

Vol 2 p. 91 Feb. 23, 1894 [Victoria Woodhull's testimony begins]

M^{rs} Victoria Martin, sworn

Examined by Mr. Bray

Q You are the Wife of Mr John
Biddulph Martin, a Banker of
the City of London

A I am

Q And one of the plaintiffs in
this action

A I am

Q I think you were born on the
23rd Sept^r. 1838

A That was the date

Q At Homer Ohio in the United
States

A Yes

Q You had several Brothers & sisters
& amongst others a sister of the
name of Tennessee Celeste

A Yes

Q Who is now the Wife of Sir
Francis Cook

A Yes

Q You were married on the 20th
Nov^r. 1853 to D^r. Canning
Woodhull

A I cannot remember the exact

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date, but I think it was that date

Q You had two children I think by

D^r Woodhull

A Yes

Q The eldest of them a boy, who

I think was not in the full
possession of his intellect

A He was weak-minded

Q It turned out D^r Woodhull was
a man of intemperate habits

A Yes

The Attorney General: I do not want
to interpose unnecessarily I only
want to inform your Lordship
there is no plea ——

Baron Pollock: There is no justification

The Attorney General: The question is
whether we have published any
libel. I only wish to interpose to
prevent my friend going into
matters that may not be necessary

Baron Pollock: Of course every one
would desire that this lady
should have a full opportunity
of denying anything that has
ever been alleged against her

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but at the same time we are
here to try the issue & if there
be no such issue on the Record
as to the truth of these allegations
I do not quite see why we
should go into them.

M^r Bray: I will go at once to the
issue.

Q I believe you obtained information
of the scandal with regard to
to M^r Beecher & M^{rs} Tilton

A I heard it.

Q I think on the platform you
alluded to M^r Beecher's conduct
in Sept 1892 *[sic]*

A I could not state the exact
date myself but I suppose that
is right.

Q At that time or previous to that
you & your sister had with
the help of your husband started
a paper called Woodhull & Claflin's
Weekly Journal

A Yes

Q Did you take much personal part in

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superintending that

A During the time the Weekly was being published I was constantly from one end of America to another I lectured on the platform & therefore I did not have any special supervision over the Weekly

Q And I think it was M^r Andrews who had

A M^r Andrews was one

Q There was published as we know on the 2nd Nov^r 1872 an article with your name at the foot which appears in this Beecher Tilton Scandal

A Yes

Q There were considerable parts of that which were not written by you

A A very great deal of it. A part of it was written by me & there are parts that were not

Q You were I think after that arrested & put in prison and eventually tried

A Yes

Q And in June 1873 you were ~ acquitted

A Yes

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Q: You continued I think to lecture in America after you came out of prison - after you had been acquitted

A: I lectured in America until almost the date of my departure for England, every night, scarcely missing a night

Q: Did you become aware of certain libellous publications. For instance there was the Treat pamphlet

A: Yes

Q: You prosecuted Treat

A: Yes

Q: There were further pamphlets by a man named Jones

A: Yes

Q: Now had you become aware at that time what we know seems to have been published in 1874 the Beecher Tilton Scandal ____ this book

A: No I had never seen it

Q: I must ask you in **terms** about a passage that appears there You heard the passage read about

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a supposed interview between you
& a reporter with reference to the
conduct of yourself & Mr Tilton

A Yes

Q Now is it true that you ever had
an interview with the Reporter
upon any subject of your relations
with M^r Tilton

A There is not one word of truth
in it. Such an interview never
took place. It never took place
with me. It may have taken
place with some one using my
name

Q And is there a word of truth
in the supposed relations alleged
to have existed between you &
M^r Tilton

A Not one word of truth. At the
time that statement was made
I was constantly lecturing every
night & it would have been
impossible for such a statement
to have been true in the City
where I was lecturing in the
Academy of Music & the

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Cooper Institute - all the first class places. It would have been impossible for the statement to have had a show of truth in it.

Q In 1881 you were in America & did you find it necessary to contradict in terms your responsibility for parts of this article that appeared on the 2nd November I see this is the number of Jany 29th 1881 & there is an article headed The Beecher article And in that there is one of the principal paras: to which you object

A Yes

Q I will read it "The annexed extract from the 'Beecher article' will suffice to exhibit its general character. The monstrous sentiments therein propounded are calculated to create a revulsion in the minds of the most viciously disposed. Such flagitious sentiments, which strike at the root of all moral principles

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were we believe never before put
in print. They are enough to make
one blush to think that humanity
could have fallen so low as to
entertained them even as
intellectual abstractions. For such vile
principles to be attributed to a woman
is still worse. What a scared
conscience Stephen Pearl Andrews
must have, who, to cloak his
own infamy placed the onus
on the head of a woman &
that woman a public character.
But how much more shocking for
James H. Blood, who had the whole
charge of the paper that bore
his wife's name, to suffer such
sentiments to be published" Then
you extract the principle para:
to which you object
A. Will you allow me to state
that from the moment I
was released from prison, as to the
statement at the end of an article
that my name was attached to
I never lost an opportunity on every

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platform in America of denouncing that paragraph & I have perhaps hundreds of papers in my scrap books to that effect wherever I appeared in public. I was fighting a battle for the emancipation of women from sexual slavery, & wherever I appeared upon the platform I brought that paper with me on the platform & publicly stated it was not mine & I had nothing to do with it.

Q In 1883 you married Mr Martin

A Yes

Q Did you find up to the time of the year 1890 there were still libellous & slanderous statements in circulation about you

A Really from the moment I entered upon my public life in England I heard from first one quarter and then another that there were statements being made about me just really what you have read in that pamphlet, but

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I never could trace them.

Q Accordingly I think an advertisement was put in the Newspapers on 22nd January 1890. An Advertisement was put in offering £1000 reward for any one who would give information. "M^r John Biddulph Martin & Sir Francis Cook will pay the sum of £1,000 sterling to anyone who shall reveal the names of the person or persons concerned in the conspiracy to defame their Wives, M^{rs} Victoria Woodhull Martin, & Miss Tennessee Claflin, now Lady Cook and who shall give such evidence as shall secure a conviction"

A Yes

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Q From whom did you hear of this book the
Beecher Tilton Scandal

A From Mr Geo Washington Moon

Q And about when was that

A Two or three years ago

Q We have particulars from the Interrogatories
that the time you saw it was June
1892. I think you returned from America
just a little time after that

A I had just returned from America

Q When he told you

A Yes

Q And you & M^r Martin wrote those
letters that we have heard of

A Yes

Q In the same Book the Beecher Tilton
Scandal appears there is "He was willing to
make himself a party to a bargain with
the queen of prostitutes ' Have you ever been
guilty of any act of immorality in any way
whatever

A I think there is but one answer to
make to that if you will allow me
to answer it From 1870 or 1871 until July
the 26th 1877 I was before the American Public
almost day & night as a public lecturer
advocating the theories that Sir R. Webster has

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just described during that time I was never accused by my people of any conduct that could by any possibility make it possible for such a charge to be made against me in my own country

Cross-examined by the Attorney General

Q You heard the letter read from M^r Martin to the Trustees of the Museum setting out a list of the books

A I did

Q With which your name is connected

A I did

Q There are altogether 6 mentioned

A Yes

Q You are aware that in this action the only one that is complained of is the Beecher Tilton Scandal- the only one of those 6

A Two

Q Not of those 6

A I thought one published by Coll. D. Mata was

Q That is not mentioned

M^r Bray: That is not mentioned in that letter

The Witness: I was not aware of it then

The Attorney General: He complains of 6 books connected with your name of which the

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only one which is the subject matter
of this action is the Beecher Tilton
Scandal

A To tell you the truth at that time
I could not tell you just

Q I am asking you now and after
what your Counsel has said assenting to
what I put to you I think you might
answer me. Your husband complained
of six books associated with your name in
the British Museum

A Very well

Q Is it not the fact that only one of those is
made complaint of in this action

A My notion was that there were two. If
you say there was only one very well
Mr Bray: There is only one. The Henry Ward
Beecher one is not mentioned in that letter

It was not known apparently at the time

The Attorney General: That is what I
want to get

Mr Bray: She did not read the
letter.

The Attorney General: The second publication
which is complained of in that action
was never drawn to the attention - was it
as far as regards two of the Trustees of

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the Museum until after action brought

A I do not understand what you mean
by the second publication

Q I am sorry but it is my fault no doubt
There are two things referred to in this action
the Beecher Tilton Scandal

A Yes

Q Which was mentioned as one of the 6
publications of which your husband complained

A Yes

Q There is also the story of Henry Ward
Beecher and Theodore and M^{rs} Tilton which is
complained of in this action

A Yes

Q My question as to that second was this
Whether any complaint had been made
about it until after action brought

A If you will allow me to state what I
know about it I will do so

Q I think the question is capable of
an answer yes or no

A It could not be answered Yes or No
I should have to tell you how ever that
came to my knowledge

Q I am not complaining of
your not making complaint
but in the first ~~~~~

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instance I want to know the fact

A I do not quite understand you

Q Are you or are you not aware that

with regard to the second publication

complained of in the action it was

first complained of in the statement

of claim aye or no If you say you

do not know I will not trouble you

A But I do know. Months after the 1st

pamphlet was brought to my notice

M^r Washington Moon came into my

Drawing Room and told me in a list of

old books he was hunting for he

had come across that book and he said

'I think it is as libellous as anything

published' and I asked him to let me

read it and that was the first I had

ever heard of that. I sent a

telegram to the man who published

it and asked him to come to my

Drawing room and explain it

Q Do try and answer my questions

Was any complaint made to the

Trustees of the Museum or their

representatives until after action brought

Mr Bray: I think you are making a mistake

as to the two books The one that Mr

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Moon spoke of was the Beecher Tilton Scandal and the other is called the Story of Henry Ward Beecher & Theodore and M^{rs} Tilton.

A What is it that you wish me to answer? I tell you candidly the first story was brought to my notice by Mr Moon and afterwards brought to the notice of my husband but in the ~ management of the publication I may just say at this moment my memory

The Attorney General: You might have answered simply if I might ~ respectfully say so. Is it not the fact that no complaint was made of the second of those books until after the action was brought

A I should have to refer you to the Solicitors to answer that because I do not know.

Q You are not inclined to complain of the description given of you by your learned Counsel to day?

A I do not quite understand you what is there that I should complain of

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Q You would not complain of the description given of you by your learned Counsel

A I should not

Q And it would be true to say that you were a public character in America

A It would be

Q Taking a very prominent part in all the movements social and political that were going on in America.

A I was

Q Or to say that it was a career of what would be called a very remarkable kind

A It was a very laborious career

Q Do not let your modesty prevent you from endorsing what I am

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saying that it was of a
remarkable kind

A Perhaps you think so

Q I would rather ask you

A If you wish to put it in
that language it certainly might
be called a remarkable career

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Q You have spoken of your great labours
as a Lecturer

A Yes

Q Upon social & also upon political questions

A Yes

Q Including indeed financial questions I
think amongst others

A Yes

Q You were also a publisher in another
sense that is to say you had a weekly
paper

A Yes

Q And you published books

A No

Q And at one time you were a clairvoyant

A Not at one time - all the time

Q And still are

A And still am

Q I think in connection with clairvoyancy
you practiced medicine

A I was educated as a doctress

Q I think for a short time you were
on the stage

A I was not so. I should have to
refresh my memory. It could not have
been so unless it was in some dreadful
stress.

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Q Pray understand me that I am not making it a matter of reproach

A For the moment I do not remember that

Q It was in San Francisco

A Now you bring it to my mind but I should like

Q There is nothing discreditable about it
Sir R. Webster: Let the witness finish her answer

Baron Pollock: I do not understand it is used as any reproach but only as to the fact

The Atty Genl: My lord will appreciate my object in asking her although I have to enlarge upon this subject it may be anticipated from my question what the object is you would be surprised M^{rs} Martin that any library pretending to be a great and extensive library should be without books about you

Baron Pollock: About your public career

A Certainly about my public career

The Atty Genl: You object to any libellous matter most naturally but you would be very disappointed if you examined

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the catalogue of any great public library
and did not find your name in it
a I do not think I should. I have never
examined the catalogue of any great
Library. I have been too busy in o[the]r matters

Q You afterwards in conjunction with
your sister set up the business of
Stockbrokers in Wall Street

a yes

Q For how many years did you conduct
that business

A Perhaps 5 or 6 years. Without
referring to my books I will not
be quite certain of it.

Q That is quite enough was it during
the same period or was it a later
development that you had carried
on the business of bankers.

a It was during that time that we
had what you call the Bank.

Q In connection with your stock broking
business

a at 44 Wall Street York City

Q Were you connected with any publication
at that time in connection with
your stock broking business

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A I think you have just been told we had a weekly, what we called Woodhull & Claflins Weekly

Q Was that started originally in connection with the stockbroking business

A It was started on the 14th May 1870 a few months after we opened our Bank in Brooklyn

Q Dealing with political and social questions

A With the questions of the day

Q And also financial questions. You were also the acknowledged leader for brevity, I will call it, of what was known as the movement for women's rights

A I do not want to say I was the acknowledged leader

Q We'll say leader if your modesty is too much for the other, but you were a prominent person in the advocacy of it

A I was a person in the advocacy of it

Q I had it in my mind, reading the literature of this case, that you had actually been elected president of the League, perhaps I was wrong

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A I cannot remember at the moment
whether I did occupy that
position once or twice, or three
or four times.

Q Was there not a league which
was honoured by bearing your own
name called the Victor League

A That was in connection with
my candidature for the presidency.

A I wish you to understand when
I use the phrase "Free love" I
am not suggesting licentious or
promiscuous intercourse to you at
all, but have you not yourself adopted

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the language that you were in

your sense of the term the

leader of the 'Free Love" movement

A To tell you the truth I

never knew that love was anything

else but free.

Q You may adopt what I ~~may~~

am putting to you. I am not

going into a controversy with

you on the subject

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Baron Pollock: I gather from that passage that Sir Richard Webster read, it was 'free " as distinguished from the coercion of others, and not 'free " in the sense of the licentious 'free'?

A That is quite right.

Q A woman should not marry because her parents told her or somebody persuaded her.

The Attorney General: In this connection of what your views are you meant the institution of marriage in the sense of a binding tie a survival of a barbarous state of things.

A I certainly did.

Q And that it was a very proper thing so far as both parties were willing to continue it.

A I felt this if you will allow me to explain. Will you allow me a few words of explanation. I think Sir Richard Webster told you that I was married at 14 years of age & that my first child was an imbecile.

Q We have heard that

A I should prefer to give you my

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idea of what led me to adopt the
public career

Q I am quite in his Lordship's hands
I am very unwilling to prevent a
lady in any way explaining, but
this is not material.

Baron Pollock: You certainly have asked
her a general question.

Sir Richard Webster: You put free love

The Witness: I certainly mean that in
the first place I know no love
that is bound, and I certainly meant
that freedom in the affections is the
only proper term that can be used
in connection with purity anything that
binds woman against her will or
man either to me is impurity. I
believe that she should be free in
every sense in the most complete
freedom of her body when it shall
be used to create the image of
God and that she shall never
be bound by any tie whatever
which might by any possibility
cause her to cause an imbecile
child, a criminal, a pauper
or any weakling or human

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wreckage that the body social has
to do with. It is her mission alone
to create her children & only in
perfect freedom can she do it _
in purity. That is my idea of
what you may call free love.

The Attorney General: Let me see whether
you agree with this passage

Sir Richard Webster: What are you
reading from?

The Attorney General: Woodhull & Chafin's
Weekly. It is in November 2nd 1872 &
it is not referred to in your repudiation
of nine years afterwards of 1881 "No thought
has so rapidly and completely earned the
convictions of the thinking portions of the
of the Community as sterpiculture. The
absurdity is so palpable when it is pointed
out that we give a hundred times more
attention to the Laws of breeding as applied
to horses & cattle & pigs & even to our barn
yard fowls than we do to the same laws as
applied to human beings. It is equally obvious
on a little reflection that sterpiculture of the
scientific propagation & cultivation of the
human animal demands free love & freedom
of

[They misspelled stirpiculture]

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the varied union of the sexes under the dictates
of the highest & best knowledge on the subject
as an essential & precedent condition

A Yes

Q That is your view

A I certainly do believe that we should do as much
attention to breeding the human race

Q I am not arguing with you

a But you read & put into my lips something
& I must give you my rendition of it. I certainly
do believe that we should give as much attention
to the breeding of the human race as the celebrated
M^r Bakewell said ought to be given to breeding
The animal race & if we did do so there would
have been no possibility of my being in this witness
box today for the wretch who published the scandalous
libel upon me would have been bred so properly that
he would not have occupied his diseased brains in
writing libels about any woman

Q I call your attention in passing because I have to
come back to it, that that appears in the number
of the 2nd November 1872 which contains matter
a portion of which you repudiated

A Yes

Q Then later you were candidate as you have
told us for the Presidency

(A) Yes

Q We will take the Beecher - Tilton

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scandal in the order in which it is
compiled. Will you be good enough if
you have not one to take it in your
hand. Favour me by trying to understand
the position which I occupy relatively
to yourself. I ask you to try
and put yourself in the position
of a person to whom this book
comes & who is judging of whether
it is a proper book to be put in
any library or not

a Would you allow me to answer that
question if it is relevant

Q I have not put the question. It is
published in New York in 1874
by F. A. Bancker a publisher. Do
you recognise the name as a well
known publisher

A I do not.

Q Do you recognize it as the name of
a publisher

a No. I do not.

Q Turn to that and tell me whether
beginning at page 1 and inclusive
of page 32 it is in fact a literal
extract from Woodhull & Claflins
Weekly of 2nd November 1872

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A I should have to have that before me to know whether it was exactly word for word.

Q That would be too much to ask you You observe it begins from Woodhull & Claflins Weekly of 2u November 1872.

A I do.

Q You observe that the only difference between the original from which it is taken and this copy is that whereas in the paper the names are given in full they are given here in this extract or, in this copy with initials only. You observe that.

A I suppose it is correct

Q You observe also that it purports to be a detailed statement by M^{rs} Woodhull on the first page.

A It purports to be

Q And you also observe that it is signed or purports to be signed by you in the paper itself ". (Victoria C. Woodhull'

A There was never any denying it, it is signed

Q I am trying to put myself in the position of examining this book to see whether or not it was a book properly received. It therefore purports to be your statement.

A Yes.

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Q I understand you to say that
no proceedings were taken against
this publisher because you did
not hear of the fact of publication
at all until quite lately

A Of this special Book

Q Yes

a I never saw it until it was brought to
me from the British Museum

Q That is what I gathered from what
you said_ your arrest followed upon
that publication

A It did

Q On the very day I think?

A On the day it was published it was
published I think 4 or 5 days in
advance

Q That prosecution was not at the instance
of any private person but at the instance
of the government authorities

A Ostensibly

Q The government was the prosecutor

A Yes

Q What I mean by that is the
prosecution was put in motion I
think the arrest was by the
District Attorney, and he appeared

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to prosecute

A I suppose that was the ordeal through which it had to pass

Q You say you were acquitted I only wish my Lord may follow what the grounds were. I have here a copy of the judgment of the Judge

Sir Richard Webster: I do not know how this is admissible - you are aware of the provisions of the Statute. I am only too anxious for this lady to be asked any ~~any~~ question but you have given us now a copy of some document of which we have never had the slightest notice - I submit the learned Attorney General is not within his rights in the matter

The Attorney General: I do not profess to give any copy at all. My friend asked the question whether she was acquitted - I want to see what the position was

Baron Pollock: I think you asked generally the ground of her acquittal would be in order

A It is reported in that Book there

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The Attorney General: It was before Judge Blatchford I think

A I could not tell you whether it was that special Judge or not

Q If I am wrong I shall be only too glad to be corrected, but is it not the fact that the Judge decided that the Statute under which you were prosecuted for sending obscene matter **thus** the post was one which related to Books and pamphlets and that the paper was not a Book or pamphlet

A No, that is not the statement. I will show you what did occur

Baron Pollock: Is that the Book you handed up to me

A It is the Book you have my Lord

Q What page is it, page 382 - The acquittal appears to begin at page 382

A. If you turn to 366 & read January 9, 1873 the Washington Republican you will see it. It is especially essential that you should read page 366 the Washington Republican

The Attorney General: What is that Book you are referring to

[Newspapers.com does not have Jan. 1873 of this paper.]

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Sir Richd Webster If you look at page 382

you will find the statement of the judge

The Witness I think that page 362 is

the answer to your question

The Attorney General. I am putting it to

you from the New York Herald

and I put it to you again - I will

take your answer and pass on

A That is not the way in which the

acquittal came about - If you

read page 366 you will agree

with me that is the right one

the Washington Republican

Baron Pollock That is only their

opinion

Sir Rich^d Webster The Attorney General

is only putting an opinion

The Attorney Gen^l. not an opinion -

a newspaper report

Sir Rich^d Webster Yes a Report from

a newspaper

The Attorney Gen^l. I do not find

any Statement of that kind at all

A Will you put your question

again about the United States

Q I have passed away from that

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I have merely got the fact that it was at the instance of the district Attorney you were prosecuted - It is shewn it is so & they are blaming the Government for doing it. Did not the Judge acquit you on the ground that the Statute which said that the sending of obscene matter thro' the mails was confined to books & pamphlets, and did not he hold that your paper was not a Book or pamphlet

Aoc That prosecution did not come to a close through any technicality of the law. It was just such opinion as this, expressed by the entire prœcess of America, that forced me to abandon what they called the obscene literature prosecution

Q That is quite consistent with what I am putting - I will pass from it. I am referring to the New York Herald as containing the account of the Judgment still asking you to be good enough to put yourself in the position if you can _ It is

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difficult I admit - of an outside
person I will ask you to take the paper
of the 2nd Nov 1872 in your hands

A. If you read the passage I will
follow you

Q. Upon the face of it, it purported
to be published did it not, by
Victoria C Woodhull _ that was your
name and Tennessee C Chafin
Sr Richard Webster - I think what
you mean is on page 8 Woodhull
& Chafin's Weekly

The Attorney General There is little more
I think. on page 2 there is Woodhull
& Chafin's Weekly - On the first page is
the vision of Humanity page 3 by Victoria
C Woodhull covering several Sheets
and then an article to the public
and then one to the Subscribers
and then on page 9 The Beecher
Tilton Scandal case - the detailed
Statement of the whole matter by M^{rs}
Woodhull - Now let me clearly understand
what you say about this. I do not
understand you to say that you did
not write an article with that heading

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A I will tell you what I do say that
if we are to try the Beecher Tilton
scandal over again to prove this
libel of the British museum I do
feel that I must have ample time - If
that is the course of procedure, if it is
your desire to prove that what has been
said in this pamphlet is true and you
propose to try the Beecher Tilton scandal
case over again then I must be allowed
to prepare my case & show what led up to
the publication of that article - what
persecution _ what unparallel persecution
led to the publication of that article & I
have this to say unless you decide other
wise, that I feel you should not press me
to an answer on that special paper
which has been published widely all
over the world & is published properly,
but if it is simply to give evidence
now to decide the question upon I
want to shew what led to the publication
of it - It was not published at a
moments notice & for no special reason
It was a matter of 2 or 3 years
growing of persecutions that were coming

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in from all sides, a persecution that made it possible for me to walk the Streets of New York with one child in my arms & another by the hand & be refused admission at every Hotel in the place where I asked for a nights lodging - It was a persecution that would not allow my little girl to be admitted into a School From the very moment that I demanded on a public rostrum that the same purity should be demanded of a man that he demanded of a woman he expected to take as his wife - I suffered a persecution unprecedented in the history of my own country because I never ceased to make the same demand and the same persecution continued because I boldly uttered and repeated it again that no man Baron Pollock I think we are going beyond the point

A That is about the Beecher Tilton scandal

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Sir Richard Webster You had better answer the question & you shall explain afterwards if necessary

The Attorney General What I understand you mean to convey was that you had been persecuted because of your supposed advocacy of things that the public reprobated, is that so?

A Yes that is so

Q In consequence you say you were refused admission to Hotels & children to Schools

A I must ask you first if you desire to hear me make a Statement?

Sir Rich^d. Webster. Answer the question

A The persecution commenced with my first public Speech on Womans Sexual Freedom and it was carried to a tremendous extreme. The first speech before you I can shew you by press notices was based on this idea that I told you before - That led up to the publication of the Beecher Tilton scandal. That I told you before & I do not wish to be misunderstood

The Attorney General who were the

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persecutors

A The men . no one else, I had men come to me & say 'Mrs Woodhull, you are demanding the same purity on our hands that we expect from the ladies we are going to take to the altar _ If you say that, there will be no marriages ~~that~~ take place & Lady Jeune has just published in one of Her Magazines

Sir R Webster Leave Lady Jeune alone listen to the question

Baron Pollock It will not do good to anybody here to discuss these matters you are asked with regard to your particular views at that time

The Attorney General - you wrote this under the sting of what you have described as persecution?

A That article was brought out, not under the sting of persecution, pardon me for my nervousness I am fearful all the time I should take liberties - you feel I am not justified in doing I want to explain that matter I cannot explain it by answering whether or no I

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wrote the Beecher article. For two years before that was published it was known throughout all the Newspaper Row, as we call it in New York City. In every private department that scandal was privately discussed; and one member of M^r Beecher's family when I was before the public as announcing my opinion of what woman's freedom should consist, took positive action against me.

Q Do you regard M^r Beecher as amongst your prosecutors.

A No, I did not I did not think M^r Beecher's influence I would say one amongst others. It was the cowardly conduct of them all.

Q Including M^r Beecher

A Including M^r Beecher.

Q Were you at the time intimate in, the ordinary sense of the word with M^r Tilton? Was he a friend of yours

A I do not think at that time I knew M^r Tilton. I think by referring back to the books you will find

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did not know M^r Tilton at that date

Q This is the 2nd of November 1872

A Yes

Q Had he not published a biography of you in 1871?

A If he did it is quite true. My memory did not follow it I was working all the time, and what the special dates were I should not remember

Q I am not objecting to that at all.

He was at that time a friend of yours

A I knew ^him as a public character & lecturer

Q Did not you supply materials to him for the purpose of your biography

A I did not, but materials were supplied to him

Q Was it by your sister

A Unless it is necessary for me to answer that I do not desire to do so

Sir Richard Webster. I do not think it is necessary

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The Attorney General: If the lady has any objection I do not wish it.

Baron Pollock: The only objection that occurred to me was we seem to be travelling rather beyond the issue. Anything in reason that tends to show the position of this lady's conduct in public life, that I think is matter of history - anything written by her as matter of public interest not a mere dragging forward of private scandal.

The Attorney General: Your Lordship does not appreciate the object in the least. This biographical notice instead of being defamatory is a laudatory biography of this lady by M^r Tilton. My object is to shew (and I have some questions to ask her about that) that she was a very remarkable person, holding a very notorious position in public estimation in America.

Baron Pollock: Whether it was laudatory or defamatory it would all tend to shew whoever wrote this book or introduced it to the British

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museum.

The Attorney General: I have not gone through the book yet. When your attention is called to the fact that there is not a single statement in it that purports to be a statement but it is from contemporary records of newspapers at the time, and not a single statement by the writer at all _ however I do not wish to press her about who gave the information.

Sir Richard Webster - You will not understand me as assenting to this view because it would afford no defence to this action whether they were contemporary records or not.

Baron Pollock - No.

The Attorney General - That we will discuss at the proper time.

Baron Pollock - I do not want to unduly waste the public time, but I was thinking whether this may not continue rather unnecessarily I do not say it is anybody's fault.

The Attorney General - If any objection

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is taken to the admissibility of the evidence
I must beg the objection is taken regularly,
and that your Lordship rules upon it,
because I am pursuing the course which
I think it right to pursue, and which
I intend to pursue, unless it is ruled I
cannot pursue that course.

Q Did you state to M^r Tilton yourself "My
spiritual vision dates back as early as my third year"

A I have no recollection of stating that to
M^r Tilton, but my spiritual vision does
date back further than that I have no
wish to deny that whatever

Q Did you state "The chief among her spiritual
visitants and one who has been a majestic
guardian to her from the earliest years
of her remembrance, she describes as a matured
man of stately figure clad in a Greek tunic
solemn & graceful in his aspect, strong
in his influence. For many years not
withstanding an almost daily visit to her
vision, he withheld his name, nor would
her most importunate questionings induce him
to utter it. But he always promised that
in due time, he would reveal his identity.
Meanwhile he prophesied to her that she
would rise to great distinction, that she

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would publish & conduct a Journal; & that finally, to crown her career, she would become the ruler of her people." Did you state that?

A If I am here on trial for my spiritual opinion it is one thing.

Q There must be some limits to the answers.

Baron Pollock - I think that is a fair question.

A I have no recollection of making that statement.

The Attorney General - I will give the name to you. Did you state that your spiritual visitant was Demosthenes?

A I have no recollection of making that statement I do not state whether I did make that statement or not to M^r Tilton as you have read it there, I have no wish to shrink in any venue or form from what I call my spiritual belief. I do not remember making that statement.

Q Was your spiritual guardian as you supposed Demosthenes?

A I do not think I shall tell you who he is or what he was I do not think I am called upon to do that.

Q You do not desire to say. Did you say that "at last after patiently waiting on this spirit guide for 20 years, one day in 1868 during a temporary sojourn at Pittsburg and while she was sitting at a

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marble table he suddenly appeared
to her and wrote on the table
in English letters the name
"Demosthenes"?

A I am going to say to you now you
can be just as unjust as necessary

Q Did you state that occurred to
you.

A As you have read it my memory
does not connect it but I furthermore
want to say again what my beliefs
are. I am willing to state them
but to be brought into the Witness
box to state them

Q Aye or no.

A I say I have no recollection
of making such a statement as
you have put.

Q Did Demosthenes appear to you
and write to you

Sir Richard Webster: Is this fair
with reference to a libel which
does not touch spiritualism or
refer to it but says this lady
has been guilty of the grossest
immorality with Tilton

The Attorney General. It has everything

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to do with the notoriety of this lady's character.

Baron Pollock. I thought you rather disowned that. I quite agree if a lady brings an ~ action or a gentleman either it is fair to show their position in Society. That may be a fair subject of comment but this is really going in a very wide field

The Attorney General. It would not be very wide if the answers were given.

Baron Pollock. If M^{rs} Martin says " I do not recollect this, but I am not going to abandon my opinions " they are so and so, then what her opinions are is immaterial

The Attorney General. Did an apparition appear to you. A His Lordship will tell me whether I am bound to answer that question. There is one appearing to me now

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Q Not a ghostly apparition

I hope.

A I do not know. I am

waiting to see what your

conclusions are

Q You do not wish to answer

whether or not Demosthenes

appeared and wrote his

name in English letters

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A I will not say I do not
wish to answer. I say this
if I am on trial for my
opinions spiritual or religious
then I will try to give you
my ideas.

Sir Richard Webster. You can
answer quite sufficiently. You
will not be put on your
trial for that.

Baron Pollock. I think we may
pass on from Demosthenes

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The Attorney General. Did you in Indianapolis announce yourself there as a medium to heal patients for the cure of disease.

A. In Indianapolis I was earning my living in supporting husband & children by my own efforts.

Q. Was that announcing yourself as a medium to heal patients for the cure of disease.

A To tell you the truth I do not remember it.

Q. Did you receive during that time by direction of the spirits as much as 700,000 dollars.

A. As I tell you this is what I shall say — I supposed when I came here to this room —

Sir Richard Webster. I do think when that question is put the passage should be read. My friend said did you receive the direction of the spirits. The passage is the sum total of the receipts of her practice and all her investments growing out of it up to the time of its discontinuance by direction of the spirits in 1869 was 700,000 dollars. It is exactly the contrary of what the Attorney General said.

The Attorney General: The spirits gave the direction that that course had been pursued in 1879 then up to 1879

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The spirits had changed it

A. It is evident you are attempting
to injure the case – my spiritual life
and I am not at all injured by
it –

Q. Did you give yourself out to be
A medium in the cure of disease

A. I was an educated doctress

Q. Did you give yourself out to
Be a spiritual agent for the cure
Of disease.

A. To tell you the truth I do not
Remember what you are reading. It
Is 25 years ago. I should have to
Refresh my memory.

The Attorney General. I must ask one
Question about perhaps the most
Notable event of your life. In 1870
It was, was it not, that you
Announced your candidature for the
Presidency. Did you state that
one night in December 1869
while you lay deep in sleep
your Greek Guardian came
to you and sitting ~ ~
transfigured by your couch

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Wrote on a scroll certain words “

Do you recollect that

A. I think I have the memorial
before me and I do not think in
the memorial that it came from my
lips in the House of Representatives
that any such statement was ~
made.

Q. I have not said that. If you
Decline to answer I will pass on but
I must put it to you distinctly
Did you state that “ one night in
December 1869 while you lay in
deep sleep your Greek Guardian
came to you and sitting transfigured
by your couch wrote on a
scroll so that you could not
only see the words but immediately
dictated them to a watchful
amanuensis the memorable document
now known in history as “ the
Memorial of Victoria C. Woodhull”
The Witness I shall ask your
Lordship if it is necessary to
answer that

Baron Pollock Yes.

A. I think as you are _____

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The Attorney General.

Say yes or no, did you
Or not say that
A. Allow me when you are
rather indignant at my not
answering at once. To judge
as I stand here before
you with the means to
judge, if I do not
answer it immediately
it is not because I
have no desire to do
so but it is because
in my mind I am
coming over the injustice
of it all. I did not
understand what you
have said, if I did I
would have answered
it.

Baron Pollock

The answer is you do
Not remember

A. Not as he reads it.

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The Attorney General. Did your Greek guardian
Come to you and sitting transfigured
by your Couch write on a scroll
so that you could not only see
the words but immediately dictated
them to your watchful Amenuensis
the memorable document now known in
History as "The Memorial of Victoria C.
Woodhull. "

A. If he did I should not feel
Disposed to tell you at this moment
Whether he did or not

Q. Let me remind you in your paper
you refer to this biography

A. Yes

Q. You have not complained of that
biography at all.

A. There was a very grave complaint
made of that biography and it
was called in & destroyed it
that is the one, I think. I could
not say. There have been so many biographies
published about me I do not know
whether it was or not

Q. I think I am right in saying at page 10
of this very paper there appears this "This suspicion was
heightened with the conviction when it transpired that Theodore

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Tilton was an earnest and apparently conscientious advocate of many of my radical theories as appeared in his far famed biography of me and in numerous other publications in the 'Golden Age' and elsewhere"

A Whether that is the far famed biography of not I do not know.

Q. Look at it.

A I could not tell you – I suppose a hundred different biographies have been published under different names & circumstances

Q. Was there any biography which may be properly described as a far famed biography of you by Theodore Tilton except this.

A. I could not tell you.

Q. Look at it.

A. I could not tell you by looking at it – It may have been by Horace Greely. He was as ardent an admirer of my principles as Theodore Tilton.

Sir Richard Webster. You say you cannot tell

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A I cannot tell.

The Attorney General. I am not asking whether there were not other biographies.

A. This is the one you speak of. It may have been a biography published by a person inimical to me.

Q. The statement is "The far famed biography of me by Theodore Tilton"

A Yes there was such a biography

Q. Was there any but one as far as you know

A. I think there were perhaps half a dozen at that very time which purported to be published by Theodore Tilton. They were drawn in from all parts of the Country and destroyed

Q. You say what

A. There were biographies with Theodore Tilton's name signed to them published, so it came to me in my public career This biography was published every where in every part of America with Theodore Tilton's name signed to it, but whether it was genuine or not I cannot say. -

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Q. There may be many editions of the same thing. Was there to your knowledge any biography by Theodore Tilton except that

A. I could not tell you. There were many with his name signed to it and a biography with such a name was withdrawn from publication & suppressed_ not suppressed but withdrawn.

Q. Now come back to the 2nd November 1872. Woodhull & Claflin — Let me see if I appreciate what you say. There were certain things in that article that were gross and improper and proper to be repudiated.

A. Yes that is quite true.

Q. And you say that on some political platforms you did not express that repudiation.

A. On all — not political but on many platforms after I was released from prison.

Q. Was there any repudiation in the paper itself at any time.

A. I do not remember.

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Sir Richard Webster. There was on the
29th of January 1891

The Witness I should have to look it over & see.

The Attorney General I am reminded
There is a repudiation 9 years after-
wards of this article.

A. If I had my scrap books here I
could shew you a hundred different
papers from all parts of America
where it was repudiated

Q. You mean reports of speeches you
made on the platforms.

A. Yes.

Q. I have dealt with that and I
have accepted your statement about
it. I am speaking of the paper
itself. Was there until 1881 that
is 9 years afterwards any repudiation
in Woodhull & Claflin's Weekly.

A. I will tell you candidly
you are forcing me to answer
this question here without my
papers and without showing
you what a conflict there
was - Woodhull & Claflin's
weekly some times I did
not see for months and

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it was at that time that the fever of persecution was running very high.

Sir Richard Webster. Your answer is you do not know of any one up to that time.

A. I should have to refer to the book.

The Attorney General. As far as you know you are not able to say there was any for 9 years.

A. Putting it in that way you give the inference that there was not and I do not remember at the moment.

Q. After your arrest was there not a re-issue of that very paper of the 2nd November 1872

A. There was and I must be allowed to explain.

Q. By all means.

A. The very man that published the Treat pamphlet I believe is the author of this pamphlet.

Sir Richard Webster. You mean the Beecher scandal.

A. The Beecher scandal was in the possession of our Office when it was torn to pieces, and we were

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in prison and I found only yesterday in looking over certain proofs of it, he had published three or four different articles of his own & he had in fact the entire possession of what was going into the weekly and did what he pleased with it - I never knew really that was republished until lately - It would seem as if I did not know what I was talking about unless it was detailed day by day what persecution I had to endure - I had to fight my way from New York City earning my daily bread and many a time the paper was brought to me in New Orleans, Mexico & California and I had not seen it for weeks & I said "There is something I would not allow to appear if I had been at home."

Q. You were in New York on the 2nd of November 1872 because you were arrested on that day. A. yes

Q. You were held to bail

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A. We were in prison 4 weeks before we were released.

Q. The Government rightly or wrongly insisted on having bail and there was some delay in getting it.

A. Not a bit of it.

Q. How did it happen.

A. The truth of it is it was not the Government at all. It came out in this paper as you read it that it was private malice. The bail bond could no quicker be signed than some person desirous of our destruction would buy a paper in another part of the City & we were arrested again. The bail was running up into millions before the prosecution broke down.

Sir Richard Webster. This was not the Government at all. The prosecution was by Officials but it was a private prosecution

The Attorney General. My information is different I desire to say it was conducted by the District Attorney who stated as his justification for appealing which

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would be odd if it was not usual for him to appeal, that the Government was bound to carry the matter on.

A. You have made that expression, when this came out it caused the whole Country of America to take sides, and the District Attorney did say with regard to the work of the United States Government that it was a respected citizen, saying nothing whatever about the conduct of the paper. You are quite right when you make that expression

Q. That was Ward Beecher.

A. Yes.

Q. You were in New York from that time, were you not, until the date of your prosecution, until the trial.

A. Certainly not. It was arranged while I was yet in prison I ~ should appear in Boston the moment I was released, & I had been scarcely in New York City a day when I found by

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telegram there was another order of arrest, and I came home to be arrested. I would do so because I was fighting a principle.

Q. Boston is not a day's journey from New York.

A. About.

Q. You were in New York at the time that the reprint of the 2nd November appeared.

A. I was not.

Q. Do you say so?

A. I should have to refresh my memory. If you allow me to explain, there was an interview reported to be had with me on that day which never occurred. I was out of the City when that occurred.

Q. What occurred?

A. This interview. I should have to look over my papers. I cannot get at the exact date, but that interview was republished in the weekly as a bona fide interview and that interview never occurred, and I did not know it was published in the weekly for weeks

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after.

Q. So that in your own paper an interview which you say did not happen was published as if it had occurred.

A. It was published by Treat who was in charge of the paper.

Q. In the next publication but one did not this appear — a number of extracts from a number of papers more than one of which but one is quite enough for my purpose, state this on page 3 — " But now the women editors are out of jail and have not only resumed the publication of their paper , but reiterated the charges and have also printed the suppressed edition which caused all the excitement before"

A. That is quite right.

Q. You were aware of that.

A. I was not aware of it, and did not know that that appeared, at that time I came out of that prison almost a dying

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woman. I had not a penny in my pocket. My children were depending upon me for bread. I left the City of New York to lecture for bread and the people who were at the head of the paper and who ought to have guarded it from anything that would have given me future trouble, did not, and many things went into the paper I did not know of and did not approve of. If you want me to have that all over again I should have to have the weekly before me and the dates of the ~ lectures.

Q. Do you mean the person at the head of it — this man Andrews.

A. Andrews was not there then.

Q. Who do you mean.

A. I mean this Joseph Treat. You will find his name on every page. I have not my paper here so that I cannot tell you.

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Q. You do not, I think, understand.
That was not one of the editors of
the paper.

A. This is just what did occur. When
we were arrested, everybody was arrested
connected with the paper. I shall have
to get my Magazines to look at it _
He was the only person left in charge
of the paper.

Q. Who.

A. This man Joseph Treat. At that time
he had not published this obscene
pamphlet, and it is all stated in the
paper which led up to his exposé,
but it was necessary for the weekly
to come out because the Country
were divided for and against, and
if my paper did not come out, I
had no opportunity of stating the
case to the public. I was not
in the office and did not
see it for weeks at a time.
I was struggling and working
for my living.

Sir Richard Webster. On the 2nd February
I find she was lecturing at Ohio,
which is many days journey out.

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A. 1500 miles.

Sir Richard Webster. Therefore it cannot have much to do with the 8th

February paper.

The Attorney General. There is an article in it signed by her.

Q. I am not suggesting you were there every day— I must put it to you plainly were you not there on the 8th February.

A. I should have to look at my books

Q. Did not you contribute articles to the paper.

A. My name was signed to many an article.

Q. Did not you contribute articles yourself.

A. I shall have to look at my magazines.

Q. Some hard things have been said about your husband Col. Blood.

A. Yes.

Q. With your sanction.

A. Perhaps so. He was not worth

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it.

Q. At page 11 in the article headed "Personal" you refer to your own sister.

Sir Richard Webster - This is signed by her — purporting to be signed.

A. I can almost repeat the article without the book. I must tell you why that was ~ published.

The Attorney General - I want to know whether you published it. "After calling this attention to my sister I ought not to close without referring to another without whom we had both of us ~ fainted by the wayside — one who content to accept the appreciation of ignorance & self assumption on the part of the great repressive public has even been satisfied to toil on unknown to honor & fame even in our own sphere & often bearing the obloquy of events with the patience & spirit more of another than of this world"

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That was your husband.

A. That was, but you must not leave it there; if you do you make a wrong impression again.

Q. Give me your explanation.

A. I wish to do that. I have an explanation to make to another country besides this — at that time the whole sentiment of the country was aroused. The Church was attacked, and the Church raised a powerful army against any advanced ideas, and I was a woman battling along for the world. To protect me in the fulness of my heart I published a canard in the daily papers. You must not forget also the noble sister who stood by me. You must not forget the dear ones who stood by me when the prison doors were closed against me through ignorant and bad people. She is as much to be praised and glorified as I am. It was with regard to those who

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had lifted a hand, although it was weak, that brought on this little canard, and a great many daily papers. —

Q. Amongst other things in the paper on page 7 there is an address from a gathering of Spiritualists in which , referring to the 2nd November 1872 in your statement of the case against M^r Beecher it is said "They resolved that none but the angels pen could have equally the chastity & refinement with which the disclosure was made so clearly portrayed.

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A. Except the end of it ,
which was abandoned at
once , as I told you ,
the moment I was out of
prison. The first time I was
on the platform I took it
on the platform & said
" these sentiments are not
mine "

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Q. You mean except the end of the article which is repudiated in the paper of 1881

A. Yes.

Sir Richard Webster. Will you read the words of the repudiation after the quotation The Attorney General " a dozen columns of the like filthy, " &c &c

[The learned Counsel read

down to the words] "in writing

A. I did not write that what you are reading this moment I did not write_ That was written also by somebody else

Q. What you wished to repudiate was that end of the story which was & which ought not to have been published

A. It ought not to be read even.

Q You see that in the book it purports to be your statement.

A Yes.

Q Interviews are spoken of between you & Mr Beecher. You had such interviews had you not.

A. I think if you refer to the Barker book you have it there. I do not remember

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Q Had you interviews with Mr Beecher or not.

A. I do not remember I have referred to that. My brains have been excited with many other matters. I tell you the book is there & you can see.

Q Do you really tell the Jury although you are complaining of this publication you do not recollect.

A. I do not understand what connection that has with the publication.

Sir Richard Webster - Just try.

The Attorney General - Do you remember having interviews with M^r Beecher or not.

A. I tell you I do not remember I should have to refer to my books.

Q Had you interviews with M^r Tilton

A. We had interviews with M^r Tilton

Q. Had you interviews with M^{rs} Tilton

A. At M^r Frank Moulton's house.

Q. Was your complaint against M^r Beecher not so much what he had done as a fact at all, but the hypocrisy to deny what he had done.

A. My complaint was not about M^r Beecher personally. My complaint was this. At the time that persecution was

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on me it was impossible in our great country, & you may call it great or ugly just as you feel disposed, but at that time in America no woman arriving in New York City alone at night whether wife or mother could be admitted to an Hotel for a night's lodging.

Q This is a little away from the point.

A. No, you are putting the question & you must allow me to answer the questions.

Q. I want an answer first. Was your view of the proposition this, that if M^r Beecher only avowed that he ceased to love his wife & loved somebody else he would have been doing a thing perfectly right, but his fault was hypocrisy in pretending that he did not.

A. You are emphasising it, so perhaps you will allow me to emphasise it in the same way.

Q I agree to those terms if you will answer first and then explain

A. I should have to answer it with explanation. In the first place I believe

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that marriage should be based on love, & as I have said, I pointed out on every platform in America that my view is that when love ceases marriage ceases — not the continuance perhaps of the bond, but any two people living together who do not love each other are not reputable. They are most disreputable, & this was the view that I was advocating at that time. I believe in a marriage bond that is really consecrated by divine, holy, educated love that will not make it possible for a man to want to run after one mistress or a dozen. I also believe when a man's life is disturbed by any such hypocrisy as it was said it was—that was not my statement — & if he lives a double life with one woman or twenty, that he is just as disreputable as the woman he lives with. As far as M^r Beecher was concerned, a man occupying the public platform as a teacher & preacher should have his life as pure as he wishes others to think

that it was. But there was
no personal animus that brought
the Beecher article to the
front on my part. It was
a battle for women I
was fighting for
women' _ purity sexually, and
against the condition that we see
every where around us, a woman
debased in the street.

Sir Richard Webster - That will do.

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The Attorney General - Does that mean

that you have answered my

question yes or no.

A. That means I cannot answer

it in any other way than that

if a man is impure, I do

not mind who he is whether

he is a Judge or a ~

Clergyman - I believe in

absolute purity.

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Q I put the question from the Ward Beecher point of view as regards Tilton was your opinion then when he found his wife's affections were estranged from him that he should have been chivalrous enough to have protected her.

A. I cannot answer that without explanation. When Tilton was brought face to face with his wife under an accusation, the first thing put to him was, "Is your own life blameless"? and he could not answer it. I said he had no right to blame her if he had not brought a blameless life with him.

Q. Before we adjourn I will put one other question and see whether you agree with this statement; "I ridiculed the maudlin sentiment and mock heroes and 'dreadful suzz' over an event the most natural in the world, and the most intrinsically innocent; having in it not a bit more of real criminality than the awful wickedness of 'negro stealing' formerly charged, in perfect good faith by the slaveholders, on everyone who helped the escape of a slave. I assumed at once, and got a sufficient admission, as I always do in such cases, that he was not exactly a vestal virgin himself, that his real life was something very different from the awful 'virtue' he was preaching, especially for women, as if women could 'sin' in this matter without men, and men without women, and which, he pretended, even to himself, to believe in the face and eyes of his own life and the lives of nearly all the greatest and best men that he knew; that the 'dreadful suzz' was merely a bogus sentimentality pumped in his imagination because our sickly religious literature, and Sunday-school morality, and pulpit pharaseeism had humbugged him

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all his life into the belief that he ought to feel and act in this harlequin and absurd way on such an occasion_ that, in a word neither M^r Beecher nor M^{rs} Tilton had done any wrong “

A. That which you are reading is M^r Andrews' statement.

Q. Down to that do you disagree with it.

A As I have told you, to say yes or no I could not, but as I told you it is just the same story over again. The woman is brought to our Saviour and he turned to her and asked her who were the accusers.

Q From that point do you think it was M^r Andrews.

A. I should have to look over it to see.

Sir Richard Webster: It begins there, "that in a word" in the left hand column.

The Attorney General. "Neither M^r Beecher or M^{rs} Tilton had done any wrong but that it was he who was playing the part of a fool and a tyrant, that it was he and the factitious or manufactured public opinion back of him, that was wrong, that his babyish whining and stage acting were the real absurdity and disgrace, the unmanly part of the whole transaction, and that we only needed another Cervantes to saterize such stuff as it deserves to squelch it instantly and for ever. I tried to show him that a true manliness would protect and love to protect; would glory in protecting the absolute freedom of the woman who was loved, whether called wife, mistress, or by any other name, and that the true sense of honor in the future will be, not to know even what relations our lovers have with any and all other persons, than ourselves_ as true courtesy never seeks to spy over or to pry into other people's private affairs" Do you agree with that or not.

A. I should say to that, this. Supposing I should say straight out “yes” I should not be the first person who had agreed to it. The very statement you are reading from.

Q Say do you agree or not.

A I do not agree to it just as you have read it, but I do agree _

Sir Richard Webster - You asked her whether she wrote it first.

A. It may not be necessary, but I am

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A. It may not be necessary, but I am quite willing to state what I do believe quietly. Women are struggling for their freedom from sexual slavery. It may be ridiculous, but all the same the time will come when a woman will stand before the Judge just as you are now, _ cross questioning a man perhaps, & she will have just as good a right to do it, & to know whether she is a pure woman or impure from her position, as the men now take it upon themselves to judge of women._

(Adjourned until tomorrow
at half past 10)

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High Court of Justice
Queen's Bench Division

Martin & another

----- v -----

The Trustees of the
British Museum

Copy
Notes of Proceedings
First Day
23rd February 1894

*[In pencil on upper right of right page: 24 February 1894
(Folios 1 – 134)]*

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Royal Courts of Justice
Saturday 24 February 1894

In the High Court of Justice
Queens Bench Division

Martin and Another

----- v -----

The Trustees of the British Museum

Before

Baron Pollock and a Special
Jury. _____

(Transcript of the Shorthand notes of
Mess^{rs}. Cherer Bennett & Davis of N^o. 8 New
Court Carey Street W.C.

Second Day

The Attorney General My Lord there only appear
to be two books of this Article which is
impugned and we have had a copy made
so that your Lordship may use it for the
moment.

Baron Pollock I should like to see that

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Sir Richard Webster Are you handing up the whole book

The Attorney General No

Sir Richard Webster. The important thing is the whole book.

The Attorney General. I have no objection to that at all

Sir Richard Webster Not a mere part of it

The Attorney General I will hand up the whole book to your Lordship now

M^{rs} Victoria Martin recalled

Cross ex[amination]ⁿ continued by the Attorney Gen[era]^l

The Attorney General I will not trouble you long

M^{rs} Martin if you will be good enough to help me by giving as short answers as you think consistent with your duty to yourself.

A I will try to do so

Q I am not impugning your motives at all, but you were in fact the person who first gave voice in the columns of the press to this charge against M^r Beecher

A I do not think that is quite right

Q What

A I do not think so

Q Very well you are quite entitled to say that Did not you write on the 22nd of May 1871 this letter which is in one of the publications

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complained of to the "World" newspaper on p. 16

"I know of one man a public teacher
of eminence who lives in concubinage with
the wife of another public teacher of
almost equal eminence All three concur
in denouncing offences against morality
I shall make it my business to analyse
some of these lives"

A Something of the kind I could not say
that it was exactly that but something
to that effect.

Q In the book which you have referred
to of which I think my Lord has
been handed a copy and I do not
object to my Lord reading anything
he likes but it perhaps was not
quite relevant on page 528 you say
this "Beyond all this the proceedings
that were instituted against us would
never have been possible had it not been
for the course of the press for six
months previous to the publication of
the exposé" That was the exposé of
the 2nd of November 1872

A It was

Q "For a year or more before that

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publication many if not most of the editorial offices in this City were in possession of the facts therein set forth but no ~~de~~ hint ever found its way into any of the papers that Mr. Beecher was other than he should be From the very day however that it became known to the press that I was also in possession of the same facts and it was surmised that I might make them public I became the target at which were shot off every ridiculous improbable and impossible shaft of vituperative abuse"

A It is quite true.

Q I am right in saying, am I not that the first detailed indictment circumstantial indictment against Beecher was the article of the 2nd November 1872.

A No I say that is not so It was as publicly known and publicly talked about in all the articles and throughout the newspaper world but I do not know at this moment whether it had ever found its way into the public press, but it was publicly known

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Q I quite appreciate that & I understand that from this
A You have read the first letter that was published in the
"World" I say it ought not to stand as you read it without
knowing why that letter was published. As it stands nor
it would seem to one who did not understand all the cir-
cumstances that it might have been published in pique or to
make a sensation or in anyway that you might put it
That is not the truth There were very serious conditions
that led up to the publication of that letter.

Q The letter that I have just read to you was 1871 May There is one
of the 19th Nov. This is very close upon the publication of
the article It is the 19th of Nov. 1871 and it is at p. 63
of the second thing complained of You were then living
at 15 East 38 Street at least that is the address given

A I cannot remember

Q "H. W. Beecher Dear Sir For reasons in which you are
deeply interested as well as myself and the cause of
truth I desire to have an interview with you without fail
at some hour tomorrow Two of your sisters have gone
out of their way to assail my character & purpose both by
means of the public press & by numerous private letters
written to various persons with whom they seek to
injure me & thus to defeat the political ends at which
I aim You doubtless know that it is within my power to
strike back & in some way more disastrous
than anything that can come to me but I
do not desire to do this, I simply desire

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justice from those from whom I have a right to expect it I speak guardedly but I think you will understand me. I repeat that I must have an interview tomorrow since I am to speak tomorrow evening at Steinway Hall & what I shall or I shall not say will depend largely upon the result of the interview "Do you recollect that A No I do not quite recollect that something of the like is dimly in my memory

Q The whole of it you do not recollect

A I recollect it dimly

Q Perhaps this will recall your recollection

Did you not have an interview with M^r Beecher.

A I do not know that I could not answer that question for the moment.

Q You could not answer that question.

A I could not at the present moment.

Q Did not you press him to preside at that meeting at the Steinway Hall and take the part you thought he ought to take in backing you up.

A I did not but those who were interested in M^r Beecher I suppose did, but I did not ask him to do it.

Q Is this passage which you say is not yours in the Article of November

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1872 The one I have read is the end of 1871 This is the exposé as you call it in your own book.

Sir Richard Webster Are you reading from Nov. 1872 article The Attorney General. Yes I this not correct or is it an invention of Mr. Andrews "Meantime that told M^r

Tilton & M^r Moulton that I was going to ask M^r Beecher to preside & they agreed to press the matter with him I explained to them that the only safety he had was in coming out as soon as possible an advocate of social freedom & thus palliate if he could ~~most~~ not completely justify his practices by founding them at least on principle I told them that this introduction of me would bridge the way "No it is a little later on" a few days before the lecture I sent a note to M^r Beecher asking him to preside for me This alarmed him He went with it to Mess^{rs} Tilton & Moulton asking advice They gave it in the affirmative telling him they considered it eminently fitting that he should pursue the course indicated by you as his only safety but it was not urged in such a way as to indicate that they had known the request was to have been made "Is that an invention of M^r. Andrews.

A To answer that question yes or no I must tell you what I said yesterday I have to ask to read over the notes I have forgotten

Q I am simply asking you at the present time do you say that you did send or not send a note to M^r Beecher asking him to preside for you.

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A I myself did not send a note If somebody else sent it in my name I could not say whether they did or did not at that time but the point I do wish to press upon the very question we have there is this that at that time & for several years before Stephen Pearl Andrews had private reasons for being very pushing some position I was not conversant with & I did not know at that time what motive was in Stephen Andrews' brains but it developed afterwards when the trial came on & he used the Woodhull & Claflin's Weekly as the vehicle to press this private animosity.

Q I fail to see the relevancy of that I have asked a distinct question Did you or not either by yourself or somebody else send that request.

A I have just said that I myself did not

Q The matter remained undecided until the day of the lecture when I went over again to press M^r Beecher to a decision I had then a long private interview with him urging all the arguments I could to induce him to consent He said he agreed perfectly with what I was to say but that he could not stand on the platform of Steinway Hall & introduce me He said I should sink through the floor I am a moral coward on this subject & I know it and I am not fit to stand by you who ^ go there to speak what you know to be the truth I should stand there a living lie. He got upon the sofa on his knees besides me and taking my face between his hands while tears streamed down his cheeks begged me to let him off Is that the invitation of Andrews or your own statement.

A There is a great deal that led up to

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that statement which could not be decided at a moment's notice in this Court.

Sir Richard Webster. You are asked whether that is your statement

The Attorney General Is that event true or not Did that occur.

A As far as I am personally concerned that was not mine

Q Is it true. Is it the fact.

a It is not true as a fact as far as I am personally concerned but this was after. When the trial came on the Beecher trial came on which was not my affair When the Beecher and Tilton trial came on then it came out that something of that character did occur between Frank Moulton and his wife Theodore Tilton & other people who were interested in having M^r Beecher do certain things they asked him to do, but trying that Beecher case over here now in this irrelevant manner is not only unjust to history but it is unjust to me because it is bringing points out that apparently have

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no relevancy in this case and not
stating the entire truth of what
did occur in 1873

Q You are making observations that are
irrelevant You are not the Judge

A I think the answer is relevant.

Q You are complaining that the British
Museum or their representatives ought
to have known that this was a
book not proper to be admitted into
the library.

Sir Richard Webster. We are not complaining
of that but the publishing a statement
in the book without taking any care
that this lady had been guilty of
the grossest immorality with M^r Tilton
and was the queen of prostitutes.

The Attorney General That is another way
of putting the same thing.

Sir Richard Webster It was the right way

The Attorney General. Is it the fact that
failing M^r Beecher presiding at that
Steinway Hall lecture

A I should have to refer to my books
to see if he did or not It was a
very tempestuous time.

Q Do you say you forget

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A I do As to whether M^r Beecher presided or not I should have to be reminded.

Q You have furnished my Lord or rather my learned friend did with your book which contains a number of extracts of your speeches and publications over a considerable series of years. Will you refer me to any one of those in which you yourself either on the platform or in the press before 1881 repudiated the article of the 2nd of November 1872.

A If you will allow me to explain in my own way

Q Try and answer a very distinct question can you refer me in this book to any statement reported either by you on the public platform or in the public press coming from you repudiating the responsibility for the article of the 2nd of November 1872

A I certainly can.

Q I will not trouble you at this moment but I will give you the opportunity when you come out of the box.

A I prefer to answer your question.

Q Then take the book.

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Sir Richard Webster. You say any statement in the public press.

A Allow me to say how that book came to be compiled. There was only a fragmentary part of my published works. That book was compiled by other people. That special book was.

The Attorney General. I am only asking you a simple question Is there anything in this book in which you either in a published speech or published writing have yourself repudiated previous to 1881 the 2nd of November article. There are a large number of excerpts.

A You are quite right, they are simple extracts.

Q Very well if there is any I will take it Lastly the reputation which my friend referred to is in a number of Woodhull and Chafin's Weekly of the 29th of January 1881 Do you recollect it.

A I do recollect

Q Attention has been called to the fact that that is a publication made

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in England. This paper was printed
in England?

A. It was

Q. Had you come to live in England
at that time.

A. I had at that time to deliver
a course of lectures in St. James'
Hall and had been living here
since 1877.

Q. Were you living in England
at that time.

A. I had been living since 1877

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up to that date

Q. This is printed and published
by the Proprietors at the Office
12 York Street Covent Garden

A. I suppose that was right

Q. Is this in existence still or
how long did it last:

A. That one edition was the
only publication.

Q. This single number is the
only publication

A. Yes.

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Re-examined by Sir Richard Webster

Q. In the first place about this book did you prepare this book or not-

A. I did not. It was prepared by those were interested in getting some fragmentary evidence together before my death.

Q. I see in the preface which my friend probably has not observed you refer to it as being a fragmentary record. Does it in any way in any part of it as far as you know deal with the article of the 2nd November 1872.

A. I could not answer. I do not think it does. I do not know. I should have to look it over to see.

Q. My friend says that is his point. Had you on any occasion made speeches in which you had denounced the article of the 2nd November 1872.

A. Not the entire article

Q. What had you denounced

A. As I said yesterday from the moment I got before the public again The Attorney General. I will take any record of any such speech if you have it.

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Sir Richard Webster. Will your Lordship ~ remember what the pleading is. There is no justification. There is no plea stating she was the author of this article. It is in this report that she is not the author. Will you kindly be good enough to give me your attention M^{rs} Martin. Have you ever at any single time in your own writings endorsed or uttered the filthy paragraphs of that article.

A. I never did

Q. Have you ever by speeches directly or indirectly approved of the filthy ~ paragraphs of that article

A. Never.

The Attorney General. Which are those.

Sir Richard Webster. Among others that which you yourself have had before you which was publicly repudiated in 1881

The Attorney General. I[s] there anything but that.

Sir Richard Webster. Yes there is a good deal. How many times M^{rs} Martin did you speak roughly between 1872 and 1881 in America.

A. Between 1872 & 1877 while living there

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I was almost nightly before the public

Q. Do you mean 40 or 50 times or more a year.

A. Perhaps 250 times a year. 300 perhaps.

Q. Your speeches were to a greater or lesser extent repeated in the papers.

A. They were.

Q. Now I can put this question to you

My friend has access to files that I have not. In any one of your speeches did you ever endorse, or repeat, or approve of the passages in that article which were not written by you.

A. I never did.

Q. I think I had better ask you next something about this Woodhull and Claflin's Weekly. How long did it go on in America.

A. From May 14th 1870 until June 1876 I think. Perhaps it may have been July.

Q. During that time had you had any time for the personal superintendence of the editorial work.

A. For the personal superintendence of the editorial work ~

I did not have time.

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I was constantly before the public
and it was impossible for me to
be at the editorial desk

Q. From time to time did you send
signed communications by post from
various parts of America.

A. From time to time articles appeared.
My speeches were repeated thro' the press
and from time to time articles from my
pen were published in the Weekly.

Q. Now will you tell the Jury what
happened in 1876 with reference to
the coming to an end of Woodhull &
Claflin's Weekly?

A. Finally

Q. Did you go to the Office

A. I had just returned from a southern
lecturing tour.

Q. Tell us as shortly as you can
what happened. You had returned
from lecturing and you went to the Office

A. I went to the Office of the Weekly
and there, if you wish me to tell it
in the simplest way —

Q. I do.

A. There was a reason for that I
should like to explain.

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Q. You shall give your reason directly.

A. I asked for the proof sheets of the Weekly that was going to appear that week, and when they were brought to me from the printing office I tore them into fragments and I sent for the foreman of the printing office to come to me and told him that the last Weekly had been issued in my absence over my name and that was the final issue of Woodhull and Claflin's Weekly as I could not give my special supervision to it, and that it was constantly being used as the vehicle of sex maniacs and sex perverts; that I had to bear the onus of it, and my health became impaired and my life unendurable; that I was fighting a principle; that I had to remain upon the public platform as long as I could to continue it. I said that the Woodhull and Claflin's Weekly should not be used as a vehicle for other peoples ideas and perversions and should no

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longer be issued in my name

The Attorney General. What date was that
Sir Richard Webster. 1876.

Q. That was the reason for your going to
that Office and destroying the proof ~
sheets of the publication that had appeared
in Woodhull & Claflin's Weekly which you
had not yourself inserted and supervised.

A. That was the reason.

Q. Was there any other reason than that-

A. None other.

Q. Had you at that very time been
lecturing advocating your own principles
on various platforms in the United
States.

A. I had. I had just received from a
long lecturing tour in the South and
found my paper used in my absence.
I was not able to communicate with
the paper in time and it was unable
to find me.

Q. Had you any other reason but that

A. I had no other reason but that.

Q. What happened about the plant.

A. It was destroyed. The Weekly never
appeared after that.

Q. Was the plant actually destroyed

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A. Everything as far as the Weekly was concerned even the published successes that had been printed in my absence with Contracts in them I did not ~ know of, I had destroyed by the ~ thousand. Packages of 5,000 or 10,000 at at time were destroyed. My public ~ speeches were found by my friends They said "Here is a whole batch do you believe in this?" I never saw it before - I wired back "The speeches must be destroyed"

Q. Statements were attributed to you appearing in the columns of the paper which you had never approved and which you had never advocated.

A. That is quite right.

Q. Who do you believe now was at the bottom of this.

A. I cannot answer that question now.

Q. I do not want to go into it as long as you say you are not responsible.

A. Well just at the time there when some of these most objectionable articles were printed the man Treat who afterwards published that pamphlet was in authority

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during the time we were in prison and after coming out this man Treat was in authority. Only within a few hours had I actually read over some of those Weeklies. During that dreadful ordeal they had not come to my notice and I then felt from beginning to the end that these articles this man Treat signed and put out for his own colouring.

Q. Which were the contrary of your opinions.

A. They were things that I should never have thought of saying.

Q. Treat was the man whom you subsequently prosecuted for scandalous libels upon you and your Sister.

A. He was.

Q. My friend asked you yesterday whether you went on the stage. State in your own way to what extent you were on the stage and why you had to go on. The whole story is to be given and not part of it.

A. I do not like to. The truth of it was I went with my husband —

Q. D^r. Woodhull

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A. D^r. Woodhull and an innocent child to California. During that time on account of his business and matters he was unable to buy our tickets. I went to a theatrical Manager and asked him to allow me to earn money enough on the stage to buy our tickets home. He did. That was the only time I was ever on the stage as an actress.

The Attorney General. I do not suggest for a moment that there was anything wrong in it. I say there was nothing in it.

Sir Richard Webster. Then why was the question put.

Q. My friend suggested to you that this book was published by some respectable publisher and he said the name of Bancker and Company.

A. I never heard of the name

Q. Do you believe there was any firm of Bancker & C^o. publishers in New York.

A. I do not.

Q. You never saw the pamphlet in question "The Beecher Tilton Scandal" until shortly before this Writ I think, when M^r Martin & you[r] Solicitor was able

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to get one

A. That is the first time I ever saw that pamphlet.

Q. Is that the original one that you got.

A. This looks like the one that M^r Moon brought me. I should say it was.

Q. That I notice is the document that has only got "Brooklyn"

Baron Pollock. Do you mean it is absolutely the same print.

Sir Richard Webster. I mean as far as I can judge I do not know. Is there any address to that "Bancker C^o." my Lord

Baron Pollock. Only "New York"

Sir Richard Webster. That is not "of New York"

The Attorney General. It is exactly what a ~ Longmans or anybody else would say

Sir Richard Webster. They would not be found publishing a book of that character.

Baron Pollock. I should like to compare the two. That is the only one I have ever seen. I have not seen the one the Attorney General ~ had.

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The Attorney General We have not
heard where that came from
Sir Richard Webster Do you wish to prove it?

The Attorney General No

Sir Richard Webster: It was obtained
from America through Mess^{rs} Sampson
& Son I believe M^r Moon obtained it for you

A Yes

Q The witness who was examined yesterday

A Yes

Q There are one or two rather more important
matters I want to direct your attention to
you were asked about this book being in
the public libraries in New York Did you
and your husband go to New York last year

A We did

Q You were asked about this book being in
public libraries

The Attorney General I assure you did
not

Sir Richard Webster Is the great
Public Library the Astor Library

A I think there are many libraries
I could not tell which takes precedence
over the other

Q Is that one of the big ones

A Yes Mr Martin reported to me he

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had been to the different libraries for this

Q Is Coopers Library another very big Library

A Yes

Q Did Mr Martin tell you he searched there

As far as you know has it ever come

to your knowledge that this

pamphlet was in any library in New York

A It has not I do not believe they would

allow it to be in their possession

Q There is an answer you gave yester

day which I want you to explain

you were anxious to state to the

Attorney General something in

connection with the birth of your

first child which led you to adopt

this line of thought and the formation

of your convictions Will you state

what you referred to yesterday

The Attorney General I do not think

I asked any question about that

Sir Richard Webster I appeal to my

Lord whether you did not

Baron Pollock I have great difficulty

in saying how much was question

and how much discussion

Sir Richard Webster The witness's answer

was

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and I took it at the time, that she said "I was led to adopt a life by something in connection with the birth of the first child" Then the Attorney General said "You need not go into that"

The Attorney General I think you are referring to the examination in chief
Sir Richard Webster No the cross-examination I took it down at the time

Q What was it you referred to yesterday about the birth of your first child

A It is a very painful subject. The first desire of my life to really enter public life and search out the causes of so much misery upon the earth was the birth of my first child
I was married at 14 My first child was born when I was 15 years & 3 months old My husband was a physician and was constantly intoxicated and was a very clever man, but addicted to drink constantly When I found that I had given birth to a human wreckage to a child that was an imbecile my heart was broken, and I went to Mr Woodhull to explain the reason

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and I commenced to enquire in different places of different mothers what this meant. My whole heart was involved in the love of my child and I could not bear the thought he was an imbecile. My husband took me to different curriculum and places & shewed me the phases of life made it possible for mothers to bear imbeciles

Q You came to the conclusion that it was due to your husbands habits

A He positively aided me in coming to that conclusion

Q Was it that which led you to devote your life to this study

A It was that alone that made me feel that I had nothing else to do but to ask from every platform on the face of the earth that woman should awaken to the responsibility of becoming mothers by any possibility whatever never bearing a child that might be an imbecile or a criminal

Q The Attorney General asked you whether you were not acquitted on technical grounds and he read a passage from some newspaper The Attorney General I did not say technical grounds

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Sir Richard Webster: Well legal grounds then

Q Turn to page 382 of your book It has not been read yet. It is from the "Sun" verbatim of the 30th June 1873 "The prosecution opens - it proceeds - it closes then what? Why then the learned Judge of the United States District Court who presides at the trials informs the accused that there is no occasion for them to introduce any evidence in their defence that no case has been proved against them; and he instructs the Jury to render a verdict of not guilty which they immediately do without leaving their seats" As far as you know was there any justification for the suggestion that you were only discharged on legal grounds

A Certainly not

The Attorney General The question is not even left to the Jury

Sir Richard Webster No evidence to go to the Jury

The Attorney General Yes

Sir Richard Webster You have been asked a number of questions about your spiritualistic views as a spiritualist I do not

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know why. You have been for years
a spiritualist have you not

A I have been from my childhood

Q And you have been president of
several associations I believe of
people who either are searching for
or believe in spiritualism

A. I was three times elected without
my desire, President of the Association
of America

Q And you are not ashamed of or
want in any way to repudiate
that position

A I am very proud of it

Q There was a specific question asked
with reference to what is supposed
to have happened about the time
of the publication of that Article of
the 2nd November 1872 attributed to
you I think you have looked
into this matter in consequence of
what was said Where were you on
the 27th October 1872 Sunday

A Whether the 25th, the 26th or
the 27th I was delivering a lecture in
Chicago in the Academy of Music

Q On the 28th the morning do you

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remember something about coming
to New York on the 30th or your
leaving Chicago on the 30th paying
your bill as you went to the Station
A Yes

Q What date was this

A I could not say what date that
was I know I arrived in New
York City on the 1st November

Q It takes a near as possible 24
hours. It would not be as quick then

A 36 hours

Q From Chicago to New York must
have been 30 to 40 odd

A I should think so

Q You arrived in New York on the 1st

A Yes

Q Did it come to your knowledge that
a warrant was out for you at the time

A It did as soon as I arrived there

Q With regard to the actual supervision
or publication of the paper of the 2nd
November 1872, & I will refer to
the article directly, had you anything
to do with it personally, or was
it done by people in New York

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A The actual publication & putting it together was done by people in New York.

Q Did you subsequently search or Colonel Blood & you subsequently search for the manuscript which had been sent

A. We asked for the manuscript & found from the printer that Andrews took the management of the Office, and as soon as it came from the galleys he put it into the fire

Q As soon as the prints came off the printing machine the manuscript from which it had been printed was put in the fire

A Yes this came out on the trial of the printers themselves

Q Were you ever able to obtain possession of any part of the original manuscript of what you had sent to the Office or your husband had sent to the Office.

A I was not, it was destroyed.

Q Was there in the manuscript as you sent it one word of either an indecent or immoral character or advocating the views which Andrews

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had been putting into the paper

A There was not

Q You have been asked as to what happened between the date of your arrest, which was on the 2nd Nov^r or the morning of the 2nd, & the time the 30th June or rather of your being released on bail early in 1873 What time were you released on bail the end of January?

A I was in prison just 4 weeks

Q That would be about the end of December. During that time how many times did you obtain bail

A I cannot tell you

Q Roughly

A 6 or 7 times I cannot tell how many

Q What happened as soon as you got out on bail

A We were arrested as soon as the bail bonds were signed. We were not allowed to get get out of the place scarcely before re-arrested again

Q This is suggested to be Government work

You know something about that. Was that re-arrest & the bail bonds by the Government or somebody

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else working it

A. It was accepted the Government was only made the machinery to carry out private malice. That was accepted when it came to trial.

Q You have been asked about interviews with Mr Beecher, and you have already told the Attorney General that the state -ments made in the paper speaking of you personally were known, that may have been done by others under your name. Were you ever in Mr Beecher's house in your life

A Never in my life

Q If you saw Mr Beecher, as you may have done, in whose company would it be

A Frank Moultons & Mrs Moulton & Theodore Tilton & other people who might have been at Frank Moulton's house

Q Visiting Frank Moulton you may have seen and conversed with Mr Beecher

A Yes