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Susan B. Anthony's Hometown Trials

An Historical Play Depicting Episodes from
Miss Anthony's Life in Rochester Between 1845 and 1900

By Blake McKelvey

Dramatic Personnel

Miss Susan B. Anthony

Miss Mary S. Anthony, Susan's younger sister

Mrs. Ida Husted Harper, author of *Life and Works of Susan B. Anthony*, a major source for this play

Mrs. William C. (Mary T.) Gannett, Unitarian minister's wife

Mrs. Lewis (Fannie) Bigelow, secretary of Fund Committee

Miss Phoebe Cary, Poet

Bloomer girls, 4 or 5

Women voters, to accompany Miss Anthony

Beverly Jones, Republican inspector at polling place

William Hall, Democratic supervisor

E.J. Keeney, Deputy U.S. Marshal

Judge Henry R. Selden, Miss Anthony's counsel

Judge Ward Hunt, Associate Justice U.S. Supreme Court

Court officer

Jury, 12 men

Men and Boys for street scene

Chorus of girls, off stage at close

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PROLOGUE: (Enter, Mrs. Ida Husted Harper, biographer)

Rochester, which provided the setting and the foil for many of Miss Anthony's agonizing trials, was a thriving and boisterous community at the falls of the Genesee. Permanently settled in 1812 and incorporated as a village in 1817, barely three years before Susan's birth at Adams, Massachusetts, it had grown as a milltown and canal port into the world's leading Flour City before the arrival of the Anthony family on a canal boat in 1845. It was then a male-dominated town of 25,000 inhabitants, a third of them foreign born; slightly more than half were females but, except for a few school mistresses and seamstresses, most of them were engaged in services in the homes. Its residents would triple in number by 1870 when Rochester, now the Flower City, surrounded by nurseries in full bloom each spring, was linked by rail lines with cities and towns throughout the nation.

It was to this city that Miss Anthony, after a decade of exhausting travels by rail and stage coach on speaking tours extending east to Boston and west on one occasion to San Francisco, returned in 1872. She had journeyed at first as a leader of the Women's National Loyal League, then as agent for the American Equal Rights Society, and finally as president of the National Woman Suffrage Association. Her increasing fame and mastery on the platform had brought an unexpected invitation from the Republican Party to conduct a series of rallies in New York state in support of President Grant's reelection. Her high hopes of featuring that party's woman's rights plank had, however, been frustrated, and she returned to the Anthony home on Madison Street in low spirits.

ACT ONE — Living Room of Anthony home on Madison St. — 1872

(Enter Susan and Mary Anthony)

Mary: I hope you have had a good rest, Susan.

Susan: Rest! Mary. Rest won't eradicate the frustration.

Five weeks spent in conducting meetings in towns and cities across the state in support of Grant's reelection campaign, and what support do we get for women's rights? Oh, Mary, what defeats we have suffered over the years —

two full dozen years — since we took up the cause!

Mary: They haven't all been defeats, Susan dear. You were off teaching at Canajoharie Academy and missed the first Women's Rights conventions at Seneca Falls and Rochester in '48. They were, in honest fact, hopeful beginnings. Don't forget that we in Rochester were the first to choose a woman as chairman of a mixed convention — Abigail Bush — and she performed competently. She and Elizabeth Stanton insisted that we permit a free discussion on each issue, and we had a good response.

Susan: I'm sure it was Elizabeth's idea; she had always been for open debate. Of course, Abigail would have supported her. Did I tell you, Mary, that Abigail turned up at one of my meetings in California? She is still an active worker.

Mary: I'm not surprised; she was Rochester's ablest woman speaker in '48. Frederick Douglass was also with us in '48 and made a powerful speech in our behalf. We endorsed the "Declaration of Sentiments" adopted at Seneca Falls, and we approved several additional resolutions. We adopted one calling for equal pay for women workers, which is still a burning issue, and we took up and passed the crucial resolution, shelved at Seneca Falls, demanding the right of women to vote.

Susan: Yes, Mary, it was a good start, but all the issues are still burning. You made the right to vote the number one resolution on the Rochester list. That's where it belonged, and still belongs. I'll admit that I was absorbed at the time in the temperance cause. I believed that women had only to speak out to be heard. How mistaken I was!

Mary: Fortunately you soon discovered your error, Susan.

Susan: Yes, too quickly for my comfort. I organized the Daughters of Temperance here in Rochester and as their delegate attended the state temperance conventions at Albany and Syracuse in '51, only to be denied the floor. I began to see the light when my protest, that women who had signed most of the 100,000 petitions in behalf of a Maine Law had a right to be heard, was greeted with rude shouts and stamping feet.

Mary: The Rev. Samuel J. May stood up for you at Syracuse, Susan.

Susan: Yes, he demanded that I be heard, but most of the delegates, clergymen and others, were fearful of associating their cause with women. Horrors! Our petitions were welcome, they declared, but we were "to work in our proper sphere — the domestic circle," as they pompously resolved. I discovered, then and there, that our fundamental issue was women's rights.

Mary: You finally walked out at Syracuse, as I recall, Susan.

Susan: Yes, but luckily I wasn't the only one who was mad — provoked, I should say. The Rev. Luther Lee hastened out after me and opened his Methodist chapel to us for a rump session that evening. Rev. May and Amelia Bloomer and I had a chance there to defend the rights of women to speak out and be heard on temperance and other issues. We drew a packed audience, but the papers poked fun at us; they called our gathering a "Hen Convention!"

Mary: You'll have to admit, Susan, that you gave them some grounds for a good laugh!

Susan: You mean Amelia's Costume! Yes, but it was later that year, at the Woman's Rights convention we held in Syracuse, that Amelia first appeared in public in her bloomers.

Mary: (chuckling) When I close my eyes I can still see a bevy of Bloomer Girls walking down Main Street with a crowd of men and boys following and taunting them.

(lights on Susan and Mary dimmed and a spotlight on a small parade of Bloomer Girls and followers marching across the front of the stage and off)

Male voice: Gibbery, Gibbery, gab
The women had a confab
And demanded the rights
To wear the tights.
Gibbery, Gibbery, gab.

Mary: (still chuckling) You wore the costume once or twice in public yourself, Susan!

Susan: I'd rather forget it, Mary. It was a pointless diversion

of effort. The real issue was, and still is, the right to vote.

Mary: But *then*, it was not for women only; for Negroes, too. And on that issue, gains have been made!

Susan: Yes, Thank God! and that was a long, heart-rending struggle. Courageous John Brown, a saint, as Emerson described him, lies buried as a convict in his grave, but his soul goes marching on!

Mary: You staged a memorial service for him in Corinthian Hall, Susan. That was a courageous act, too, especially when Frederick and many of Brown's other friends were fleeing to Canada or lying low.

Susan: Frederick was in grave danger, and we didn't need a second martyr! He was soon back and in the thick of the fight — outspoken, both on the platform and in his paper, for women's rights as well as for freedom for the slaves.

Mary: And against capital punishment, too, Susan. I can't forget the stir in Rochester when you and Frederick and Isaac Post spoke up in support of Ira Stout's plea to escape the gallows.

Susan: That was a trying case, but it was not comparable to John Brown's, or worthy of mention in the same breath. But we were often stirred in those days and hopeful of solutions to many problems.

Mary: The Sunday afternoon picnics in the orchard at Dad's farm were certainly stirring enough! With the Garrisons, the Motts and the Stantons, among other occasional visitors to Rochester, dropping in, and with the Posts, the DeGarmos and Frederick Douglass, as well as Rev. Channing, driving out after their church services to join us, we had some exciting times.

Susan: Exciting, yes, and full to overflowing with righteous purpose. We were all in agreement on our ultimate goals, but we could not always agree on the tactics! When both William Garrison and Lucretia Mott chided Frederick on one occasion for his support of John Brown, he could not take it lightly and almost walked out.

Mary: You and Dad came to his support, citing the favorable reports on Brown we had received from brother Daniel in Kansas.

Susan: Yes, we stood up for Frederick, but we couldn't refute Garrison's warning that violence would under-

mine political action, and we couldn't soften Lucretia's plea for a peaceful approach to the issue; our Quaker friends, the Posts and the DeGarmos, backed her up, and I was glad they did.

Mary: Frederick, himself, wasn't fully in agreement with Brown.

Susan: No, he opposed the plan to use force at Harpers Ferry, but he admired Brown so much he could not break with him. We debated the question of tactics on successive Sundays that year. Our orchard was in full bloom in spring of '58, and that was the summer my strawberry bed was at its peak. We welcomed a succession of visitors. Wendell Phillips dropped in on two occasions, and one Sunday when Samuel May was also present they had a heated argument over May's outspoken criticism of Frederick for condoning violence. We were all deeply troubled by the issue that summer; but after the sacrificial deed itself, most of us could only hang our heads.

Fortunately the women's rights cause was less divisive. Indeed, it held us together, and we were in hopeful agreement on many issues.

Mary: But Susan, I don't recall that the pervasive spirit in the '50s was hopeful. We seemed to be as despairing of the times as Job of Old.

Susan: Oh, Mary! As Emerson once put it: "A wholesome discontent is the first step towards progress." We were discontented, but we were hopeful and determined about Free Soil in Kansas, about temperance in spite of the flood of beer drinkers from abroad, and most of us hoped to preserve peace through a reliance on non-violent protests. Above all, we were dedicated to women's rights and freedom for the slaves. We were lucky that the papers did not learn of those gatherings; they might have featured us as "Hens and Roosters Cackling on Brooks meadow."

Mary: It was not all talk, Susan. You were always hatching plans. When Lincoln won his election and South Carolina seceded, prompting wide-spread calls for appeasement, you hastened to stage a meeting in Corinthian Hall protesting any compromise with slaveholders.

Susan: I can still see that banner you helped to stitch

together; it was long enough to stretch across the front of The Reynolds Arcade.

(Banner, pulled across stage)

“No Compromise with Slaveholders! Immediate and Unconditional Emancipation!”

When some citizens protested, Mr. Reynolds persuaded us to take it down, but he guaranteed our lease to Corinthian Hall. We attracted a good crowd, at least a large one. Boisterous hecklers disrupted Rev. May’s speech and drowned out Elizabeth’s efforts, driving her from the platform. In spite of the stamping feet and bellowing, I was beginning to restore order when the police chief mounted the platform and declared the meeting adjourned. He should have supported my call for order; it was a disgraceful denial of free speech!

Mary: You held a dignified and crowded meeting at the A.M.E. Zion Church the next evening, however.

Susan: It was only one of the series of meetings we conducted across the state, from Buffalo to Albany, and hecklers disrupted most of them. It was a hard and frustrating campaign to keep the antislavery cause alive.

Mary: But you won that battle, finally.

Susan: We didn’t win it, for it wasn’t won by moral arguments and righteous votes. It was won at a frightful cost of lives, more than three hundred thousand — over 600 of them from Rochester, and many many more severely crippled!

Mary: It was a terrifying time. I can still remember the funeral at St. Bridgets Church, when they brought the body of Col. Patrick O’Rourke back home, after his heroic defense of Little Roundtop at Gettysburg. That was the first time I had entered a Catholic church, and I can’t forget the awesome feeling I had, as I viewed the crowd of citizens of all creeds gathered there. Sorrow and grief were uniting us, for Patrick O’Rourke, a graduate of No. 9 School scarcely a decade before, had by his

manly courage and tragic sacrifice helped to win community respect for the Irish and other immigrant lads who had joined in defense of the Union.

Susan: Yes, Mary, your faith in education is justified and commendable. And I admire the skill and patience you display in teaching the numerous children of foreign parents who flock into your school. It is a slow but necessary step in building a democratic society. And your successful demand for equal pay with male principals you replace promises a real gain for Women's rights. Let's hope it takes hold.

But Mary, the rights of women cannot wait — cannot rely on marginal victories. Even the Union victory did not help us much.

Mary: But the battle against slavery was one of your major causes, Susan, and a glorious triumph.

Susan: The emancipation of the slaves was a blessed victory for all Americans, but the enfranchisement of Negro *men* was a triumph only for Frederick Douglass and his brothers. I rejoiced with and for him, but when I appeared, as head of a delegation of women, before the congressional committee drafting the 14th Amendment, he turned his back on us. Our plea, that the word *male* be deleted from the second clause of that amendment, was brushed aside as jeopardizing its adoption.

The same rebuff occurred two years later at the drafting of the 15th Amendment. If they had included the word *sex* at one point in its text, they would finally have answered our objectives. Our friends in Congress urged patience. But when Frederick Douglass shouted at one hearing, "Let the women take a back seat until the Negro's vote is assured," I could hardly believe my ears! Let God forgive him; I cannot! And how many of these men are working for the 16th Amendment they promised us, to give women the right to vote?

Mary: Susan, dear, at least you have respectful access to congressional committees and political conventions. That's an accomplishment you never dreamed of twenty, or even ten years ago.

Susan: Access, yes — producing bows and smiles and mealy words! The Honorable James R. Doolittle, chairman of the

Democratic convention, was courteous, and proceeded to justify his name! In fact he did nothing for us. The platform they drafted at Baltimore, like the platform drafted at the so-called National Liberal Convention at Cincinnati, failed even to mention women's rights!

And our Republican friends, meeting in Philadelphia, gave us only a few empty phrases: "Mindful of its obligation to the loyal women of America for their noble devotion to the cause of freedom," etc., their platform concluded that "the honest demands of any class of citizens for equal rights should be treated with respect and consideration." *Should be*, they say, but *will they?* When I set up and attract crowds to a score of meetings for them, not a politician welcomed to the platform mentioned women's rights! Several, in fact, deplored my efforts to give some attention to the woman's plank, splinter though it is.

Mary: You have had your trials, Susan, dear, but you have won a host of friends and admirers. No woman in America can attract and hold larger audiences, or begin to enlist the support you can muster.

Do you recall the poem young Phoebe Carry wrote and recited at the party in New York celebrating your 50th Birthday, two years ago?

(Enter, young woman with wreath, who reads:)

"We touch our caps, and place to night
The vis'tor's wreath upon her,
The woman who outranks us all
In courage and in honor.

★ ★ ★ ★

"True, other women have been brave
When banded or hus-banded
But she had bravely fought her way
Alone and single-handed.

★ ★ ★ ★

"Because her motto grand hath been
The rights of every human,
And first and last, and right or wrong,
She takes the part of woman."

Susan: Friends and supporters, yes, God bless them, but not votes, Mary. It's the vote I want!

(picks up daily paper, and leafs through it restlessly)
Mary, did you see this notice in the *Democrat* calling on all citizens to register? We're citizens, *Mary.* Let's march forth and register!

ACT TWO — Scene I. (Registration center in barber shop on West Main Street, afternoon of Nov. 1. Three officials at table with registration book, and barber cutting the hair of a customer at the side)

(Enter, Susan and Mary and three other women)

Susan: Good afternoon, gentlemen, we've come to register.

Jones: To register, Miss Anthony? Why only citizens can register.

Susan: We're citizens, Mr. Jones, all born in America, of proper age, as you can plainly see, and residents of this district.

Jones: But we have never registered a woman before, have we Bill?

Hall: No, of course not. It would be contrary to law.

Susan: Have you read the 14th and 15th Amendments, gentlemen? They were recently adopted, you will recall, and this is a new era with some old customs revised.

Here is a copy of the 14th Amendment, dated July 1868, which 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...." I won't read it all, but you get the gist.

And here is a copy of the 15th Amendment, adopted in March 1870, which reads: "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," etc.

Jones: Well, I declare. But we have no instructions!

Susan: There are your instructions, in the Constitution of the United States, the supreme law of the land!

Hall: No, I protest, we can't accept women as voters.

Susan: We're not voting today, and you may accept our registrations under protest, but you can't refuse them.

Jones: Well, enter your names here, ladies, we'll accept them under protest and check with the commissioner before election day.

Susan: (Enters her name, age, and address, followed by Mary and the others)

Thank you, gentlemen. You are participating in a significant historical event, of which, I am sure, you will some day be proud.

Hall: Proud, you say? We'll be hauled onto the carpet and probably fined.

Susan: Accepting registrations under protest is not fineable, Mr. Hall. Mary, you go out and fetch Rhoda DeGarmo, Sarah Truesdale and as many of our good neighbors as you can round up. I'll take the horse cars into town and alert Amy Post. Probably Isaac will drive us around in his buggy to recruit willing registrants in other wards.

(Exit)

Jones: Well, boys, we seem to have stirred up a hornet nest today! I hope we don't all get stung.

(Curtain)

Scene II. (Same voting center, Nov. 5, 7:00 A.M. Jones and Hall the former inspectors, and Warner, The Democratic supervisor, present as well as barber)

(Enter, Susan with Sister and ladies)

Susan: Gentlemen, we have come to cast our ballots.

Warner: I am sorry, ladies, they can not be accepted. No woman has a right to vote.

Jones: But Daniel, on Saturday you approved our action in accepting their registrations, overriding the objections of Sam Wagner, our supervisor. Have you changed your mind?

Susan: There's no need to argue, gentlemen. I have consulted Judge Henry R. Selden, formerly on the Court of Appeals, and he assures me that our claim to the right to vote under the 14th Amendment is valid. He has agreed to protect us to the best of his ability if that becomes necessary. That protection includes you gentlemen, too, and I assure you that I will myself pay the costs of any fines and other expenses you may incur if a suit is brought.

Jones: That certainly is reassuring, Miss Anthony, and we will accept your ballots for deposit in this box designated for ballots received under protest. Do you swear that you are a citizen entitled to vote?

Susan: I swear that I am a citizen of the United States, born on Feb. 17, 1820, and a resident of the 8th ward of the City of Rochester and entitled to vote in this election.

(As Susan drops her ballot in the designated box, Mary steps up to swear — Curtain)

Scene III. (Living room of Anthony house, Nov. 18, '72)
Susan and Mary reading papers.

Susan: Apparently the Associated Press has done a good job, Mary, in circulating news of our voting action. The women voters of Rochester will become famous.

Mary: Some of the editors consider us infamous, Susan. the *Union & Advertiser* denounces us, of course.

(waves copy of paper)

Susan: Not all, by any means, thank God! here is a clipping for the *New York Commercial Advertiser*, sent along by Elizabeth Stanton. Its editor appears to be a man of intelligence. He writes: "Dred Scott was the pivot on which the Constitution turned before the war. Miss Anthony seems likely to occupy a similar position now."

Mary: I hope he is right, but don't be too confident, Susan.

Susan: Oh don't be so timorous, Mary. And wouldn't it have been ironic, in view of what he said about women taking a back seat, if Frederick had secured the nomination to congress he barely missed, and if our votes had

assured his election! I would have voted for him
wouldn't you?

Mary: Of course I would've, and if the other polling booths
had been open to women, he might have had a chance.
But we didn't have that option, and besides, you can't be
sure how women, any more than men, will vote. And few
women have had the educational advantages many men
enjoy.

Susan: I wonder if it has improved their voting abilities;
certainly not in our behalf.

(Doorbell sounds)

I wonder who that is?

(Enter, E.J. Keeney, Deputy U.S. Marshal)

Keeney: Miss Anthony, I am Deputy U.S. Marshal Keeney,
and if you don't mind, please, it is my unpleasant duty to
arrest you.

Susan: Is this your usual method of serving a warrant?

Keeney: Well, I can show you this complaint, made before
William C. Storrs, commissioner of elections, charging
you with illegal voting on November 5, and summoning
you to appear in the commissioner's office this morning.

Susan: Very well, if you will wait a moment until I get my
coat and hat, I will accompany you.

Keeney: I will not be necessary for you to accompany me,
only to appear in person at the commissioner's office.

Susan: Mr. Keeney, if it is your duty to summons me, it is
your duty to accompany me there in hand cuffs as befits
a common criminal.

Keeney: You are not a common criminal, Miss Anthony,
with all due respect, and I am sure you will come peace-
ably. I will be glad, however, to transport you in my wagon.

(Curtain)

Scene IV. Prologue by Mrs. Harper

If Miss Anthony was innocent of the charge of illegal
voting, as she maintained, she would not play the role of
a befuddled innocent.

When, after repeated hearings, Commissioner Storrs formally charged Miss Anthony and her 14 voting companions as guilty on December 23, and held them, with the three inspectors, under \$500 bail each, for trial before the U.S. District Court in Albany. It was the first step in their plan to carry the case to the Supreme Court. When the judge in Albany denied her plea and increased her bail to \$1000, Miss Anthony again refused to post it, but Judge Selden, reluctant to see his respected client languishing in jail, assumed the burden himself. That action unfortunately blocked a direct appeal to the Supreme Court and forced Miss Anthony to appear, with her fellow defendants, before the U.S. District Court in Western New York.

In the protracted intervals between these appearances Miss Anthony fulfilled earlier lecture engagements in Ohio, Indiana and Illinois, and presided at the annual conference of the National Woman Suffrage Association in Washington. There she seized the opportunity to dramatize the plight of women seeking the vote by waving a copy of her indictment and declaring —

(Miss Anthony appears on stage and declaims:)

“I am now in custody and not a free person on this platform.”

By her bold actions, Miss Anthony won the attention of editors throughout the land and focused the eyes of the nation on the trial.

The trial was held in the court house in Canandaigua on June 17, 1873.

(Court room in Canandaigua. Associate Justice Ward Hunt on the Bench, 12-man jury in the Box, Miss Anthony and other defendants seated within the Bar, and Judge Selden standing as defense attorney)

Selden: Your Honor — The defendant is indicted under the 19th Section of the Act of Congress of May 31, 1870, 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... 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 both...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...I believe this is the first instance in which a woman has been arraigned in a criminal court merely on account of her sex. ...No greater absurdity, to use no harsher term, could be presented, than that of rewarding men and punishing women for the same act....

I am aware, however, that we are here to be governed by the constitution and laws as they are...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 propose 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?

(lights dimmed on Court, or curtain partly drawn)

Court attendant: (walking across front of stage, watch in hand, mutters): How long will Selden hold forth — two and a half hours already! Her only chance is that the Judge will blink or declare the law unconstitutional. Judge Hunt seldom blinks, and I have never heard him question a federal statute.

(Exit)

Selden: 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...Therefore she now stands 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... Her condemnation,...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.

(Curtain)

Interlocutory by Mrs. Harper, biographer:

In gratitude for your patient attention to Judge Selden's three-hour defense arguments, I will relieve you of the tedium of listening for two additional hours to District Attorney Crowley's prosecuting speech. Judge Hunt has, himself, justified this omission by following promptly with his decision in an opinion obviously written before the arguments commenced. You will be interested to learn that, when Judge Hunt concluded his opinion with an order to the jury to bring in a sentence of guilty, Selden protested that, since no judge had authority to so instruct a jury in a criminal case, the jury should be polled. Judge Hunt, disregarding the protest, promptly discharged the jury and pronounced the defendant guilty.

Since you, *too*, I am sure, are less concerned with

weighing the evidence and considering the technicalities of the law, than you are interested in the dramatic personal and political contests involved, we will proceed directly to the final interchange between Judge Hunt and Miss Anthony.

(Curtain rises)

Judge Hunt: Will the defendant please rise. Has the prisoner anything to say why sentence should not be pronounced?

Susan: Yes, your honor, I have many things to say; for in your ordered verdict of guilty you trampled under foot every vital principle of our government. My natural rights, my civil rights, my political rights, my judicial 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....

Judge Hunt: The Court cannot listen to a rehearsal of arguments the prisoner's counsel has already consumed three hours in presenting.

Susan: May it please your honor, I am not arguing the question, but simply stating the reasons why sentence cannot, in justice, be pronounced against me. Your denial of my citizen's right to vote, is 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....

Judge Hunt: The Court cannot allow the prisoner to go on.

Susan: But your honor will not deny me this one and only poor privilege of protest against the high-handed outrage upon my citizen 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....

Judge Hunt: The prisoner must sit down — the Court cannot allow —

Susan: Of all my prosecutors, from the corner grocery politician who entered the complaint, to the U.S. marshal, commissioner, district-attorney, district-judge, your honor on the bench — not one is my peer, but each and all are my political sovereigns....

Judge Hunt: The Court must insist — the prisoner has been

tried according to the established forms of law.

Susan: 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 the "citizen's right to vote" simply because that citizen was a woman and not a man....

Judge Hunt: The Court must insist — (here the prisoner sits down) The prisoner will stand up. (Susan rises) The sentence of the Court is that you pay a fine of \$100 and the costs of the prosecution.

Susan: May it please your honor, I will never pay a dollar of your unjust penalty....

Judge Hunt: Madam, the Court will *not* order you to stand committed until the fine is paid.

(Curtain)

ACT THREE — prologue by Mrs. Harper

Miss Anthony kept her word and never paid her fine, but Judge Hunt's gesture of appeasement, in exempting her from imprisonment, had the intended effect of barring a *habeas corpus* appeal to the Supreme Court. He could not, however, halt her persistent campaigns for women's rights throughout the nation.

I will spare you the details of her extended travels that are packed into the 500 pages of my second volume of Miss Anthony's biography. Suffice to say that, as her fame spread and her acclaim mounted, Susan faced another agonizing trial of spirit. The honors and applause that greeted her at every turn seemed, in her sober eyes, vacuous and hollow in view of the meager results achieved. With Mrs. Stanton, she spent many laborious hours, in slack periods over a span of several years, compiling their three volume *History of Woman suffrage*, carefully mentioning the names and citing the contributions of her many collaborators, but its chief impact was to enhance her reputation. She responded to innumerable calls for speeches, and graciously attended many banquets in her honor, always hoping to advance the cause. But as defeats multiplied in state after state, her fear that the battle for the right to vote was being overshadowed

and forgotten amidst the celebrations, mounted. Only to Mary in Rochester, on her return late in 1890 to attend a reception arranged by the Women's Political Equality Club at the Chamber of Commerce in her honor, could she reveal her full concern.

Scene I — Living room of Anthony home, December 16, 1890)

(Susan and Mary seated near table with History books)

Susan: Mary, can you find the speech Elizabeth gave at the first meeting of our state association back in '67? I'm sure it is in that volume, for I put it in myself. I want to quote her exact words at our meeting this evening.

(as Mary hunts through the first volume of the *History of Woman Suffrage*, Susan adds)

I must say I'm glad to have the writing of those volumes off my schedule. It was a long and tedious ordeal.

Mary: You mean the speech about the creation of man in God's image? Here it is: "The Scripture declaration is: 'So God created man in His own image, male and female created He them,' and all divine legislation...recognizes the perfect equality of the two conditions."

Susan: That's it, thanks. And Mary, it is as pertinent today as in '67.

Mary: I'm sure it is, but Susan, you can find statements of your own in here to quote that are even stronger and more applicable today than Elizabeth's.

Susan: Perhaps, Mary, but Elizabeth was and still is our real leader, and I don't want our younger members to forget it. You will recall, Mary, that forty years ago when I was desperately trying to write my first speeches, I took my notes and arguments down to Seneca Falls to get Elizabeth's help. While she was patiently organizing my speeches for me, all I could do for her was rock the cradles of her two babies, and I have never been very good at rocking cradles.

Mary: Nobody now questions your abilities on the platform, Susan.

Susan: I hope I have learned something in forty years, Mary.

But, although Elizabeth is now off to Europe recuperating from her labors, we need her words to inspire us. We haven't yet raised up women able to replace her.

(Enter, Mrs. Mary Gannett)

Mary: Come in, Mary. It's nice of you to drive over this morning after the exciting reception you managed so beautifully last evening. I hope you were satisfied with it.

Mary G.: I hope you both liked it! Aunt Susan, you made it a memorable occasion for our town!

Susan: Mary and Mary, both contrary, and both pulling wires to make Rochester dance! The reception should have featured your accomplishments, not mine, which are all evanescent

Mary: Why Susan! The State of Wyoming, at least, is not evanescent. You have just clinched your victory there.

Susan: One victory! After more than a dozen defeats! And I owe this one in part to you for getting Congressman Baker's wife interested in your club. As chairman of the committee in charge, Baker did a superb job for us and I am sure his wife Jane was back of it. Mary, dear, the Womens Political Equality Club wouldn't be the model for local action it is without your efforts. And the Ethical Society, Mary Gannett, would not be the inspiration, the fountain of wisdom, it is without your leadership!

Mary: Don't forget the host of your other friends, old and new, men as well as women, here in Rochester, as the crowd last night demonstrated. We have only been awaiting your consent to voice our admiration and appreciation. You are our great celebrity!

Susan: Oh, Marys, both. I am becoming increasingly embarrassed — fearful of that flattering appellation. I don't want to be a celebrity, I want the vote, and not only in school elections, as here in New York and Massachusetts and a few other states, but as a fullfledged citizen! All of the applause I receive from men seems to relieve them of the obligation to vote for our enfranchisement.

Mary G.: You may be right, Aunt Susan. Too many men are ardent in courtship, but slow and shy in coming to the point and popping the question. We often have to lead them to it, and that is a delicate procedure. We have

to slip up to it by indirection and suggestion. That's how Mary and I are pressing for the right to vote by seeking it in minor elections and philosophically in ethical debate.

Susan: Perhaps you have the right tactics, but it has been a long and protracted struggle. I guess I'm not cut out to play the role of a coquette, to use your metaphor, Mary. I'm afraid I'll never live to see the wedding.

Mary G.: I hope and pray you will, Aunt Susan. But that brings up another question Mary and I have been discussing. When I came in, I overheard you lamenting the lack of women competent enough to take Mrs. Stanton's place. I am sure that holds even more in your case as well. We will need able young women to take your places, even after we win the vote. And they will have to be as well educated as the men to be worthy and capable of leadership. Mary and I have been discussing the problem, and we think it is time to revive the long-forgotten proposal to open the University of Rochester to women.

Susan: That's a grand idea, but can you get any support? Old Lewis Henry Morgan, who backed the original effort in that direction here, back in the fifties, made a provision for it in his will, as I recall, but nothing seems to have come of it.

Mary: Our political club has created a committee to work at it, and Mary and I are on it, but we need your backing to give it impetus.

Susan: Oh, you both know more people here than I do, but I'll be glad to help. I'm off on Monday for Washington, to try to focus some attention on our 16th Amendment. Then I'll be off to Boston and elsewhere for several months. But when I get back next spring and start keeping house with you, Mary, as we have planned, we'll put the opening of the university high on our schedule.

(Curtain)

SCENE II — (Living room of Anthony home,
September 8, 1900)

(Mrs. Ida Harper, looking at *History of Woman's Suffrage* set)

Mary: (entering with tea tray) Tea is ready, Ida. I'm sure you need a break after poring over those documents for several hours in our attic.

Ida: I do need a stimulant, I guess. This job is harder than the *Biography* — there, I had Aunt Susan's diaries to provide a running thread. I wonder if I can ever produce a coherent volume that will stand up to these three great books. But shouldn't we wait for tea until Aunt Susan comes in?

Mary: She's off with Fannie Bigelow trying to push our old drive to admit women to the university over the top. Fannie called last evening, shortly after Susan came in from Washington, and reminded us that this is the final day set by the Trustees for a decision on our drive, and we are still \$8000 short of the \$50,000 goal. Susan was so exhausted when she came home yesterday that I tried to persuade her to rest this morning, but she would not hear of it. They have been out driving about all day. I hope, for her sake as well as the girls', that she succeeds.

Ida: (taking a cup of tea and sitting) Aunt Susan will do it, if it can be done; She's so resolute. And I'm glad to see her tackling a cause not directly connected with the vote — victory is still so far off, there!

Mary: You won't mention that to her, of course — Besides, she now sees the two causes as vitally connected, as they are of course.

(Enter, Susan, Fannie Bigelow, and Mary Gannett)

Susan: Eureka! Mary, we finally did it — the girls are admitted! Ida, I'm glad you are here! You can rejoice with us, and you can record this triumph in your book! These are the real heroes, Mary Gannett, Fannie Bigelow, and my Mary who, with Helen Montgomery, fought the long battle and won the victory!

Mary: That's like you Susan, but sit down and tell us how *you* did it.

Mary G.: Aunt Susan won't tell you the truth, at least not the whole of it. We got the pledges up to \$48,000 and needed only \$2000 to reach our goal. Aunt Susan finally decided to approach Samuel Wilder again, and Fannie and I drove her over to his club and got his signature for it.

Susan: Mary Gannett! Don't accuse me of not telling the whole truth unless you're willing to tell it yourself. How did we get up to \$48,000 — only when you and William, bless you, boosted your earlier pledges by \$1000 each!

Mary G.: William made that decision himself. He wouldn't let you down, especially not after Mary had contributed her \$2000 savings! But that's not the whole story either.

When we drove over to the president's house, where the Trustees were meeting, and delivered our list of pledges, they wouldn't accept Wilder's pledge. "He's a sick old man and his pledge would have to be guaranteed," they said. Aunt Susan wasn't phased, not even flustered. "Well gentlemen," she declared, "I may as well own up — I am the guarantor, and I asked Mr. Wilder to lend me his name so that your college would not be tarred by a Woman Suffrage pledge. Now, here is my life insurance policy, signed over to the university, to cover the final \$2000."

Susan: Most of the gentlemen smiled and thanked us as they accepted the pledges and shook hands. Anyhow, the girls are in, and I hear that over a dozen have already applied.

Mary: Oh Susan, I'm so glad! (leans over and kisses Susan)

Susan: Mary, and Ida, you won't believe it, but this victory thrills me as much or more than the news of another state granting women the vote.

Susan: Me, dance! Can you imagine it? I'd be more apt to burst into tears. And speaking of tears of joy, I did almost shed tears when we stopped to look at the Douglass monument as we were driving about for pledges this morning.

Fannie: I thought I saw a tear on your cheek, Aunt Susan, but I didn't want to mention it, you were so silent.

Susan: I was thinking, Fannie, and I guess that tear was a sad as well as a happy one. I was happy to see Frederick finally memorialized in Rochester, and in a fitting place in front of the station for all visitors to see. And I was glad, at last, that he had won the vote for Negro *men* back in '70, and *yes*, glad that we had not blocked it by inserting the word *sex* into the Amendment — Time had taught me that he was right there.

Mary: But what were you sad about, then, Susan?

Susan: Well, Mary, the vote hasn't done the Negroes much good, has it? They elected some representatives to Congress for a few years, and they had one or two governors, but all that influence has vanished. Frederick was rewarded with a federal appointment, but it took him out of the country, and he never developed leaders to replace him. There's Booker T. Washington, of course, and a few others, but no great host of followers working in every state, as we fortunately have for women's rights. The vote isn't the whole thing.

Mary: Why, Susan, You *have* changed!

Susan: Have I, Mary? Possibly. But Ida, in your summary description of my personality, you say that I have always been uncompromising in my advocacy of the right of women to a full and equal vote. That is still my position, but I may have become a bit more aware — appreciative — of other possible gains for women's rights.

Mary, I can now see that you have been right all along. You and Mary Gannett have taught me a lesson, if an 81-year old woman can learn one. With more than a dozen active women's clubs in Rochester, with Helen Montgomery now on the school board, with Hester Jefferies without a vote, the most influential Negro in the city, the women in this community have achieved a voice in its affairs. And now, with the girls entering the university and gaining an equal chance with the men for an education, I can almost dance and sing for joy! (rises shakily, and as Mary steps forward to support her left arm, raises her right arm and tries to sing) Hosann — Hosan —

Mary: Don't Susan, — you've lost your voice —

Susan: It's Noth — the girls —

Mary: You're exhausted, Susan, you'd better lie down on the couch in here — (as Mary and Ida lead Susan off stage for a rest that would last for almost six weeks, groups of prospective college girls gather out front to serenade her)

Chorus of Girls:

*Glory! Glory! Aunt Susan,
Though beset by trials and provoking wiles,
Your forthright campaigns
You've won us true gains:
The doors of the University
Are now opened to women,
And soon we'll vote with the men!
Praise God for Susan B. Anthony,
Cheers! Cheers! to dear Aunt Susan.*