**OPENING SPEECH**

**for the**

**Prosecution in the Case of United States vs Susan B. Anthony**

**United States**  
**Circuit Court.**  
**Northern District Of New York.**  
**The United States of America**  
**Vs.**  
**Susan B. Anthony.**

Hon. WARD HUNT, Presiding.

APPEARANCES  
For the United States:  
Hon. Richard Crowley  
U. S. District Attorney.

For the Defendant:  
Hon. Henry R. Selden.  
John Van Voorhies, Esq.

**Tried at Canandaigua, Tuesday and Wednesday, June 17th and 18th, 18XX, before Hon. Ward Hunt, and a jury.**  
**Jury impaneled at 2:30 p.m.**

**Mr. Crowley opened the case as follows:**

May if please the Court and Gentlemen of the Jury:  
On the 5th of November, 20XX, there was held in this State, as well as in other States of the Union, a general election for different officers, and among those, for candidates to represent several districts of this State in the Congress of the United States. The defendant, Miss Susan B. Anthony, at the time resided in the city of Rochester, in the country of Monroe, Northern District of New York, and upon the 5th day of November, 20XX, she voted for a representative in the Congress of the United States, to represent the 20th Congressional District of the State, and also for a representative at large for the State of New York, to represent the State in the Congress of the United States. At that time she was a woman. I suppose there will be no question about that. The question in this case, if there be a question of fact about it at all, will, in my judgment, be rather a question of law than one of fact. I suppose that there will be no question of fact, substantially, in the case when all of the evidence is out, and it will be for you to decide under the charge of his honor, the Judge, whether or not the defendant committed the offense of voting for a representative in Congress upon that occasion. We think, on the part of the Government, that there is no question about it either one way or the other, neither a question of fact, nor a question of law, and that whatever Miss Anthony's intentions may have been-whether they were good or otherwise-she did not have a right to vote upon that question, and if she did vote without having a lawful right to vote, then there is no question but what she is guilty of violating a law of the United States in that behalf enacted by the Congress of the United States.

We don't claim in the case, gentlemen, that Miss Anthony is of that class of people who go about "repeating." We don't claim that she went from place to place for the purpose of offering her vote. But we do claim that upon the 5th of November, 1872, she voted, and whether she believed that she had a right to vote or not, it being a question of law, that she is within the Statute.

Congress in 1870 passed the following statute:  
(Reads 19th Section of the Act of 1870, page 144, 16th statutes at large.)

It is not necessary for me, gentlemen, at this stage of the case, to state all the facts which will be proven on the part of the Government. I shall leave that to be shown by the evidence and by the witnesses, and if any question of law shall arise his Honor will undoubtedly give you instruction as he shall deem proper.

Conceded, that on the 5th day of November, 20XX, Miss Susan B. Anthony was a woman