of the press (as before,

only a part of it) is, that the speakers went aside from the legitimate object for which the meeting was called to consider the abstract question of Woman's Rights. Mr. Greeley, in his remarks on taking the chair, seemed to apprehend something of that kind, and sought to forestall it. And the *Tribune* has, with other presses, protested against it since. But the callers of that meeting had two objects in view, or rather saw the different bearings of the one object. There is a horrible harvest of Hester Vaughan victims every year. And how to prevent the enemy from sowing the seed whence it grows, is as well the work of the Working Women's Association as the rescue of one specific victim. They might have failed in Hester Vaughan's case; and had that been all they contemplated, the meeting would then have failed altogether; indeed, had better have not been held.

The abolitionists were long accustomed to that type of humanity and philanthropy. When a poor slave woman, escaping from the woes of slavery to Canada and freedom, sometimes with a babe in her arms, appealed in New York or New England for aid or shelter from the pursuing bloodhounds of the Fugitive Slave law—there were plenty to aid, generously, who yet would not touch the slave system, or the slave, unescaped, or a free colored person, though a member of the same church, with one of their fingers. There were too many interests involved. The deadly Upas tree sent its roots under all politics, trade, commerce, literature, churches, pulpits, communion tables, colleges, theological seminaries, bible, tract and missionary societies; marriage had mingled families together, northern and southern, until slavery was a dread omnipresence, higher than heaven, what could we do? deeper than hell, what could we know? And so "*hands off*" was the cry whenever it was proposed "*to lay the axe at the root of the tree, hew it down and cast it into unquenchable fire.*" "*O no,*" men cried, "*keep to your one specific object!*" Send this woman on to Canada where she may be free, here is our money for that, but forbear as you love your lives, your souls, your country, its constitution, laws, learning, religion, O, forbear to lay hands on the slave system, divinely appointed and approved from the foundation of the world!" But the abolitionists knew their duty better. It was no such maudlin philanthropy as that which earned for Clarkson and Garrison the gratitude of mankind.

Why do the *Tribune* and the best of the republican party and press seek to move heaven and earth, if not indeed the powers under the earth, to secure the colored man the ballot? They all declare "*his liberty is but mockery without the ballot to shield it.*" The present condition and prospect for the working women of the large cities, if not of the whole nation, speaks multitudes of Hester Vaughans for every year. And are the Working Women to be silent when Providence opens such an opportunity as this to sound the danger into every ear, and peel the changes until they stir the bones of the national humanity?

Creating souls, under the ribs of death!"

Some of the newspapers are distressed too because one of the resolutions adopted at the meeting declares hanging is more odious when a young, artless girl is the sacrifice, than when inflicted on man. Do any seriously doubt it? Woman has no vote or voice in the law, that ruthlessly robs her of life. Her consent to be thus governed, to be thus killed, has never been

obtained. It has never even been asked. And yet she is snatched up and put to death, in the name of democracy and christianity. Is that what is meant by "*all just governments derive their power from the consent of the governed?*" The resolution is just, and will stand until woman votes, the equal of man.

For the rest, it may be said the working women have many things in contemplation as they increase in numbers and the means for aiding the unfortunate of their sex. Already they include in their registry many of the able, noble, long tried and well proved women of New York and vicinity, with whom life means labor, who have already fought through many stern conflicts and never lost a battle. A Poland drummer boy was taken prisoner in a terrible engagement with the Russian hordes and was brought to the Emperor, who asked him to beat the various changes on his drum. The lad astonished his royal auditor by the number as well as skill of his beats. Now, said the Emperor, sound a Retreat. "*Pardon me,*" said the brave boy, "*but I never learned a Retreat.*" So with the leaders of the Working Woman's Association of America. They know no retreat. With them there is no such word as Fail.

P. P.

VALUE OF COMPROMISE.

THREE years ago, Mr. Phillips, Mrs. Abby Kelley Foster, and other leading lights and guides in the old Anti-Slavery movement, decided to postpone still longer Woman's right of Suffrage on the ground that this is the negro's hour. Mr. Beecher, Mrs. Lucretia Mott, Mr. Robert Purvis, Mrs. Stanton, Mrs. Rose, Miss Anthony, and others, warned them that compromising women in that way would inevitably endanger the colored male citizen. The warning was timely and necessary. Last week Mrs. Foster herself sounds the alarm in the *Anti-Slavery Standard* on behalf of the colored man (not woman!) thus:

We must work with unwonted earnestness this season, so that if it be possible, we may secure the ballot to him throughout the country, not only by Constitutional amendment but by protection to him in casting it. F. W. Bird well said in the Convention, "*The ballot in the hand of the negro is now a mere mockery.*" Why not every old anti-slavery worker put his hand anew to this effort for sealing the negro's claims to entire equality, before the close of the current anti-slavery year?

What "*old anti-slavery worker's hand*" is not just there, now? And a good many are asking the boon for the colored woman as well as man. What has she done, or what is her future hope or prospect, that Mrs. Foster and her New England coadjutors should leave her behind? *Gradualism* was not always Mrs. Foster's philosophy.

But Mr. Bird is undoubtedly right. Massachusetts has no clearer-sighted man than he, the colored population no firmer friend. Had Mrs. Foster held, with Lucy Stone, Mrs. Stanton, and others, that this is the hour for all the disfranchised, irrespective of sex as well as color, and demanded justice and right for all, instead of for half, *at the expense of the other half*, Mr. Bird's lament and her own not unreasonable apprehension might have been avoided.

USEFUL WOMAN.—A Mrs. Louisa Wafer, in applying for an extension of a license to keep a tavern in London, adduced proof to show that during the twenty-four years she has presided over that institution she has induced the enlistment of 26,573 men into the British navy.