

ORDER in the

Did Susan B. Anthony commit a crime by voting?

The courtroom is packed, and spectators' voices fill the air. Supporters of the **defendant** are seated among opponents and the merely curious. Scattered throughout

Words to Know

- **costs of the prosecution:** fees, salaries, and other expenses of holding a trial.
- **defendant:** a person on trial, charged with wrongdoing.
- **suffrage:** the right to vote.

the crowd are some influential people, including Millard Fillmore, a former U.S. President. Everyone knows that this will be no ordinary trial.

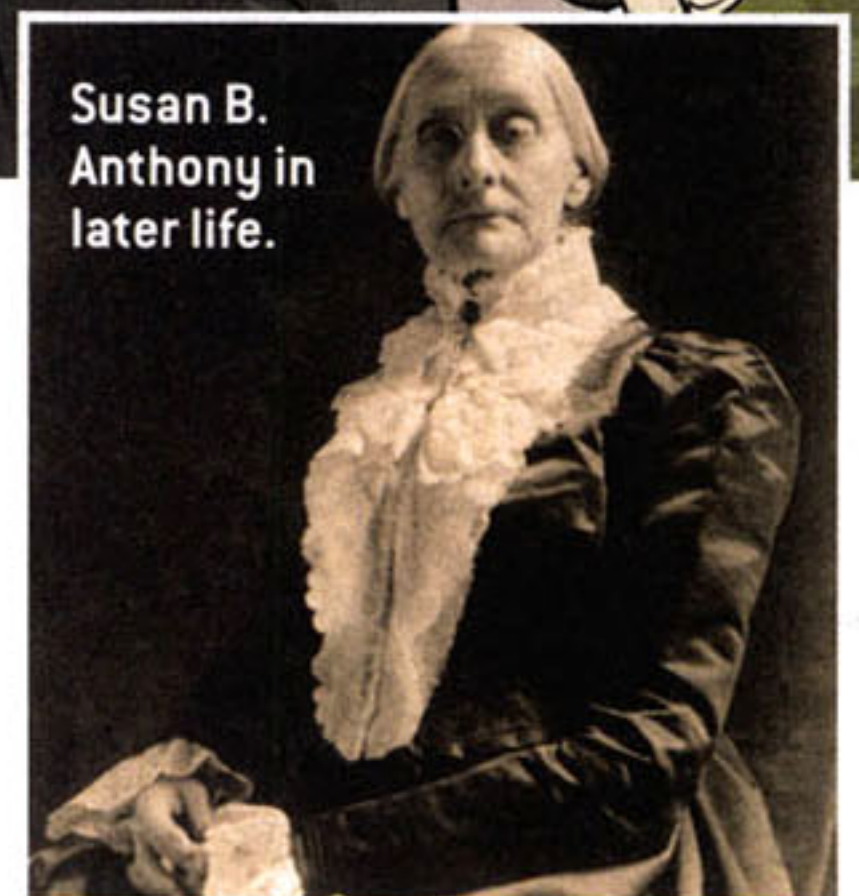
The buzz fades as the district attorney, defense lawyer, and defendant take their seats. The date is June 17, 1873, and the trial of Susan B. Anthony is about to begin.

What Was Her Crime?

In November 1872, Anthony, three of her sisters, and several other women in Rochester, New York,

demanded that they be allowed to register as voters in the U.S. presidential election. Polling-site officials reluctantly did so. There was only one problem. At that time, women had no legal right to vote in New York or any other state. But on November 5—Election Day—Anthony and 13 other women cast votes anyway.

A few weeks later, Anthony, already famous throughout the country, was arrested. That was OK with her, because she wanted a test case. If she could convince a jury that she



Susan B. Anthony in later life.

COURT!

had a right under the U.S. Constitution to vote, she would be found not guilty. Then women across the nation would win the right to vote.

The well-educated daughter of Quaker parents, Anthony believed in the rights of citizenship. She had been an abolitionist—opposed to the ownership of fellow human beings. In 1865, the 13th Amendment became law, ending slavery.

Then, in 1868, the 14th Amendment guaranteed African-Americans citizenship. It says that “No state shall . . . deny to any person within its jurisdiction [legal authority] the

equal protection of the laws.” As far as Anthony was concerned, that protection applied to women as well as ex-slaves. But society disagreed. Women, whatever their skin color, were still denied the right to vote.

The Trial: Day One

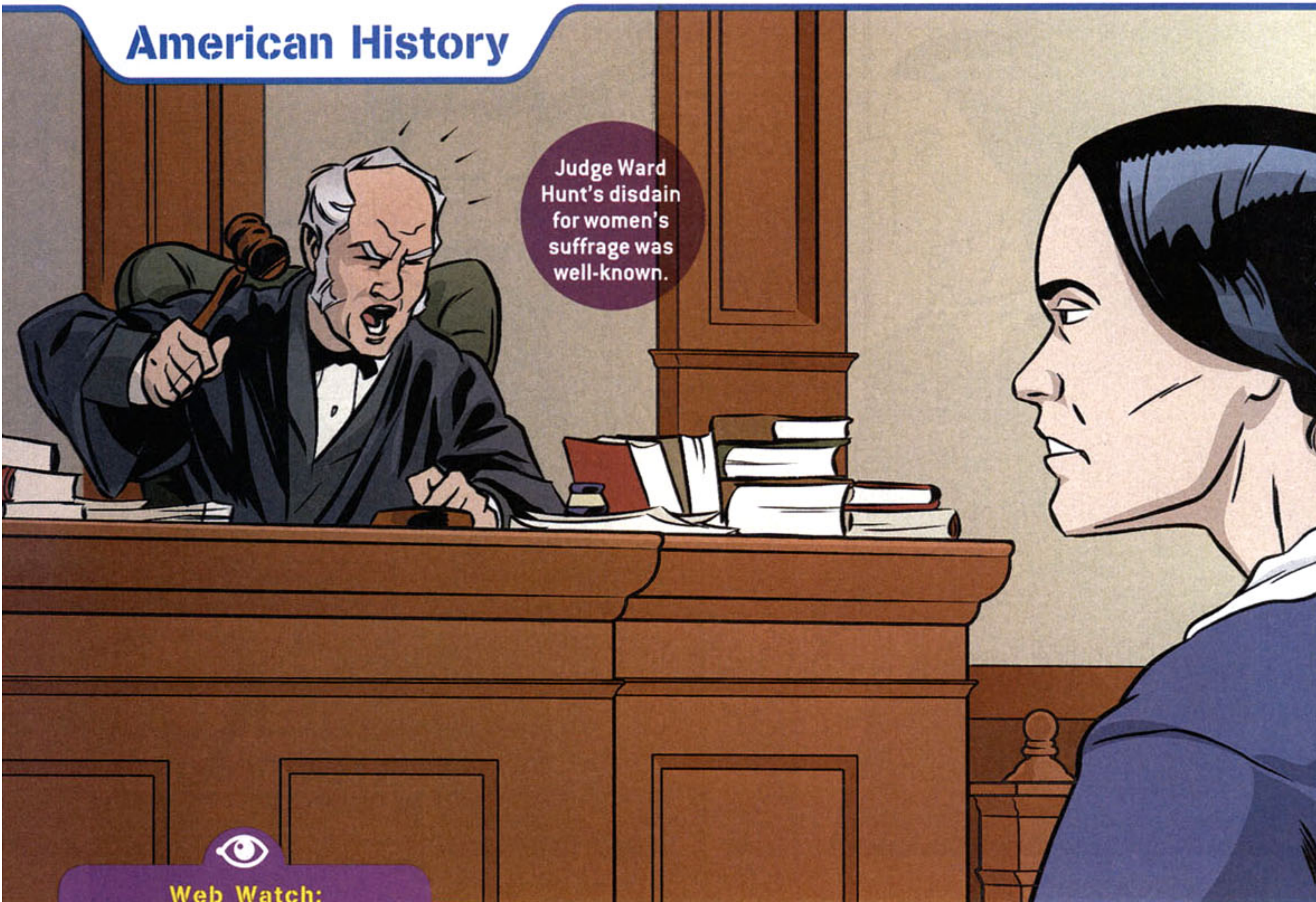
When the trial began, U.S. District Attorney Richard Crowley charged Anthony with wrongdoing, regardless of the 14th Amendment. “Whatever Miss Anthony’s intentions may have been, . . . she did not have a right to vote,” he said. Only men could do so and, Crowley declared, “on the 5th

day of November, 1872, Miss Susan B. Anthony was a woman.”

Many spectators laughed. Even jury members (all of whom were white men) smiled. When his turn came to speak, Henry Selden, Anthony’s lawyer, said, “Your honor, gentlemen of the jury, the defense wishes to concede [agree] that Miss Susan B. Anthony is indeed a woman.”

Selden went on to argue that Anthony should not be on trial. “If the same act had been done by her

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Judge Ward Hunt's disdain for women's suffrage was well-known.



Web Watch:
Susan B. Anthony on suffrage
www.historyplace.com/speeches/anthony.htm

brother, . . . [it] would have been not only innocent, but honorable and laudable [worthy of praise]. But having been done by a woman, it is said to be a crime."

After both lawyers had their say, Judge Ward Hunt did something unexpected. He didn't allow Anthony to testify in her own defense. The 14th Amendment does not give women a right to vote, he said. By voting, Anthony had violated the law. To the jury, he said, "I therefore direct that you find a verdict of guilty."

Selden protested, but the judge ordered the court clerk to record a guilty verdict, even though the jury had not voted. The spectators were outraged. Not everyone supported

women's **suffrage**. But most agreed that Anthony had been denied her right to a fair trial.

The Trial: Day Two

The next day, before sentencing Anthony, Judge Hunt asked the usual question: "Has the prisoner anything to say [as to] why sentence should not be pronounced?"

"Yes, your honor," Anthony replied. "I have many things to say, for in your ordered verdict of guilty, you have trampled underfoot every vital principle of our government. My natural rights, my civil rights, my political rights are all alike ignored."

Hunt kept interrupting, but Anthony continued to speak. Finally, Hunt had reached his limit. "The court orders the prisoner to sit down!" he commanded. "It will not

allow another word." He sentenced Anthony to "pay a fine of \$100 and the **costs of the prosecution**."

"May it please your honor," she replied, "I shall never pay a dollar of your unjust penalty. . . . And I shall earnestly and persistently continue to urge all women . . . that resistance to tyranny is obedience to God."

Surviving the Shock

Anthony kept that promise. She never paid the fine and never stopped fighting for women's rights. She already was a famous public speaker, but the courage she had shown at her trial won her new respect.

An 1873 newspaper editorial commented on that trial. "If it is a mere question of who has got the best of it, Miss Anthony is still ahead," it stated. "[She] has voted, and the

Movin' on Up



In the years following Susan B. Anthony's death, hundreds of thousands of women took up her cause.

As the 19th century gave way to the 20th, Americans continued to argue about whether or not women should vote. Many Americans feared that women were too "weak" and "emotional" to have so much power. But the number of suffragists (supporters of the

partners of the women in this war. Shall we admit them only to a partnership of suffering and sacrifice and toil, and not to a partnership of right?"

The following spring, both houses of Congress approved a constitutional amendment guaranteeing women's suffrage. But to become law, it had to be approved by at least 36 states—three fourths of the total. (The U.S. then had 48 states.)

American Constitution has survived the shock. Fining her \$100 does not rub out the fact that 14 women voted, and went home, and the world jogged on as before."

Susan B. Anthony did not live to see her dream fulfilled. The 19th Amendment guaranteeing women's right to vote did not become law until 1920—14 years after her death.

—Ira Peck & Kathy Wilmore

Write It!

Imagine yourself as Susan B. Anthony, arriving by time machine in the year 2008. What would you think about the changes in women's status and influence since 1873? As Anthony, write a letter home describing your reactions.



Women march for their rights in New York City in 1912.

right to vote) continued to grow. Thousands of women joined protest marches. Clashes sometimes erupted between suffragists and their opponents. Suffragist leaders were jailed again and again.

World War I (1914-1918) helped turn the tide. Near the end of the war, President Woodrow Wilson acknowledged U.S. women's contributions to the war effort. In September 1918, he said, "We have made

On August 18, 1920, all eyes were on Tennessee. If the state legislature said yes, the amendment would have the approval of the necessary 36 states. The nays seemed to be winning. But at the last minute, a young legislator named Harry Burn heeded a telegram from his mother. He changed his vote from nay to yea. With Tennessee's 49-to-47 approval, the 19th Amendment became the law of the land.