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Theosophical History Occasional Papers

Volume I



Witness for the Prosecution:

ANNIE BESANT'S TESTIMONY ON
BEHALF OF H. P. BLAVATSKY IN THE
N.Y. SUN / COUES LAW CASE

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Annie Besant at the time of her testimony

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THEOSOPHICAL HISTORY OCCASIONAL PAPERS

EDITOR: JAMES A. SANTUCCI

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With an introduction by
Michael Gomes

THEOSOPHICAL HISTORY
Fullerton, California
1993

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Preface


Since taking over as editor of *Theosophical History*, it has become increasingly apparent that many documents related to modern theosophy still exist that are capable of shedding light on the principal personalities and ideas of the Theosophical Movement. It is with this in mind that *Theosophical History: Occasional Papers* has been launched. Besides the publication of such documents, studies relating to theosophical history that may be too lengthy for the journal itself will also be included in the series. The frequency of publication is entirely dependent upon available material. It would be my hope, however, that two publications a year would be the norm.

The first volume of *Occasional Papers* is entirely appropriate: it includes the testimony of Mrs. Annie Besant in behalf of Helena Petrovna Blavatsky, one of the founders of the Theosophical Society, during the proceedings of the N.Y. *Sun/Coues* law suit in the New York Supreme Court. The testimony was given on May 4, 1891, just four days before Madame Blavatsky's death. This testimony is important for a number of reasons. First it informs us of the state of Mrs. Besant's knowledge of Theosophy at this early stage of her own career, especially as a member of the London School Board, as well as some insights into Madame Blavatsky's personal habits and Mrs. Besant's relationship with her mentor.

The transcript is reproduced here for the first time, due to the considerable effort and persistence of Michael Gomes, who is responsible for locating it. As Mr. Gomes comments in his introduction, Mrs. Besant's testimony was not included in the copies of the court documents obtained by two researchers of the above-mentioned law suit, Walter A. Carrithers and Boris de Zirkoff. As such, he deserves credit for uncovering such an interesting and important document.

Michael Gomes is best known for his well-received *Dawning of the Theosophical Movement* (Wheaton, IL: T.P.H., 1992) and the soon to be published bibliography, *Theosophy in the Nineteenth Century*, which will be published by Garland Publishing.

James A. Santucci



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Introduction

In August 1890 H.P. Blavatsky decided to bring a suit for libel against Elliott Coues and the New York *Sun*, a leading American newspaper, for defamatory statements published about herself. On Sunday July 20, 1890, the *Sun* had carried a full page exposé of the Theosophical Society under the headline "Blavatsky Unveiled! The Tartar Termagant Tamed by a Smithsonian Scientist." The format was that of an interview with Elliott Coues (the "Smithsonian Scientist") of Washington, D.C., but it was written by Coues himself. This was the only libel suit pursued by Mme. Blavatsky during her lifetime. Although the case was dismissed due to her death on May 8th 1891, the *Sun* published another sketch more favorable of her life on Sept. 26, 1892, stating in an editorial that they were misled and that Coues piece was "without solid foundation." This has usually been cited by Theosophists as a retraction by the paper.

Unfortunately the original court documents in this important case are no longer available. In 1955 Walter A. Carrithers of Fresno, California, had copies made, and in 1960 so did Boris de Zirkoff, from the originals then in the New York County Court House. When I checked there during the 1980s this material was not locatable. Nor was it used by Marion Meade, for her 1980 biography *Madame Blavatsky* makes no reference of it; though she did locate as I did Colonel Olcott's divorce papers there. But what I did discover, which was not among the material copied for Carrithers and de Zirkoff, was 47 pages of transcript of Annie Besant's testimony taken two days before her leaving New York for England in May 1891. By chance this document is the unique piece in the case as it supplies detailed information about Mme. Blavatsky found nowhere else.

The relevance of this transcript, printed here for the first time, emerges clearly when some of the characters and incidents of the case are known. In Sept.-Oct. 1984 the *Canadian Theosophist* began serializing eleven letters of H.P. Blavatsky to Elliott Coues that I came across at the State Historical Society of Wisconsin. To provide notes for these letters the correspondence, newspapers and magazines of the period were thoroughly gone through. Since then more primary material has been amassed about Coues, and some of this background is provided as an introduction to Mrs. Besant's testimony. To this end thanks must go to Kirby Van Mater, Archivist at the Theosophical Society, Pasadena, who made accessible a large amount of material connected with this case, including Coues' letters to H.P.B. The staff of the New York County Court House deserve credit for putting up with my repeated visits and incessant queries which resulted in the location of this document. I must also thank Mr. John Patrick Deveney of the New York law firm Kellner, Chehebar & Deveney for taking time from his busy schedule to discuss the legal aspects of this case with me.

Elliott Coues and the Theosophical Society

Although he is not mentioned by name in our transcript, Elliott Coues played a primary part in the events which led to Mme. Blavatsky's law suit. Coues (1842-1899), the son of an old New England family, was born in Portsmouth, New Hampshire. He enlisted as a Medical Cadet in the U.S. Army in 1862, rising to the post of Assistant Surgeon. An interest in ornithology led him to become a collaborator at the Smithsonian Institution in Washington, D.C. At the time of his association with the Theosophical Society he was Professor of Anatomy at the National Medical College, Washington, D.C.¹

Coues joined the Theosophical Society in London July 7, 1884, as an unattached member. Colonel Olcott's diary for June 27, 1884 notes their first meeting: "Madame de Steiger's reception. Prof. Elliott Coues of the Smithsonian Inst. there. He has visited England to meet HPB and myself."² When Olcott left for Elberfeld, Germany, in July as the guest of the Gebhards, Coues joined him on July 26. He can be seen as the unidentified figure standing next to Col. Olcott in the photo taken July 29 of the Germania T.S. in C. Jinarajadasa's 1925 *Golden Book of the Theosophical Society*, p. 78. He also travelled to Bayreuth in time to attend with Olcott a production of Wagner's *Parsifal* which lasted from 4 to 9 p.m.,³ and left with him and Dr. Hübbe Schleiden, Pres. of the newly formed Germania T.S., for Munich Aug. 5th. Coues stayed on at Kreuznach, a summer resort for invalids, returning to Elberfeld Aug. 15 for the arrival of Mme. Blavatsky and her party on Aug. 17. He left them Aug. 20.

Before Coues arrival in London, Olcott as President of the Theosophical Society had created an American Board of Control comprised of seven prominent members to manage the affairs of the Society there.⁴ In October 1884 the Supplement to *The Theosophist* carried a further Special Order dated August 17 adding Coues and Mordecai D. Evans of Philadelphia to the Board, with the comment that:

¹Details of Coues life can be found in Paul Russell Cutright and Michael J. Brodhead's *Elliott Coues* (Urbana: University of Illinois Press, 1981).

²T.S. Archives, Adyar. H.P.B. was not present at this gathering; she met Coues when she returned to London from France on Sunday June 29, 1884.

³Olcott's Diary, 4 Aug. 1884. T.S. Archives, Adyar.

⁴See "Special Orders of 1884" London, 13 May, 1884, in the Supplement to *The Theosophist* July 1884.

In Professor Coues we have secured a very important colleague, one who must be placed in the same group with Mr. William Crookes, F.R.S., Mr. Alfred R. Wallace, F.R.S., Monsieur Camille Flammarion, of the Paris Observatory, Messrs. T.A. Edison and St. George Lane-Fox, the Electrician, and other men of science who are his seniors in membership of our Society. He is the author of about fifteen works on scientific subjects, five of which have been at different times published by the United States Government at its own cost, as public documents. The bare enumeration of the titles of his books and scientific monographs would more than fill a page of the *Theosophist*. He has received the degrees of M.A., M.D., Ph.D.; is a member of the National Academy of Sciences (U.S.A.), and many other American learned bodies; Corresponding Member of the Zoological Society of London; Foreign Member of the British Ornithologists' Union; Professor of Anatomy in the National Medical College, U.S.A., and Professor of Biology in the Virginia Agricultural College. For eighteen years he held the commission of Captain and Assistant Surgeon in the United States Army. These few items out of the multitude that might be given about our new colleague are accorded place for the instruction and delectation of those unhappy wiseacres who are continually croaking that the Theosophical Society is a failure--an absolute one in America, its birth-land! and attracts only raw college lads and credulous spinsters! Professor Coues parted from the Founders at Elberfeld Germany, on the 18th of July, and was to have sailed on the 30th for New York. American Theosophy is looking up and will be heard from anon.⁵

The Supplement for the Feb. 1885 *Theosophist* added the news that Coues had formed a branch, the Gnostic Theosophical Society, in Washington, D.C., and the October 1885 Supplement announced his election as President of the Board of Control at its annual meeting.

The annual meeting of the American Board of Control for 1886 had been fixed for the 4th of July in Rochester, N.Y., but before the Board could meet, the Recording Secretary at the Adyar Headquarters cabled the news to postpone the meeting. "As there are now nine branches in the United States, with a prospect of rapid increase in numbers, it was determined at a recent meeting of the Executive Committee of the General Council, held at Headquarters, to reorganize the American directory upon a better and more permanent basis, and instructions

⁵The dates in this notice are all off. To begin with it is dated from Elberfeld July 21, when Olcott's diary shows that he did not leave London until July 23 and has Coues leaving Elberfeld after H.P.B.'s arrival in August.

for the formation of a Council have accordingly been drawn up and forwarded."⁶ This notification when it appeared in the Supplement to the July 1886 *Theosophist* gave no indication of the trouble behind the scenes.

Coues went ahead and convened the Board in Rochester and was re-elected President. At a further meeting in Cincinnati, Oct. 30, where Coues was not present, the Board dissolved itself, and another meeting was held immediately afterwards to form a council for the American Section of the Theosophical Society, William Q. Judge being elected as General Secretary. The only other leading office Coues was to hold in the Theosophical Society, aside from the Presidentship of his own branch, was when he was nominated Chairman of the Second Annual Convention of the American Section held in Chicago April 22, 1888.

"The T.S. in America is at present a HEADLESS Monstrosity," Coues finally wrote Mme. Blavatsky on April 16, 1889, "it must have a visible, official head to represent its real invisible source. You know whom the majority of F.T.S. have desired to put forward as their representative Theosophist in America. It is only necessary for you to cable the Chicago Convention to elect him president." Advising Mme. Blavatsky to "pause, consider, reflect and ACT" on his words, Coues notified her in this letter that the state of the T.S. on May 1st--just after the Chicago Convention--would decide whether his 30 member Gnostic T.S. would "remain under *your* care and powerful protection, or--well, my Dear Madame, you may finish the sentence."⁷

Mme. Blavatsky was quite up to Coues and replied to him in a long letter of April 30, 1889, that "when, having threatened me with all kinds of things if I am not WISE and POLITIC, you add: that I know 'whom the majority of the F.T.S. have desired to put forward as their representative Theosophist in America', I regret to say that I *do* know it is *not* you, whoever it may be, as I have their letters to prove. And I add that I am sorry to find you saying that the T.S. is a headless monstrosity in America and if it is so, I cannot help it. They all say that you are too despotic to be at their head. Almost all are of this opinion."⁸

⁶The instructions conveying the Council's June 6th meeting are given in a letter from A.J. Cooper-Oakley, Sec. Theos. Soc., to Elliot B. Page, Sec. American Board of Control, 11 June 1886, in H.S. Olcott's *Historical Retrospect of the Theosophical Society*, Madras 1896.

⁷*Dr. Elliott Coues in his Letters* (N.Y.: June 14, 1889), pp. 5-6. The original letter is in the T.S. Archives, Pasadena.

⁸Printed in the *Canadian Theosophist*, Sept.-Oct. 1985, p.90, from the original in the State Historical Society of Wisconsin, Madison.

When no cable came nominating him President of the T.S. in America, Coues sent to the Chicago *Religio-Philosophical Journal* a letter from Mrs. Mabel Collins Cook (1851-1927), recently expelled from the Blavatsky Lodge of London, saying that Mme. Blavatsky had "begged and implored" her to deceive Coues by writing to him that her book *Light on the Path* was received "from one of the Masters that guide Mme. Blavatsky." This was published in the May 11 *Journal* under the caption "Attention Theosophists."⁹

Col. John Bundy (1841-1892), editor of the eight-page Spiritualist weekly *Religio-Philosophical Journal*, had published a number of articles critical of Blavatsky and had advised Coues in a letter of April 16, 1889, "to cut loose from all personal affiliation with secret societies and stand out squarely and alone on your own two feet." And when the Theosophists published in June a pamphlet based on Coues letters, Bundy admonished him: "You certainly did make an awful mess of it putting such clubs into the hands of Blavatsky and her menials. You now see she and they understood you a good deal better than you did them; but here is your salvation: the whole thing is a tempest in a teapot insofar as the world at large is concerned. Nobody will attach any particular importance to it."¹⁰

On June 14, 1889, William Q. Judge, President of the Aryan Theosophical Society of New York and General Secretary of the American Section, had issued from New York a twelve-page pamphlet titled *Dr. Elliott Coues in his Letters* containing some of Coues correspondence with Blavatsky and Judge. It gave a picture of his private attitude much different from the public position he had adopted. Coues had developed a high-handed stance toward Judge years before. As early as March 2, 1886, he had warned Judge, "You are making too much noise in New York. I can hear it here," and went to New York during the latter part of April 1886 to establish another branch of the Society there. He demanded that Judge present the charter of the Aryan T.S. and information verifying his election as President of that branch and the legitimacy of the membership. Judge felt that their friction began when he asked Coues to resign from the Board of Control in 1886.¹¹

It may have seemed a small matter to Bundy, but Coues' behavior was one of grave concern for Theosophists. A motion to expel Coues from the T.S. was put before the Executive

⁹The Theosophists responded with an eight-page pamphlet from New York June 6, 1889, "*Light on the Path*" and *Mabel Collins*.

¹⁰Bundy to Coues, 9 July 1889. John C. Bundy Papers, Dept. of Special Collections, University of Illinois at Chicago.

¹¹Copy of Judge to Coues, 17 April 1886, with Judge's note. T.S. Archives, Pasadena.

Committee of the American Section by Arthur B. Griggs of Boston on June 10 because of "(1) conduct unbecoming a Theosophist (2) conduct unbecoming an officer of the Society (3) conduct as an officer and member of the T.S. tending to discredit, disgrace and throw ridicule upon the Society."¹² Those members of the Executive Committee present in New York met on June 11th and directed that the charges against Coues be sent to him and that he be given until June 21 to reply. Copies of Griggs charges were sent to the other members of the Committee outside New York the same day and to Coues on the 12th in a registered letter.

A special meeting of the Executive Committee was held June 22 in New York to consider the charges against Coues. As he had made no acknowledgement to the General Secretary's letter of June 12 or offered any defence, "The Executive Committee therefore unanimously adjudged him guilty and decreed his expulsion from the T.S." The Charter of Coues Gnostic branch which had sent no reports nor paid dues for over a year was revoked and a letter sent to each member of the late branch offering enrollment as a member-at-large. Coues was informed the same day by registered mail of the Committee's decision.¹³

H.P. Blavatsky vs. Elliott Coues and the N.Y. *Sun*

"We publish today a wonderfully interesting history of the invention of the humbug of Theosophy," the lead editorial of the July 20, 1890 N.Y. *Sun* told its readers. "It is related by Prof. Elliott Coues of the Smithsonian Institution at Washington, an ornithologist of distinction, who at one time was deceived by Mme. Blavatsky's pretensions, but since has discovered her for the imposter she is."

The "interview" with Coues filled all of that Sunday's page 17 with seven closely printed columns illustrated by pictures of Blavatsky, Olcott, and facsimiles of Mahatma letters. The interview format had been a suggestion of Bundy's. "It seems to me," he wrote Coues in 1889, "the way for you to answer all these people who are writing private letters of inquiry would be for you to formulate a careful statement of your doctrinal beliefs and have it published. You might incorporate the various questions suggested by these letters and put them in the mouth of a reporter of some big daily, with your answers, that is provided you are

¹²Specification of the charges are given in Griggs' letter of June 10, and in the Minute Book of the American Section, T.S. for 1889, in the T.S. Archives, Pasadena.

¹³Minute Book of the American Section, T.S. 1889. T.S. Archives, Pasadena.

perfectly clear as to what you believe."¹⁴

Coues was careful to define his position in the article. "I was simply investigating for myself, as any scientist is bound to do in a matter of vital interest, both in its psychological and its ethical aspects. That I found the Theosophical Society a cesspool of filth and fraud, owned and operated by a few knaves at the expense of not many dupes, after all, is not particularly to my credit." This sums up the tone of his narrative. The motives of Olcott and Judge were hit hard, but Blavatsky was his prime target. After ridiculing her "corporosity...saucy nose...Tartar face," Coues went on to review her career, coming to the conclusion of his associate Richard Hodgson of the Society for Psychical Research. "Her real business at that time was in the secret service of her Government as a Russian spy, and she was instructed, as usual, to play any part that would divert attention from the facts in the case....But she failed, was exposed, disgraced, had her pay stopped, and was as usual incontinently dropped by her Government.

"The first definite information I have of her is in this extract from a letter of the late D.D. Home, the noted English spiritualistic medium, written to Mr. W.E. Coleman of San Francisco. This locates her in Paris in 1857 or '58 as a demi-monde in liaison with the Prince Emile de Wittgenstein, by whom she had a deformed son, who died in Kieff in 1868."¹⁵

It was on this point that Mme. Blavatsky felt she had a case. The August 15, 1890, issue of her London magazine *Lucifer* reported: "It has also been decided to prosecute Professor Elliott Coues and the New York *Sun* for making and publishing the statement that Madame Blavatsky has been guilty of gross immorality. This falsehood is one among a mass of cruel and injurious statements, most of which are of a nature which admits of neither proof nor disproof, and many of which turn on questions of psychical experience on which no jury could be trusted to decide. This one lie, however, is entirely 'on the exoteric plane', and is not a matter of opinion but a question of fact. For the sake of the Society, which would be prejudiced by the

¹⁴Bundy to Coues, 18 June 1889. John C. Bundy Papers. Dept. of Special Collections, Univ. of Illinois at Chicago. Coues original copy of his article for the N.Y. *Sun* survives among his papers at the State Historical Society of Wisconsin, Madison.

¹⁵This information had been supplied to Coues in a letter from Coleman, 31 March 1890. Coues Papers, State Historical Society of Wisconsin. Both Home, who died in 1886, and Coleman were longtime assailants of Blavatsky. Prince Emile von Sayn-Wittgenstein (1824-1878) had been an early member of the Theosophical Society and a sympathizer of the Spiritualist movement. Notice of his passing was carried by the Spiritualist press, see "The Death of Prince Wittgenstein," *Banner of Light*, Boston, Oct. 26, 1878, p. 5, from the Oct. 11 London *Spiritualist*.

slander, it has been decided to prosecute, and writs have been issued. As Madame Blavatsky is editor of this journal and as she is seeking legal remedy, nothing can be said here beyond this dry statement of facts."

Madame Blavatsky also informed American Theosophists through the medium of the *New York Path*:

For some fifteen years I have calmly stood by and seen my good name assailed by newspaper gossips...But now a great metropolitan daily paper in New York, with no knowledge of the facts in the case, throws broadcast before the public many charges against me, the most of which meet their refutation in my life for over a decade. But as one of them reflects strongly upon my moral character and brings into disrepute the honorable name of a dead man, an old family friend, it is impossible for me to remain silent, and so I have directed my lawyers in New York to bring an action against the N.Y. *Sun* for libel.

This daily paper accuses me of being a member of the *demi-monde* in '58 and '68, and of having improper relations with Prince Emile Wittgenstein, by whom the paper says I had an illegitimate son.

The first part of the charge is so ridiculous as to arouse laughter, but the second and third hold others up to reprobation. Prince Wittgenstein, now dead, was an old friend of my family, whom I saw for the last time when I was eighteen years old, and he and his wife remained until his death in close correspondence with me. He was a cousin of the late Empress of Russia, and little thought that upon his grave would be thrown the filth of a modern New York newspaper. This insult to him and to me I am bound by all the dictates of my duty to repel, and am also obliged to protect the honor of all Theosophists; hence my appeal to the Law and to a jury of my fellow Americans.¹⁶

Mr. Judge had gone ahead and sought legal advice after the publication of the *Sun's* article. The New York law firm of Thompson & Lydecker had advised him on July 28, 1890, "In response to your inquiry as to whether the Aryan Theosophical Society of New York have a case against the New York *Sun* for the publications of July 20th, 1890, we desire to say that we have examined the articles in that number of the paper and are of the opinion that they are

¹⁶"Mme. Blavatsky Appeals to the Law," *The Path*, Sept. 1890, pp. 187-88. Mme. Blavatsky was represented by Frederick Hinrichs of the New York firm of Hinrichs & Rudolph. Hinrichs association with Blavatsky went back to 1875 when he met her as a young lawyer of the 'Hiraf' club.

clearly and grossly libellous and that the Society has a good course of action against the newspaper in this libel."¹⁷

The July 27 New York *World* had already announced Judge's intention to sue the *Sun* for \$50,000,¹⁸ and Judge had reissued a sixteen-page edition of *Dr. Elliott Coues in his Letters* from New York July 28. On August 23, G.R.S. Mead, H.P.B.'s secretary in London, wrote him that "H.P.B. has just signed permission to sue Coues but says that this is only if you are absolutely decided it is best. She thinks that C. will bring in so much 'dirt.' Personally I don't see much difference between him and the *Sun* as far as the suits are concerned."¹⁹

Judge had intended to sue Coues in Washington, D.C., but Coues happened to be in New York when Judge was away and his lawyers decided it was best to serve Coues with a writ there and then. "When I came back my first idea was to stop the suit and begin another," Judge informed Mme. Blavatsky, "but as Hinrichs explains in his letter, it would not look well, and consequently I let it stand. It is karma, I suppose, as everything is. This does not prevent an action criminally against Coues in Washington, but about that I will consult you before doing anything."²⁰

Through Warren Higley²¹ who was representing him, Coues demanded immediately a copy of the complaint, and H.P.B.'s was served Sept. 28th according to the notation on his copy at the State Historical Society of Wisconsin.²² As a citizen of the United States and as an "author, writer, compiler and circulator of books," H.P.B. asked for \$50,000 in damages.

¹⁷T.S. Archives, Pasadena.

¹⁸"He says it was Libel. Mr. Judge will sue newspapers that attacked his Society." N.Y. *World*, July 27, 1890, p. 7.

¹⁹T.S. Archives, Pasadena.

²⁰Judge to Blavatsky, 16 Sept. 1890. T.S. Archives, Pasadena.

²¹Judge Higley of New York was a member of Coues' Gnostic branch. Coues had written Mme. Blavatsky on Dec. 25, 1888, about the Higleys, "They are both great social powers in New York, who can do your cause much good--and *will do so*." T.S. Archives, Pasadena. Franklin Bartlett was substituted for Higley as Coues lawyer, Dec. 23, 1890. Judge vs. Coues: Order of Substitution and Consents. CO 1892 J-183, N.Y. County Court House.

²²Judge's complaint asking for \$60,000 was apparently served Sept. 29th. The N.Y. *Sun* had been served by H.P.B.'s lawyers Aug. 9th according to Judge's copy in the T.S. Archives, Pasadena.

Because of the statement about her alleged relations with Prince Wittgenstein in the *Sun*, which was further circulated by Coues including sending postal cards to her displaying the article, she had "been injured, and held up to hatred, contempt and ridicule of her fellows, and her influence as an author and writer, and the sale of her writings and compilations, have been seriously jeopardized."²³

Coues lawyer argued in an amended answer, Jan. 27, 1891, that "The defendant denies that he meant by the statement complained of that in 1857 or 1858 the plaintiff was living a publicly profligate and immoral life in Paris or that she contracted a secret illicit intimacy with the Prince Emile de Wittgenstein, or that by him she had a son or that said son was a deformed child; but he alleges that what he meant by the statement in question is exactly what is stated in said statement, that is, that the first definite information he, the defendant, had of the plaintiff was contained in an extract in a letter from the late D.D. Home to Mr. W.E. Coleman of San Francisco, and that this letter located the plaintiff in Paris in 1857 or '58 as a demi-monde in liaison with the Prince Emile de Wittgenstein..." But in the decision filed April 17, 1891, Justice Miles Beach upheld a motion made by Hinrichs Feb. 14, 1891, and ordered that the whole paragraph above be stricken out.²⁴

In the meantime Judge had cabled H.P.B. Oct. 16, 1890: "The *Sun* negotiating retraction. Will you withdraw suit if we consider retraction sufficient. Coues suit will proceed. It might be politic and cuts Coues ground away. We will cable and write before accepting." And Blavatsky had cabled him back the same day: "Give you *carte blanche*."²⁵ But the terms offered were far from satisfactory to the Theosophists. Franklin Bartlett, representing the *Sun* Publishing Company, informed A.H. Spencer of the Aryan T.S., "Upon the condition that the libel suits brought by Madame Blavatsky and Mr. Judge against *The Sun* and against Mr. Coues be forthwith discontinued without costs to either party, *The Sun* would be willing to publish the following statement: 'Upon investigation we find that Mr. William Q. Judge is a lawyer in good standing in this City, and we do not believe that he has been guilty of any fraud or intentional wrong doing in connection with Theosophy or the Theosophical Society. Concerning another statement in *The Sun* we state cheerfully that we do not believe that the members of the Theosophical Society or the members of the Aryan Society are addicted to secret vices.' I

²³Blavatsky vs. Coues: Complaint. Coues Papers, State Historical Society of Wisconsin, Madison.

²⁴Blavatsky vs. Coues: Order striking out portions of Answer. Boris de Zirkoff Collection, T.S. in America, Wheaton, IL.

²⁵T.S. Archives, Pasadena.

presume, of course, that you are aware that no action would lie in behalf of your Society against *The Sun* for the publication of the alleged libel. The discontinuance of all libel suits, is a condition precedent to the publication of the above statement, and *The Sun* will not publish any retraction concerning Madame Blavatsky."²⁶ It was not accepted.

On April 27, 1891, Frederick Hinrichs pleaded the motion that Annie Besant, then in the United States, be called as a witness for Mme. Blavatsky on the grounds that:

Plaintiff herself being very ill can hardly make the journey from London to New York to testify on her own behalf. An examination of plaintiff by commission will be expensive and unsatisfactory. The proposed witness is associated with plaintiff in her teaching and her literary work, and can speak of her character, reputation, standing and labors. The witness is herself a literary personage of celebrity and reputation, and is thoroughly familiar with plaintiff's writings, occupations and acts. The withdrawal of the attempted justification of the libelous article in question, leaves nothing for the plaintiff to do but to prove damages. No special, aggravated damages can be shown by this witness. She can testify to following matters alleged in the complaint but denied by the answer: That plaintiff is a citizen of the United States, that her books are mainly of a religious, ethical and philosophical character; that said books have been favorably noticed by critics and the press, and in several instances have had a large and profitable sale in Asia, Europe and America, especially amongst the English speaking nations, and notably in the United States of America,--to the advantage of plaintiff and to establishing by her of a good reputation as a writer and compiler of books, and as a teacher in ethical and philosophical fields; that plaintiff in connection with her literary labors, has been for some years past one of the recognized leaders of a religious, philosophical and moral movement, having for its object, 'To form a nucleus of a Universal Brotherhood of Humanity, without distinction of race, creed, sex or color'; that plaintiff by the writing, compiling and circulating of books and her labors as aforesaid, --has helped in the strengthening of such movement amongst men and women of all races and creeds, to their benefit and also to hers, in extending her influence as a public teacher and leader of thought in new fields,--and in securing for her the regard, esteem and attachment of worthy men and women throughout the civilized world; the plaintiff's character and reputation are good; that by reason of the publication of the alleged libel, plaintiff has been injured, and to what extent, and that her influence as a public teacher and writer has been injuriously affected, so that the

²⁶T.S. Archives, Pasadena.

sale of her compilations and writings has been seriously jeopardized. The answer alleges that plaintiff is a notorious impostor and fraud, by way of mitigation of damages. This, too, can be disproved by said witness.

Hinrichs motion was granted the same day by Justice Beach who ordered "that Annie Besant, of London, England, be examined and her deposition be taken, pursuant to Section 873 of the Code of Civil Procedure, as a witness on behalf of plaintiff, and that for that purpose she appear before a justice of this Court at Chambers thereof, at the Court House in the City and County of New York, on the 4th day of May, 1891, at 10:30 o'clock in the forenoon, and submit to examination concerning the matters relevant to the issues in this action, as set forth in the said affidavit."²⁷

Annie Besant in America

Accounts of Annie Besant's life give little or no coverage to her first lecture tour in America. Mrs. Besant herself does not refer to this visit in her 1893 autobiography. Her latest biographer Anne Taylor offers half a paragraph to these four weeks.²⁸ Only Arthur Nethercot's *First Five Lives of Annie Besant*, 1961, provides a page and a half resumé taken from the theosophical journals of the time.

Mrs. Besant (1847-1933) had sailed from Liverpool April 1st 1891 as Mme. Blavatsky's representative to the American Section annual convention to be held in Boston April 26-27.²⁹ *Lucifer* for May 15, 1891, gave a glowing digest of the American press that attended her arrival in New York April 9. Her public lectures on "London: Its Wealth and Its Poverty," "Dangers Menacing Society," "Labor Movements in the Old World," "Theosophy and its Message to the Western World," in New York, Washington and Boston were well received. After reading Mme. Blavatsky's letter to the American Convention on Apr. 26, Mrs. Besant spoke "with great eloquence upon the duty of Theosophists, concluding with a thrilling

²⁷Blavatsky vs. *Sun*: Affidavit and Order for Examination of Witness about to leave the State. CD-B-413, N.Y. County Court House.

²⁸*Annie Besant: a biography* (Oxford: Oxford University Press, 1992).

²⁹*Lucifer*, April 15, 1891, p. 162.

description of the character and labor of H.P.B."³⁰

At the evening session of the Convention the following resolution was unanimously carried: "That we, the members of the American Section in Convention assembled, in addition to the gratitude and devotion expressed in the resolutions of the morning session, tender to Mme. H.P. Blavatsky our sincere and heartfelt thanks for sending us her messenger, Mrs. Annie Besant and for her letter to the Theosophists in America."³¹

Of Mrs. Besant's transformation from a prominent atheist and socialist to Theosophist, all that needs to be said here is that she applied for membership in the Theosophical Society May 21, 1889, after reviewing Mme. Blavatsky's *Secret Doctrine* for London's *Pall Mall Gazette*. Mr. Judge summed up the prevailing feeling about her adherence to Theosophy when he wrote in 1892, "*The Secret Doctrine* led to the coming into the Society of Mrs. Annie Besant, and then Mme. Blavatsky began to say that her labors were coming to an end, for here was a woman who had the courage of the ancient reformers and who would help carry on the movement in England unflinchingly."³² The identification became complete when Mrs. Besant transferred the deed to her sixteen-room home at 19 Avenue Road in London to the Theosophical Society in 1890.

After the American Section Convention Mrs. Besant returned to New York May 2nd. On the 4th she gave her testimony on Mme. Blavatsky at the offices of Hinrichs & Rudolph, 115 Broadway. She read through the typed deposition two days later, corrected a few items, attested to it before a notary public, and left for England the same day.

During her testimony she identified a copy of the *Russian Review*. This is an English translation of the title *Russkoye Obozreniye*, a "literary-political and scientific journal" published monthly from Moscow, Jan. 1890 to 1898, and edited during the first three years by Prince N.D. Tsertleff. The August 1890 copy presented as evidence in the case survives in the Boris de Zirkoff Collection at the T.S. in America, Wheaton, IL. H.P.B. has written at the bottom of the page translating the names of the contributors, "My well known pseudonym 'Radda-Bai' (H.P. Blavatsky) published monthly since Jan. 1890 among the names of the best known

³⁰*Report of Proceedings, Fifth Annual Convention, American Section T.S.* (N.Y.: 1891), 23.

³¹*Report of Proceedings...*, 1891, p. 24.

³²W.O. Judge, "The Esoteric She," *N.Y. Sun*, Sept. 26, 1892, p. 5. A comprehensive sketch of Mrs. Besant's career by William T. Stead, who gave her *The Secret Doctrine* to review, was printed in the *London Review of Reviews* for October 1891, pp. 349-67, and is still available as a booklet by the Theosophical Publ. House, Adyar, 1946.

writers in Russia and the names of the eminent foreign contributors, prove plainly enough that I am not quite the person having no name in literature as the *Sun* and Dr. Elliott Coues would represent me in their joint libel."

Among the prominent Russian writers named as contributors, V. S. Solovyov was mentioned. This is Vladimir S. Solovyov (1853-1900), not to be confused with his brother, the novelist Vsevolod S. Solovyov who met Mme. Blavatsky in Europe in 1884. H.P.B. translated the opening lines of Vladimir Solovyov's review of her *Key to Theosophy* in the August 1890 issue, pp. 881-86: "The very well known [lit. 'renowned'--H.P.B.] author of *Isis Unveiled*, of *The Secret Doctrine*, of *From the Caves and Jungles of Hindostan*, etc. H.P. Blavatsky has just published an interesting book, which is at once an elaborate catechism of Neo-Buddhism and an apology of the Theosophical Society..."³³

Reference was made by Mme. Blavatsky's attorney to an article written by her for the *North American Review*. This was "Recent Progress in Theosophy" in the August 1890 issue of that journal.³⁴ Other articles in that issue included those of Theodore Roosevelt, the Dean of Westminster, and Gen. W.T. Sherman. It was Mme. Blavatsky's major piece in a prominent journal. I think Coues must have realized the prestige it would give her and timed his article in the *Sun* to draw away from this recognition. Mabel Collins Cook had brought a libel suit against Mme. Blavatsky in England, but it had suddenly been withdrawn on the advice of Mrs. Cook's lawyer a few days before Coues' article appeared. It was hoped that this suit would prove embarrassing to Mme. Blavatsky, but it failed to materialize and Coues was left to act on his own.³⁵

At the end of her testimony Mrs. Besant alluded to a doctor's certificate which stated that Mme. Blavatsky could not have had sexual intercourse. This is probably the one given by Dr. Leon Oppenheimer in Wurzburg, Dec. 3, 1885, and attested by the Royal Medical Officer of the district, saying that Mme. Blavatsky could never have had a child. I have seen this certificate and the correspondence connected with it in the T.S. Archives, Adyar. Jean Overton Fuller reprints much of this material in Chapter 68 of *Blavatsky and Her Teachers*, London 1988.

³³Mikhail N. Katkoff (1818-1887), another of H.P.B.'s Russian editors mentioned in the beginning of the testimony, had published her series "From the Caves and Jungles of Hindostan."

³⁴A reprint of the full article is given in my recent anthology *H.P.B. Teaches* (Adyar: T.P.H., 1992).

³⁵Interestingly, reference to Mabel Collins Cook and her revelations are totally omitted in Coues' *Sun* article.

Theosophists have regarded this document as enough evidence to have won with. But as Mr. Deveney has pointed out to me, this certificate would not have been enough for this case, as Mme. Blavatsky would have had to submit to a fresh examination by a doctor chosen by the defendant. Mr. Judge as a lawyer must have realized this, for G.R.S. Mead wrote him Aug. 23, 1890, "Why do you think the 'certificate' unnecessary? It seems the very strongest thing in the world to bust up the whole *raison d'être* of such slanders for ever and ever."³⁶

Mrs. Besant's testimony, filed May 11, 1891, was the last major document in Mme. Blavatsky's case against Elliott Coues and the *N.Y. Sun*. By that time the plaintiff was dead and cremated. Mrs. Besant reached England after this, and wrote Mrs. Campbell ver Plank of the Aryan Lodge that "all is well here, that we are hard at work, and that it is just as though H.P.B. had not left us at all. Her departure seems to have given fresh impulse rather than depression, and everyone is doing his very best to carry on all as she would have wished."³⁷

Although Mme. Blavatsky's death terminated her suit according to the laws of New York State at the time, Mr. Judge's case with the *Sun* continued. Both parties finally consented to discontinue the suit "without costs to either party against the other" on Sept. 27, 1892, the day after the *Sun* published Judge's sketch of Mme. Blavatsky's life, which the paper chose to title "The Esoteric She."³⁸

Coues remained recalcitrant, informing a correspondent on Jan. 7, 1893, "As to the *Sun's* 'retraction' it does not weigh a feather. I retract nothing, and the case stands as it did before. If Dana [the editor of the *N.Y. Sun*] chose to go back on his own paper, that is *his* affair and no concern of mine. I suppose that snide scamp Judge pestered the old man till he was ready to print anything to get rid of him. Mr. Dana in fact told me so himself that he was going to humor Judge with a paragraph 'which wouldn't make any difference.' Whereas I laughed and said certainly I didn't care. The facts remain substantially as I printed them, and the case has never been refuted and never will be, because it is true. If it amuses the Besant female to alternately denounce me and crow over Dana, I do not see that I am called upon to interfere

³⁶T.S. Archives, Pasadena.

³⁷"Leaves of Theosophical History," *Theosophical Forum* (Point Loma) 9:3 (Sept. 1936): 173, from the June 9, 1891 original.

³⁸Judge vs. *Sun*: Order Discontinuing Action and Consent. CO-1892-J 183, N.Y. County Court House. Judge's article in the *Sun* is still available as a separate pamphlet from the Theosophy Co., Bombay.

with her capers."³⁹ Elliott Coues died on Christmas Day 1899 at John Hopkins Hospital in Baltimore where he had gone for surgery for cancer of the rectum.

The reader must decide whether or not Coues' charge could have been refuted on the evidence available. To this end, Mrs. Besant's testimony on behalf of Mme. Blavatsky is printed as a contribution towards the understanding of this case. The text, spelling, use of quotation marks, etc., is printed as it appears in the transcript prepared for the court. The only exception has been the putting into italics of the questions posed to Mrs. Besant to distinguish them more readily from her answers.

Michael Gomes

³⁹Coues to Joseph W. Hayes, S.P.R. Archives, London.

STENOGRAPHER'S MINUTES.

New York Supreme Court

Melena Petrovna Blavatsky

BEFORE

*vs.
Elliott Lewis*

Melena Petrovna Blavatsky

*vs.
Sun Pub & Printing Assn*

May 4th 1891

WITNESSES.

Direct. Cross. Re-Direct. Re-Cross.

Annie Besant

3

41

46

46

100-B-

413

New York Supreme Court,
Westchester County

Kelena Petrona Blavatsky

against

J. P. Kristina & Co.
Publishing Association.

vs.

against
Elliott Case.

Stenographer's Transcript.

of Examination of Aunice
Besant. May 4, 1891.

Nicorichs R. Smith,
Attorney for Plaintiff,
115 Broadway,
N. Y. C.

Dec May 11 1891

NEW YORK SUPREME COURT.
NEW YORK COUNTY.

Helena Petrovna Blavatsky
vs.
Elliott Coues.

Helena Petrovna Blavatsky
vs.
Sun Printing and Publishing Association.

Upon the return of the orders in the above actions for the examining of Annie Besant, of London England, as a witness before trial, pursuant to Section 873 of the Code of Civil Procedure, appeared at Chambers of this Court at the Court House in the City of New York, Honorable Abraham R. Lawrence, presiding.

The witness was duly affirmed in each of said actions.

Plaintiff appeared by her Counsel, Frederick W. Hinrichs, Esq., and the defendants by their Counsel Franklin Bartlett, represented by Oscar P. Willmann, Esq.

It is hereby stipulated by and between the respective parties, acting through their respective counsel, that the examination proceed at the office of Hinrichs and Rudolph, the attorneys for the plaintiff, and that plaintiff furnish a copy of such examination to the defendant, and that said witness may be affirmed before a Notary Public at the termination of her examination with the same force and effect as if again affirmed by the Court. It is further stipulated that the examination is taken subject to all legal objections except as to form, to be taken at the trial.

It is finally stipulated that the witness may provisionally sign the stenographer's notes and be affirmed as to such notes, so that the same can take the place of the copy and have the same force and effect as such copy, in case for any reason such copy cannot be prepared in time to be signed by the witness before her contemplated departure for Europe on Wednesday, May 6th.

Dated, New York, May 4th, 1891.

[signature]

Hinrichs & Rudolph
Attorneys for Plaintiff

Franklin Bartlett
Defendants Attorney

ANNIE BESANT, a witness called in behalf of the plaintiff, pursuant to the order hereto annexed, having been duly affirmed, testifies as follows:

D i r e c t E x a m i n a t i o n , by Mr. Hinrichs.

Q. *Mrs. Besant, what is your full name?*

A. Annie Besant.

Q. *And you reside where?*

A. 19 Avenue Road, Regent's Park, N. W., London, England.

Q. *What is your occupation?*

A. Journalist and lecturer.

Q. *Do you know the plaintiff in these actions?*

A. Intimately.

Q. *How long have you known her?*

A. I have known her since February, 1889.

Q. *How intimate has been your relation to her?*

A. I have seen her almost every day since then, and I have lived in the same house with her for over a year.

Q. *What is her occupation, if any?*

A. Writer; author.

Q. *Do you know of the so-called Theosophical movement?*

A. I know it very well.

Q. *Do you know what relation the plaintiff bears to that movement?*

A. I do.

Q. What is her relation?

A. One of the three founders of it and its recognized head in Europe.

Q. Are you associated with the plaintiff in any literary labor?

A. I edit a magazine with her.

Q. Kindly give the name?

A. Lucifer.

Q. What is the size of that magazine, and its general character, and what is it sold for?

A. It is sold at eighteen pence; thirty six cents, I believe, it is in your money. It is a monthly magazine, devoted to philosophical and scientific inquiries; eighty eight pages.

Q. And published in London?

A. Published in London.

Q. Has it a circulation outside of London?

A. It has a large circulation all over the world, chiefly in Europe America and India; we go also to Australia, but not so many.

Q. What is this Theosophical movement, in a few words?

A. It is a movement established to spread knowledge of philosophy, especially Eastern philosophy, to teach ethics on the basis of universal brotherhood, without any distinction of races, and to investigate the less known laws of nature regarding the mind.

Q. Have you been active in this Theosophical movement yourself?

A. For two years past I have taken an active part in it.

Q. Does this magazine have any relation to the movement,--this Lucifer?

A. It is one of the three recognized organs of the Society.

Q. *You have spoken of Madame Blavatsky as being an author. Can you mention any of her works, publications or contributions?*

A. Those that I myself know that she has written, or those that I know of by common report?

Q. *Those that you yourself know.*

A. Well, "The Secret Doctrine", "The Key to Theosophy", "The Voice of the Silence", and articles every month in her own magazine; there was an article in the North American Review a little time ago.

Q. *How long ago?*

A. I think about fifteen months, but I cannot tell that exactly.

Q. *What was the subject?*

A. The growth of the Theosophical movement.

Q. *Anything else that you know of your own knowledge that she has written?*

A. Of my own knowledge, no. When I say "My own knowledge" I mean that I have seen the manuscripts in her own handwriting and I am limiting myself to that.

Q. *Have you seen publications under her name of which you did not see the manuscripts?*

A. Yes, sir.

Q. *Will you please mention those?*

A. "Isis Unveiled", two volumes; a large number of articles in the "Theosophist".

Q. *Where is that published?*

A. Adyar, Madras, India; articles written by her in Katkoff's magazine; I cannot give the name of that; it is Russian.

Q. *Who was this Katkoff?*

A. He was the greatest editor of Russia and lived at Moscow.

Q. *Died but a few years ago?*

A. He died a few years, about two years ago; he was known all over Europe; he was the typical Russian editor. I do not remember any others at present. There is one other work of hers, which I have seen in manuscript, still unpublished; a third volume of "The Secret Doctrine" which is now being got ready for the press under my own eyes. Madame Blavatsky has also in preparation a glossary of Sanscrit and Eastern tongues; those are both in preparation; one of them is already in type and the other is nearly ready for type.

Q. *Was there a publication office connected with this Theosophical movement in England?*

A. Yes, sir.

Q. *Have you anything to do with that publication office?*

A. There is a publication office, number 7 Duke Street, Strand, London, which is wholly devoted to the publication of Theosophical works.

Q. *What books have been published by that publication office?*

A. Those of Madame Blavatsky's that I have mentioned as within my own knowledge, the monthly magazine, a very large series of leaflets that are published under the name of T.P.S.

Q. *What does T.P.S. mean?*

A. Theosophical Publication Siftings, I think it is; we always know them as the T.P.S.

Q. *Do you do your own printing?*

A. No; we do not. We print by the Woman's Printing Company, but we do our own publishing; I don't know whether you have the same technical distinction here.

Q. *Do you know as to whether Madame Blavatsky has an established literary reputation? Answer yes or no.*

A. I do, yes.

Q. What facts are within your knowledge as a basis for your belief?

A. The large sale of her works, which is one of the most practical ones; the quotations from them made in French, Swedish, Dutch, English and American papers.

Q. Which you have seen?

A. Which I have seen. I have seen translations of Russian notices, but I am not able to verify those for I don't know Russian; and also in Indian papers of good standing.

Q. Please mention some of the publications to which you refer, and in which her literary reputation has been commented upon, just giving the names?

A. In England or elsewhere?

Q. Elsewhere; throughout the world; just give the names.

A. In England the Pall Mall Gazette, which is one of our leading daily papers; the Star, evening paper of the largest circulation in England. I think, if I am to give you a list of English newspapers, that will be so very, very wide. I have seen references to them in the Telegraph, Daily News, Daily Chronicle. These are of course all daily newspapers, as the names imply. The Literary World, which is a weekly paper devoted to the criticism of books. Then a large number of what I may call class papers, that is, devoted to different types of views, different classes of views, such as the Spiritualistic organs, of which Light is the chief; the National Reformer, which is an Agnostic journal, had a long review of "The Secret Doctrine" in it, a favorable review for its learning; of course, the policy of the paper was against the book. I have seen quotations from the Academy and the Atheneum, leading weekly papers, but I have not seen the reviews in the papers themselves.

Q. You have seen the slips taken from the papers?

A. Yes.

Q. You could procure for me, I presume, the complete copies of most of these publications to which you refer?

A. Of most of them. I could get them all from the British Museum and from them they could be copied. The Graphic, which is our great illustrated paper; the Queen.

Q. What is the Queen?

A. The leading woman's paper in England; circulates almost entirely amongst the upper classes; not what you would call a popular paper exactly, it is a fashionable paper. If I go into the provinces, Manchester Guardian, Glasgow Herald. I am only taking the very large ones.

Q. *These last, however, are not what you would call class papers, are they?*

A. No; these are general papers. They have had very long notices of her things in them. The Scotsman, an Edinburgh paper, the Newcastle Chronicle the Bradford Observer, Western Morning News. Those are the chief ones I can think of.

Q. *Without mentioning any American publications, that is, publications of the United States, please mention the names of publications other than English or British which have contained reviews of her works or references to her as a literary personage?*

A. The two chief ones I remember in India are the Pioneer and the Indian Mirror.

Q. *Any others in French, Swedish and so on,--Russian?*

A. Russian? I brought you one over; I cannot give the name of it, I do not read Russian.

Q. *Can you recognize the publication if shown to you?*

A. I can recognize the publication, though I cannot read the language.

Q. *Is that it? (handing same to witness)*

A. That is the one. The Russian Review is the translated title but that is not my own knowledge. I know the publication very well; it is one that is well known in our own libraries and scientific reading rooms and so on.

Q. *What is its standing as a Russian publication?*

A. It is the leading Russian Review.

Q. *Do you know the name of the Editor and the Publisher?*

A. Simply from seeing it on it, and I have seen letters from him.

Q. *Do you know if the plaintiff has written for this Review?*

A. She has been asked to write for it; continually pressed to write, and her name is there, you will find, among the contributors, but she has been too busy.

Q. *How is her name given among the contributors?*

A. Radda-Bai; and the Editor asked permission to keep her name on that (I am now speaking of the letters that I know of or have seen) because of her literary reputation which was useful to the magazine.

Q. *Do you know of any other contributors to this Russian Review, and their reputation in the literary world?*

A. Names that are known to all the world. There is an appended list. You will find here, for instance, Solovief, whose article is in here, reviewing "The Key to Theosophy" and speaking of her as a famous writer.

Q. *Mrs. Besant, will you please give a short outline of your own educational history, apart from your literary history, which I shall ask for subsequently?*

A. I was educated in England, Paris and Germany until I was sixteen; then I came home and was taught by Professors in London; I have never been to school, always been taught privately; and after that, later on in my life I studied under Huxley, and Burdon Sanderson, one of our greatest English physiologists. I have matriculated at the London University and taken honors in the Preliminary Scientific and first Bachelor of Science. I have taken honors at South Kensington. I don't know, that I can say much more about that.

Q. *Now, will you kindly give a short outline of your literary history, what books you have written, to what publications you have contributed, without any expression of opinion as to your literary standing?*

A. Well, I have written largely on theology; on scientific subjects; those have been chiefly biological and psychological; on politics and socialism. A very large number of my writings are pamphlets; some books. Then, as a journalist, I was on the staff of the Pall Mall Gazette, of the Star, and I am now on the Star; for the Review of Reviews, which is published in England and America, as it happens; it is a monthly journal and has a circulation of about two hundred thousand a month in England and on the Continent; I don't know what you American circulation is. And I contribute to a number of our English magazines and Reviews, the Universal Review is one that I have written for. Roughly, I make about five hundred pounds a year by my writing.

Q. When did you first meet the plaintiff?

A. In February, 1889.

Q. Before that had you been connected with the Pall Mall Gazette?

A. Yes; I had been writing for it for years.

Q. Do you remember a review in the Pall Mall Gazette of one of the plaintiff's books?

A. Of "The Secret Doctrine"?

Q. Yes. Who wrote that review?

A. I did.

Q. Will you procure for me a copy of that publication containing that review?

A. I will. That was written before I knew her personally.

Q. Had you at that time joined the Theosophical movement?

A. No.

Q. You were in no way associated either with the plaintiff or with such movement at that time?

A. In no way.

Q. And you simply took the work up as you would any other literary publication for a review, or were you assigned to it?

A. The editor assigned it to me, because it had been refused by several of the others who had received it, on the ground of its dealing with abstruse subjects of which they were not informed, and he brought it to me because my reading had been very largely in philosophy.

Q. Can you in a very few words state what that book treats of?

A. The first volume treats of the evolution of the universe and elucidates the bearing of Western science on the views there set forth, and the second volume deals with the

evolution of man and also with the Western scientific views in contrast and elucidation. Part of the work is devoted to symbolism and explanation of it.

Q. *Kindly take up each one of Madame Blavatsky's writings and state in the same way briefly the subjects with which they deal, with a special reference to their ethical character and the views which they express upon questions of morals?*

A. "The Key to Theosophy" is an exposition of Theosophical teaching, partly philosophical and partly scientific and partly ethical. The ethics in it are of the very loftiest character, although they would be complained of by some people as too ascetic in their nature. And in "The Key to Theosophy" is the full explanation of these, especially as they bear on the doctrines of re-incarnation and Karma, which, briefly stated, mean that each action of the human being works out its inevitable results, which cannot be escaped from by the doer of the action; of course, an extremely moralizing doctrine, throwing complete responsibility on each person for his own condition, and in "The Key to Theosophy" also there is a very, very strong inculcation of the duty of helping the poor and serving the race in every possible fashion. "The Voice of the Silence" is a mystical work of the very loftiest ethical tone.

Q. *When you say loftiest ethical tone--*

A. I mean teaching most complete self sacrifice and self renunciation. "Isis Unveiled" goes over an immense range of subjects, but it is chiefly historical and critical and throws a great deal of light on many obscure questions of psychology. In fact, it dealt with all those subjects which, under the name of hypnotism and so on, have lately become popular. But at the time that was written there was very little known about them. She has been largely the pioneer in the more difficult lines of thought. There is a compilation from Eastern sources.

Q. *Did you see the manuscript of that?*

A. Yes.

Q. *Did you see her at work at it?*

A. I saw her at work at it.

Q. *And what is the general character of it?*

A. Maxims from Eastern books.

Q. *Mainly religious?*

A. Ethical and religious, yes.

Q. *You are acquainted with what is called modern Spiritualism, are you not, that movement?*

A. Yes.

Q. *Is modern Spiritualism and Theosophy the same thing, or if not, wherein are they differentiated, or have they any association or alliance whatever?*

A. The Spiritualistic movement is opposed to the Theosophical, because the Theosophical, while it recognizes many of the phenomena of Spiritualism, explains them in an entirely different way. Roughly, I might say, regards them as natural instead of supernatural.

Q. *What is everywhere published and taught as the first object of Theosophy?*

A. Forming the nucleus of universal brotherhood.

Q. *And what is the first ethical principle taught by the teachers of Theosophy and the leaders in the Theosophical movement?*

A. Self sacrifice.

Q. *Is this true of the so-called Spiritualistic movement?*

A. Well, the Spiritualistic movement has not put forward either of those prominently.

Q. *Is the Spiritualistic movement properly an ethical movement?*

A. No; I should say not, although of late it has developed some ethical tendencies.

Q. *Does the Theosophical movement, do their writers and their lecturers, sustain or condemn the practices of modern Spiritualism?*

A. They condemn them as dangerous.

Q. *On what grounds, briefly?*

A. As rendering people liable to various forms of hysterical and other nervous disorders

tending to the loss of self control and therefore ultimately to vice.

Q. Mrs. Besant, you have identified this Russian Review?

A. Yes, sir.

Magazine marked Plaintiff's Exhibit 1 for identification, May 4th, 1891.

Q. I show you two paper covered volumes, and ask you if you can identify them?

A. I can identify them as sent to us from Paris.

Q. What are they?

A. Biography and Correspondence of Prince Emile De Sayn-Wittgenstein-Berlebourg.

Q. You are familiar with the French language?

A. Perfectly. "Memorials and Correspondence of the Prince Emile De Sayn-Wittgenstein-Berlebourg, General Aide de Camp of his Majesty the Emperor Alexander Second of Russia, in two volumes, published in Paris by Calmann Levy."

Q. The first volume covers his correspondence for what years?

A. 1841 to 1862.

Q. And the second volume covers his correspondence for what years?

A. 1863 to 1878.

Q. You have examined all these books have you?

A. Yes.

Q. You have read the alleged libelous article as to which these actions are brought?

A. I have.

Q. Is the Emile De Sayn-Wittgenstein-Berlebourg referred to in such alleged libelous articles

the author of this correspondence?

A. I presume so; I know of no other.

Q. *Bears the same name?*

A. The same name.

The first volume is marked Plaintiff's Exhibit 2, May 4th, 1891, for identification.

The second volume is marked Plaintiff's Exhibit 3, May 4, 1891, for identification.

Q. *I hand you a package of various publications. If you recognize them, kindly state what they are, where published, and as to whether they contain references to Madame Blavatsky as a literary and distinguished personage?*

A. I hold in my hands first a paper called The Society Times, published in London, November 2nd, 1889, February 7th, 1891, May 10th, 1890, January 25th, 1890. It is a paper of good character with a large circulation. It has no special literary merit, but contains general society notices. It speaks here of Madame Blavatsky as one of the most learned women of the day, February 7th, page 83. In November 2nd, page 532, it speaks of the interest taken in Theosophy, and page 543, of the same number, contains a notice of "The Key to Theosophy". The number for the 10th of May has an article on the work of the Theosophical Society, quoting some of the ethics as put forward by Madame Blavatsky, on page 299, and the number of January 25th, contains on page 53 references to Madame Blavatsky's position as an author and the growth of Theosophical influence.

The Society Times of November 2nd, 1889, is marked Plaintiff's Exhibit 4, May 4th, 1891, for identification.

The Society Times for February 7th, 1891, is marked Plaintiff's Exhibit 5, May 4th, 1891, for identification.

The Society Times for May 10th, 1890, is marked Plaintiff's Exhibit 6, May 4th, 1891, for identification.

The Society Times for January 25th, 1890, is marked Plaintiff's Exhibit 7, May 4th, 1891, for identification.

The Witness: The Literary World, published in London, purely literary Journal; this is the number of January 16th, 1891; it quotes especially Madame Blavatsky's definition of hypnotism, page 57.

Q. What is the standing of the Literary World as a literary critique?

A. It stands about next to the Atheneum and Academy.

Q. Is it regarded as a leading publication?

A. It is one of the leading ones, but the Atheneum and Academy stand highest; that comes about third.

The same is marked Plaintiff's Exhibit 8, May 4th, 1891, for identification.

The Witness: I have here the Queen, October 27th, 1888, published in London. This is the leading woman's paper in England; it refers to the very large sale of "The Secret Doctrine", and that is a matter within my own knowledge, on page 530.

The same is marked Plaintiff's Exhibit 9, May 4th, 1891, for identification.

The Witness: The next one I have is the Secular Review, December 15th, 1888; pages 373 and 374 contain a review of "The Secret Doctrine" by a fairly well known London writer, a writer on one of our well known dailies; a signed article; it praises it.

The same is marked Plaintiff's Exhibit 10, May 4th, 1891, for identification.

The Witness: I have here Light; that is the leading Spiritualistic journal, London, the number of December 1st, 1888, page 590, a review of "The Secret Doctrine", speaking of her as a very serious and profound author.

The same is marked Plaintiff's Exhibit 11, May 4th, 1891, for identification.

The Witness: The same journal, April 26th, 1890, page 208, speaking well of Lucifer, the magazine.

The same is marked Plaintiff's Exhibit 12, May 4th, 1891, for identification.

The Witness: The same journal, June 14th, 1890, page 285, speaking of Lucifer and its

value.

The same is marked Plaintiff's Exhibit 13, May 4th, 1891, for identification.

The Witness: I have the Agnostic Journal of July 12th, 1890. This is edited, under the name of Saladin, by Mr. Stewart Ross, who is very well known in the literary world as a writer of poems, etc. On page 21 he speaks of the reverence and enthusiasm with which Madame Blavatsky is regarded by those who attend the meetings of the Society.

The same is marked Plaintiff's Exhibit 14, May 4th, 1891, for identification.

Q. *Mrs. Besant, I call your attention again to Plaintiff's Exhibit 1 for identification of this date, being the Russian Review to which you referred, and find that the plaintiff's name is associated with those of a large number of contributors. Kindly run through the list of those contributors and state those whose literary reputations you know, give such reputations and whatever other facts are generally within your knowledge as a literary personage, and what their specialties are, if you can give them?*

A. As regards the foreign contributors that I can verify: Bret Harte everyone knows; Paul Bourget, a very well known French author; Edouard von Hartman is a German, one who has founded a great philosophical school in Germany, pessimist of course. Henry James, the well known American novelist; Jules Simon, French literary man, and William Stead is the leading journalist in England, I suppose, without challenge.

Q. *He is the editor of what?*

A. The Review of Reviews; was the editor of the Pall Mall Gazette for many years. Then the others are in Russian.

Q. *There are other names on the cover of the book in Russian type?*

A. Yes, sir.

Q. *Are you able to read the Russian?*

A. No.

Q. *Do you know the reputation of N. D. Ahsaroomof?*

- A. Yes; he is well known as a Russian writer. I only know these men from reputation and general literary repute; I have come across them in my own reading.
- Q. Do you know an author named Professor Wagner?*
- A. Yes; he is a great physiological writer, constantly quoted.
- Q. How about K. N. Leontief?*
- A. He is a literary rather than a scientific man.
- Q. How about A. A. Simonof?*
- A. He is literary again; so is A. Stern.
- Q. Do you know the literary reputation of N. P. Wagner, and what he is famous for?*
- A. That is the same Wagner again; he is scientific, physiological and biological.
- Q. How about the literary reputation and character of S. Vassilief?*
- A. He is scientific; he is a great authority.
- Q. On what particular scientific subjects, do you know?*
- A. Psychological.
- Q. How about V. S. Solovief?*
- A. He is a man whom everybody knows who knows anything about European writers; very, very various, but largely scientific, chiefly scientific.
- Q. Is any one of those whose names I have mentioned famous as a philosophical writer?*
- A. Solovief would be looked on as a philosophical writer. It is he who has reviewed Madame Blavatsky's "Key to Theosophy" here.
- Q. It is his name that is attached to an article beginning with page 881 of Exhibit 1 for identification, is it not?*

A. Yes, sir; it is a review of "The Key to Theosophy".

Q. *Have you ever seen a translation of this review, this article?*

A. Of part of it only.

Q. *Do you know whether the character of the review was favorable, or otherwise?*

A. It was critical right through; spoke of her as a famous writer; he did not agree with her philosophy.

Q. *I now show you two paper covered volumes, entitled L'Initiation, and ask you if you recognize those publications and if so state what they are?*

A. I recognize them as two numbers of a magazine published in Paris.

Q. *By whom?*

A. Edited by a man who writes under the nom de plume of Papus.

Q. *What are the dates of those publications?*

A. November, 1890 and December, 1890.

Q. *Do they contain any reference to the plaintiff?*

A. Yes.

Q. *What language are they printed in?*

A. French.

Q. *Which of course you can read as you can your own language?*

A. Yes.

Q. *Will you please state where such reference is, and in a few words the character of such reference?*

A. In November, 1890, page 187, it speaks of the article in the Sun.

Q. *What article in the Sun?*

A. Of the 30th of July, 1890, called *The Frauds of the Theosophical Society*, and offers to send them to his colleague, the Abbe Roca, as it will be useful to him.

Q. *How about the other copy?*

A. The number for December 1890, page 273, quotes the article in the Sun of the 30th of July, 1890, and simply re-states some of the false statements in the Sun.

Q. *Is the L'Initiation, the magazine which you now have before you, a publication of the Theosophical Society, or in any way connected with it or the movement?*

A. No; it is hostile.

Q. *What movement if any does that represent?*

A. I do not think it can be said to represent a movement; it has a very large circulation in France, but it is entirely dependent on the two or three people who started it; there is no Society connected with it at present that I know of. It calls itself an independent review.

Q. *What particular lines of subjects?*

A. It goes specially into many of the subjects with which Theosophy deals, hypnotism and the Kabala, Free Masonry etc., but on different lines.

Q. *That is, it takes up the occult side of Theosophy?*

A. It takes up the occult side, yes, sir.

Q. *It is not especially devoted to the inculcation of any ethical principles or doctrines, is it?*

A. It deals with occult sciences in a way that we regard as mischievous.

The two volumes are marked respectively Plaintiff's Exhibits 15 and 16, May 4th, 1891, for identification.

Q. *Kindly state briefly the Constitution of the Theosophical movement in Great Britain as known to you, referring to its headquarters and various ramifications, if any, and the strength of the movement, speaking of your own knowledge?*

A. It is an organization having its headquarters in London, with a Council elected by the various branches of the Society, these branches being established in different towns, and forming altogether the British Section, subject to the General Council of the Society.

Q. *Which is where?*

A. Adyar, Madras, India.

Q. *The portion of the organization in Great Britain is called the British Section?*

A. Yes, sir.

Q. *Just as the portion of the organization in America is called the American Section?*

A. Yes. We have a European Section, of which this British Section is a part, and of which Madame Blavatsky is the recognized head.

Q. *Of the whole European Section?*

A. Of the whole European Section.

Q. *Where besides Great Britain have you organizations in Europe?*

A. In Sweden, the Netherlands, Austria, Greece, Spain; I include Scotland and Ireland in Great Britain.

Witness identifies Constitution and Rules of The Theosophical Society in Europe. Marked Plaintiff's Exhibit 17 for identification, May 4th, 1891.

Q. *Where elsewhere in the world, exclusive of America?*

A. India; and large numbers of scattered members over the British Colonies, where at present there are no definite Societies organized.

Q. *Do you see the correspondence from these scattered members?*

A. Yes.

Q. *Who do they recognize as the head of the movement, if anyone?*

A. Madame Blavatsky.

Q. *The plaintiff?*

A. Yes, sir.

Q. *You are familiar with the character of the alleged libel in these actions?*

A. I am.

Q. *What effect if any has such libel had to your knowledge upon the Theosophical movement, say from its ethical standpoint, on its ethical side?*

A. It is regarded with absolute unbelief by everyone who knows her. It has prejudiced us very seriously with outsiders, but within the Society not at all.

Q. *How do you know that it has prejudiced the movement with outsiders?*

A. From letters that I myself received about it and persons who were inclined to be interested in the movement as a philosophical movement.

Q. *Have you preserved any of those letters?*

A. No.

Q. *You have been lecturing in the United States now for some time, have you not?*

A. For the last three weeks.

Q. *During that time you have met many Americans more or less interested in the Theosophical movement?*

A. Very largely.

Q. *From conversations which you have had with them, what would you conclude as to the effect of the alleged libelous article upon the minds of outsiders?*

A. I met several, a fair number of people, who have been very much prejudiced by the article, but who now find that they had been misled, — — especially at Washington.

Q. Do you care to mention the names or addresses of any of these people?

A. No; I don't know that I do. I didn't ask their permission and I should not like to mention them without.

Q. What you have observed in America since you have been here is what you have observed in England after the publication, the alleged libelous publication, among outsiders?

A. I have not observed it so strongly here, because people have found out the absurdity of it, but of course in England we had the first brunt of it.

Q. Then it was stronger in England than it appears to be in America?

A. That I cannot say because I was not in America at the time. In London I came across the immediate result, and that was to throw off a number of people who were interested, to cause them to refuse to have anything to do with it, on account of the attacks. Of course it was a great amount of annoyance and trouble. Of course, here in America, I have only come across the people after months and months have passed.

Q. Have you learned to know the plaintiff well in the two years of intercourse that you have had with her?

A. I know her very intimately.

Q. Describe to us briefly what acts of hers you have witnessed which would throw light upon her ethical disposition, that is, upon her disposition and upon her character?

A. The best way, I should think, would be to say the kind of life she leads.

Q. Do that, please?

A. She is an invalid, but her brains are thoroughly clear and strong; she sits at her writing table all day from about half past eight o'clock in the morning until six, with an interval of an hour in the middle of the day; except that she writes the whole day. Her published works bring her in to my knowledge—the accounts pass through my hands, I am speaking now of what I absolutely know—bring her in a fair amount of money, and almost the whole of that is given away by her for the purposes of the Society.

Q. To your knowledge?

- A. To my knowledge. I am confining myself now absolutely to what I know of my own knowledge. And to various objects of charity that I, amongst others, bring to her notice.
- Q. *You mean general charity, quite outside of any--*
- A. I am engaged in work among the poor in London. In connection with my work on the London School Board, of which I am a member, I am constantly brought in contact with poverty and distress of all kinds, and, living with Madame Blavatsky, I naturally report cases, and whenever she has money in her possession at all, she simply throws it away on any case of suffering. I have never mentioned to her a case that she has not helped if she had money.
- Q. *Are you familiar with her financial circumstances?*
- A. Absolutely.
- Q. *Is she wealthy, or what is her condition?*
- A. She is now very poor, except what she gets in from time to time from her books.
- Q. *She has nothing to your knowledge laid aside?*
- A. She has money enough laid aside to bury her, — — — or burn her.
- Q. *And she supports herself, as I understand it, by the activity of her pen?*
- A. By the activity of her pen.
- Q. *Do you know the extent of her income, in round numbers?*
- A. The last quarterly net payment is what I was trying to recall; the last net payment but one she had from the Theosophical Society Publishing Company was something over sixty pounds for the quarter's sales of her books; the last quarter's net payment was thirty five pounds. I don't remember exactly.
- Q. *Was it very much in excess of sixty pounds, could it have been very much in excess of sixty?*
- A. It was between sixty and ninety pounds; I cannot tell you exactly about that, because there were two payments.

Q. Reference has been made to a contribution by the Plaintiff in the North American Review: Can you, of your own knowledge, speak of what she received from that contribution?

A. Yes.

Q. Did the money pass through your hands?

A. I had it in my hands. I read the original letter. It offered her twelve pounds for, I think, a thousand words.

Q. Did you see the article in manuscript?

A. I saw the article in manuscript.

Q. As a matter of fact she received how much?

A. She received twenty pounds.

Q. Did the Magazine send her more than she asked?

A. More than they offered her. They offered her twelve pounds and they sent her twenty.

Q. The title of that article was what?

A. I think it was the growth of this Theosophical movement: it was to that effect.

Q. Do you know whether the plaintiff writes for the defendant, the New York Sun?

A. I have so heard; I have no personal knowledge.

Q. You do not know of your personal knowledge?

A. No. She does not write for it now, but I have heard she did.

Q. The description that you have given of plaintiff's usual occupation, does that apply quite generally to every day that you have known her?

A. Except for a space of about six weeks, when she was away in France.

Q. In France?

A. Yes.

Q. *Were you with her?*

A. I was with her for a couple of days only, and during that time she did a lot of writing, of which I saw the manuscript.

Q. *Can you mention the names of men or women of more or less prominence who are associated with the plaintiff in this Theosophical movement?*

A. In the Society or outside?

Q. *In any way, either in the Society or outside it, who apparently regard the plaintiff as leader of the Theosophical movement, and who are more or less actively engaged in spreading the doctrines of Theosophy?*

A. There is Col. Henry S. Olcott, as President of the Society, Adyar, Madras, India. Then, in London, Mr. A. P. Sinnett, who is a well known writer. Of course, there is this difficulty, some of these are in the Society and some out of it. Edward Maitland, one of our contributors in Lucifer, and he is closely allied with it in many ways.

Q. *Any titled personages?*

A. Members of the Society, yes. There is Lord Pollington, Lady Caithness, Duchesse De Pomar, Countess Wachtmeister, the widow of the Swedish Ambassador in London; various members of Parliament in Great Britain.

Q. *I am asking you, of course, exclusive of America?*

A. Yes, sir; and a large number of very highly educated people belonging to the professional and upper classes.

Q. *The profession of the law?*

A. Doctors and Lawyers chiefly. I don't know why we hit those two professions but we seem to.

Q. *Mrs. Besant, will you please give a definition of the doctrine of Karma, as briefly as you can?*

- A. It is the teaching that Law in the moral world is as inviolable as Law in the physical, and that every action brings about an inevitable result, which re-acts upon the person who has committed the action, in this or in some future life on earth, and that there is no escape from the consequences of actions.
- Q. *Will you now kindly define the doctrine of re-incarnation, which is the other generally published doctrine of Theosophy?*
- A. It is the doctrine that each individual is re-born on earth over and over again, each birth being conditioned by his previous actions, and all his capacities and qualities depending on the previous incarnations and each successive one.
- Q. *That is, what any given man or woman is today--*
- A. Is the inevitable result of his or her past.
- Q. *Either in this existence or in previous incarnations?*
- A. Yes, sir.
- Q. *Do you know whether that is a new doctrine with the Theosophists?*
- A. Oh, no; it is thousands of years old.
- Q. *It is almost as old as civilization?*
- A. Older than what we call civilization.
- Q. *Can you mention the names of any great men of ancient times who seem to have been associated with that doctrine, seem to have taught it?*
- A. Buddha, Christ, Plato, the whole great school of the Greek philosophers, Pythagoras; in more modern times, Bruno, Lessing, Emerson, Fichte; in England, Henry Vaughan. I can go on for the next half hour, if you like. Kant's philosophy is based on it.
- Q. *Do you happen to be familiar with a work written by the brother of Henry Ward Beecher, Dr. Edward Beecher, on the subject of re-incarnation?*
- A. No; I am not familiar with it; I have heard that he has written it, but I have not read it.

Q. And you also understand that Dr. Edward Beecher is an orthodox minister?

A. Yes, sir. It has been a part of Christian philosophy, as distinguished from ordinary, vulgar views of Christianity. You will find it in the writings of the early Fathers of the Church.

Q. Have you personally taught those two doctrines?

A. Constantly.

Q. In your lectures and elsewhere?

A. Lectures and writings and private conversation. I regard them as the great moralizing forces.

Q. Have you used them in your intercourse with the poor and ignorant in London?

A. To some extent.

Q. What has been the effect or result, even upon an ignorant mind, of a doctrine of that kind, as far as your observation shows?

A. A great interest and wondering whether it is true; and those who accept it seem to find it a great comfort: it makes things easier for them.

Q. How much of your life have you devoted to visiting the poorer classes in London?

A. In London only?

Q. Yes.

A. Ever since I have been a girl of ten I have been employed more or less in visiting the poor and teaching and so on, but the last seventeen years in London.

Q. Where else have your activities of that kind extended, to what other places?

A. Sibsey in Lincolnshire, Cheltenham, Gloucestershire, Charmouth, Dorsetshire. For the past seventeen years I have been at work entirely in London.

Q. About how much of your time has been expended in that kind of work during the last seventeen years in London?

A. Oh, my whole life is devoted to it, except when I am writing for my bread. I am doing nothing else.

Q. Is it among the very poorest classes in London that you have worked?

A. The very poorest.

Q. Is the Whitechapel section or region in that City one of the worst?

A. Yes, sir; it is part of my constituency.

Q. You are thoroughly familiar with the scenes of degradation and poverty which exist in that locality?

A. Yes.

Q. And much of your time has been devoted to the poor and the outcasts of society right there?

A. Right there. The whole of the East End in London is where I work. Whitechapel is only one of the districts. The schools there are under my charge.

Q. Those schools have been established by whom?

A. The Government; it is a national system.

Q. Have you been appointed, then, by the Government?

A. I have been elected by the rate payers of the Tower Hamlets, which includes Whitechapel, a very large district which includes the worst of the East End of London, Whitechapel, Limehouse, Isle of Dogs, Stepney, Bow and Bromley, and St. George's in the East.

Q. What is the official designation of your office?

A. Member of the London School Board, Senior Member for the Tower Hamlets,--that is, I was elected at the top of the poll.

Q. How long have you been a member of the London School Board?

A. Since November, 1888.

Q. How large is the London School Board?

A. Fifty-five members.

Q. Can you mention the names of people prominently known, with whom you have been associated in the London School Board, both men and women?

A. I will give you a list of the Board, if you like. There is Sir Richard Temple, Reverend Stewart Hedlam, Reverend Arthur Jephson, and Mrs. Ashton Dilke, proprietor of one of the great London weeklies, Miss Davenport Hill, who is a very well known worker and writer. Hon. Lyulph Stanley; he is one the best known educationalists in England; Sir Phillip Magnus, a very well known scientist, Sir Edmund Currie, who was the founder of that East London People's Palace there has been so much talk of.

Q. Are you well acquainted with all these people?

A. Yes.

Q. In your official relationship?

A. Yes. I am very well acquainted with them as friends as well.

Q. How often have you been elected?

A. I only stood once. I was elected at the top of the poll when I stood.

Q. When was that?

A. In November, 1888.

Q. Has the fact of your association with the plaintiff in her work in any way affected your standing, as far as you know, in the London School Board?

A. My association with the plaintiff, no. My embracing the Theosophical views has certainly done me no good, because the majority of the people are orthodox. It has not really touched my influence, because I never have been an orthodox person. I have got my influence in spite of my views, which were unpopular to the last degree.

Q. Your special duties as a member of the London School Board are connected with the poor schools, are they not?

A. Yes. You see, the London School Board manages the whole of the schools, but those in my district are all poor. There are ninety thousand children in the schools.

Q. *Do you confer with the plaintiff as to your activity in the School Board and your work?*

A. I confer with her very much on the principles of action, not so much on the details, because she is not so familiar with the details of English life in that way. I discuss with her the ethical, but not the business part of it.

Q. *How, if at all, has she acted in such conferences, and what has she done, if anything?*

A. She has given me the very wisest advice.

Q. *Can you state such advice?*

A. Not without going into a mass of detail.

Q. *Can you give any notable instance, if you know of any?*

A. I have discussed with her the whole question as to the ethical training of children, and she has pointed out the evil effect of our present system, as it increases the selfishness and the desire to compete amongst the children, and I have done my best to diminish that in our schools as far as I can. She has helped me in the endeavor to feed the poorer children and to make public feeling which would render the movement a wide spread one. She has done a great deal towards softening what was my own feeling of antagonism against the richer classes, by pointing out that the only way to mend matters was to get both sides to look on each other with confidence and affection instead of with hatred.

Q. *Have you seen evidences of such hatred manifested between the very poor and the very rich?*

A. I am constantly meeting with it, but since I have been associated with her I have done my best to check them.

Q. *Is there anything else, Mrs. Besant, that you would like to say which can have any importance in your judgment as to the character and reputation, either as a moralist or as a leader of a movement, religious or ethical, or as a literary personage, of the plaintiff?*

A. There is one great difference she has made in my own propaganda. I have been largely identified in England with the teaching of what is there known as the Neo-Malthusian

doctrine, that it, limiting the family within the means of the parents, and in consequence of my knowledge of her views and of the principles on which they are based, I have given that up, on the ground that it tends rather to the perpetuation of the sexual feelings, which lie at the root of much of the evils of the great towns, and that it is better to teach self control rather than self indulgence, even in marriage. That has made a complete difference in my opinions on the subject.

Q. Modified your views as to that?

A. Yes. It has changed my views on it.

C r o s s - E x a m i n a t i o n , by Mr. Willmann.

Q. How long have you been in America?

A. Since the ninth of April.

Q. For what purpose did you come here?

A. To represent Madame Blavatsky at the Annual Convention of the American Section of Theosophists.

Q. Did you have in view this examination?

A. No, not in the slightest.

Q. Well, you were sent here by Madame Blavatsky for the purpose of representing her?

A. At the Convention. Had I known of this examination, I would have brought a number of documents with me, which would have enabled me to testify more fully.

Q. How long have you resided in London, — — I mean continuously, lately?

A. Since 1874.

Q. And you state that you have lived with Madame Blavatsky?

A. I have lived with her.

Q. Is that address that you gave Madame Blavatsky's address?

A. Yes.

Q. You are very familiar with her habits?

A. Yes.

Q. Will you state some of her habits?

A. Well, the continual industry I have spoken of.

Q. About her personal habits?

A. If you will put your question exactly, I will answer you. I hardly know how to answer such a vague question. She is an invalid, who lives a very secluded life.

Q. What is the nature of her ailment?

A. It is a liver disease, consequent on residence in India and over work in India.

Q. Does she smoke?

A. She smokes.

Q. What?

A. Tobacco.

Q. Does she chew it too?

A. No.

Q. Does she take snuff?

A. No.

Q. Do you know whether she is addicted to any other vice or habit of that kind?

A. I don't know that she is addicted to any vice. She smokes cigarettes, that is the

only— — .

Q. Is she a strong drinker?

A. She is a teetotaler, has been a teetotaler all her life. No, there is no strong drink ever goes into the house, let alone into her rooms. I may perhaps say that I superintend every detail of her food, so that I am speaking with full knowledge.

Q. And she takes no opiates?

A. No opiates of any kind.

Q. How long has this Theosophical Society, of which you say she was one of the three founders, been in existence?

A. Since 1875.

Q. How do you know she was one of the three founders?

A. Only by her statement and Col. Olcott's— — —

Q. By hearsay?

A. By hearsay, by newspaper notices, and so on. I have no personal knowledge.

Q. How often is this journal published that you spoke of?

A. Lucifer?

Q. Yes.

A. Once a month.

Q. You read from a good many papers in which they reviewed works of Madame Blavatsky, and writings of hers?

A. Yes.

Q. Have you got copies of those papers?

A. I could get them; I haven't them.

Q. *You don't know when the articles were published?*

A. The dates, no. I have kept no notes of them, but I have a number of them at home.

Q. *Will you state to us your own belief,---in what doctrine you believe?*

A. I believe in Theosophy; I am a Theosophist.

Q. *Have you given a definition of Theosophy here?*

A. Yes, I gave the objects of the Society and the two main doctrines of it, re-incarnation and Karma. Those are the two foundation stones of it.

Q. *Have you ever been married, Mrs. Besant?*

A. Yes.

Q. *Is your husband living?*

A. He is living.

Q. *Are you living with him?*

A. I took a separation from him in 1873 for cruelty.

Q. *You have been married but once?*

A. But once.

Q. *And you still bear your marital name?*

A. Oh, yes; I simply took a separation for cruelty; the English law does not give a divorce for that. I may say my daughter is residing with me and with Madame Blavatsky.

Q. *Have you any interest in this case?*

A. I have an interest in an attack on a woman I am very much attached to.

Q. *What relation do you bear to Madame Blavatsky now?*

A. I am her friend.

Q. *The only interest you take is a friendly interest?*

A. What other interest could it be?

Q. *I did not know whether you were employed by Madame Blavatsky?*

A. No; I earn my own living entirely. The tie between me and Madame Blavatsky is one of the very strongest affection, and, on my side, of reverence for her character.

Q. *Did you ever see any articles published reviewing her works in any of the better papers, such as the Spectator Academy, the Nation?*

A. The Nation I have never heard of.

Q. *Have you seen the Academy?*

A. I have not seen the paper, — — — only slips.

Q. *None in the Spectator?*

A. That I cannot tell you.

Q. *Nor in the Review?*

A. Which Review?

Q. *The London Review?*

A. I don't know of any such paper. There is the Review of Reviews.

Q. *Not that.*

A. I don't know the other. You see, I see such hundreds of newspaper notices that unless I refresh my memory it would be perfectly impossible for me to answer accurately these questions.

Q. Do you know that the only thing that Madame Blavatsky— — that makes the basis for this suit, is the fact of the mention of her liaison with the Prince Emile De Sayn-Wittgenstein-Berlebourg?

A. No; I know the contrary.

Q. You know the contrary?

A. I know that she complains about the whole argument.

Q. The basis of the suit is only that one thing?

A. That I cannot say. I have not troubled myself about the legal details of it.

Re Direct Examination, by Mr. Hinrichs.

Q. Did you read the whole article from the New York Sun, from which the special matter as to the alleged connection of Madame Blavatsky with the Prince Emile De Sayn-Wittgenstein-Berlebourg is taken?

A. I read the whole.

Q. Did not that article speak of her as the leader of the Theosophical movement?

A. I believe it did, if my remembrance serves my right.

Q. Can you state with any degree of accuracy how many people in England spoke to you about having read the article in the Sun, or reproductions of the article in the Sun, containing the alleged libelous matter?

A. I could not say. I can only tell you that I had very numerous letters, and numerous people spoke to me.

Re Cross Examination, by Mr. Willmann.

Q. You don't know, of course, anything about the truth of the allegation about there having

been a liaison between the plaintiff and the Prince Emile De Sayn-Wittgenstein-Berlebourg?

A. I know that to be untrue.

Q. *How do you know it?*

A. Because I have read a copy of a certificate from a doctor under whose care she was for some time, and who had need to examine her, that it was physically impossible for her to have had connection with a man.

Q. *If his statement is true— — —*

A. It was certified to by an eminent physician.

This deposition when completed was carefully read by the witness and subscribed by her and was then

Affirmed to before
me this 6th day of
May 1891

[Signature]
Annie Besant

Wm. J. Lebowetz
Notary Public (98)
N.Y.C.

APPENDIX

Plaintiff's Exhibit 1 for identification
Russians May 4/91

РУССКОЕ

J.A.R.

Review.

ОБОЗРѢНІЕ

A Literary, Political & Scientific
ЛИТЕРАТУРНО-ПОЛИТИЧЕСКІЙ И НАУЧНЫЙ
Journal,
ЖУРНАЛЬ.

ТОМЪ ЧЕТВЕРТЫЙ.

1890.

АВГУСТЪ.

Москва.

Университетская типографія, Страстной бульварь.

1. Titlepage of the August 1890 *Russian Review*,
from the Plaintiff's Exhibit 1, May 4, 1891.

ЛИТЕРАТУРНО-ПОЛИТИЧЕСКІЙ И НАУЧНЫЙ ЖУРНАЛЪ
РУССКОЕ ОБОЗРѢНІЕ.

РУССКОЕ ОБОЗРѢНІЕ выходитъ безъ предварительной ценыри. 15 числа каждаго мѣсяца, книжками по тридцати листовъ, по слѣдующей программѣ: 1) **Изящная словесность**: оригинальные и переводные романы, повѣсти, разсказы, драматическія произведенія, стихотворенія и т. д. 2) **Науки**: философія, исторія, естествознааніе, военная наука и проч. 3) **Обозрѣніе**: внутреннее, экономическое и иностранное. 4) **Хроника**: литературная, научная, музыкальная, театральная и художественная. 5) **Критика**, библиографія. 6) **Корреспонденціи**.

БЛИЖАЙШЕЕ УЧАСТІЕ ПРИНИМАЮТЪ:

Въ литературномъ отдѣлѣ: Н. Д. Ахшарумовъ, кн. М. Н. Волконскій, П. И. Вейнбергъ, В. П. Ключниковъ, М. В. Крестовская, Нотъ-Мурлына, гр. А. А. Нутузовъ, К. Н. Леонтьевъ, Н. С. Лѣсковъ, К. Орловскій, Я. П. Полонскій, Радда-Бай, гр. Е. А. Салиасъ, А. А. Смирновъ, Д. И. Стахѣевъ, А. Стернь, А. А. Фетъ, А. П. Чеховъ, П. П. Шатохинъ, І. І. Ясинскій (Максимъ Бѣлинскій) и др.

Въ научно-политическомъ отдѣлѣ: П. В. Безобразовъ, Л. Б. Бертенсонъ, А. А. Борзенко, Н. П. Вагнеръ, С. Васильевъ, А. Н. Веселовскій, А. И. Воейковъ, Л. Н. Вороновъ, Н. М. Горбовъ, В. А. Грингмутъ, Н. Я. Гротъ, И. И. Дубасовъ, Н. А. Звѣревъ, Н. Ю. Зографъ, Н. Д. Нащинъ, А. А. Нирѣевъ, Г. А. Ларошъ, Н. А. Любимовъ, Л. Н. Майковъ, Е. Л. Марновъ, А. И. Незеленовъ, Э. Л. Радловъ, С. А. Рачинскій, В. И. Сафоновъ, В. В. Святловскій, Вл. С. Соловьевъ, М. П. Соловьевъ, Н. Н. Страховъ и др.

ИНОСТРАННЫЕ СОТРУДНИКИ:

Бретъ-Гартъ (Bret-Harte), П. Бурже (Paul Bourget), М. де-Вогюз (Melchior de-Vogüé), Г. Вельшингеръ (Henri Welschinger), Г. Аликсъ (Gabriel Alix), П. Леруа-Больэ (Paul Leroy-Beaulieu), Э. Гартманъ (Eduard von Hartmann), Г. Джемсъ (Henry James), Ж. Симонъ (Jules Simon), В. Стэдъ (William Stead) и др.

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Editor Prince D. Tzartelof

РУССКОЕ ОБОЗРѢНІЕ

1890

2. List of contributors to the August 1890 *Russian Review*, from Plaintiff's Exhibit 1.

List of the Direct or Constant Contributors

Literary Section: N. D. Akharsanov, Prince M. S. Novikovsky, P. I. Weinberg, V. P. Klushinsky, M. V. Krestovskiy, Count A. A. Kootsov, K. M. Kat Moorlyka (Prof. Wagner), Leontiev, M. S. Lyskov, K. Orlovsky, J. D. Polonsky (see "Radde Bai" (Hon. Dipl. of H.P. Slavatsky)), Count E. A. Solov, A. A. Smirnov, D. I. Stabiev, A. Stem, A. A. Feyt (part), A. P. Tschokof, P. P. Shatshine, J. J. Tsiminsky (Medicine Ogelsinsky) etc.

Scientific-political Section: P. V. Bezobryzov, L. B. Be-tinson, A. A. Boryenko, N. P. Wagner, S. Vassiliev, (The Sinologue), A. N. Vesselovsky, A. J. Voyickoff, D. Voronov, A. M. Gorbof, A. W. Gringmont (General), A. A. Kiriof, G. L. Laroché, M. S. Soloviof, etc. etc.

Foreign Contributors

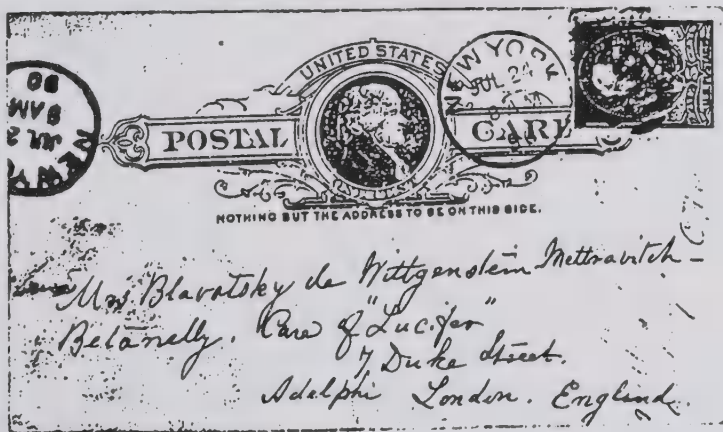
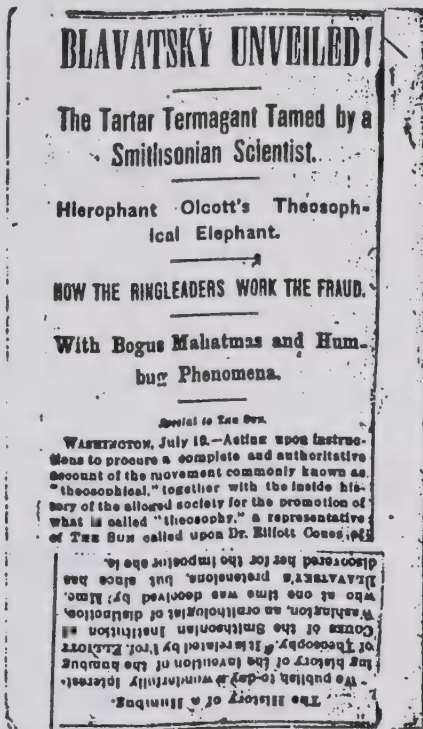
Non-Russians - Bret Hart, Paul Bourget, Abel Chas de Vogie, Henri Walschinger, Gabriel Allet, Paul Leroy-Hermin, Eduard von Hartmann, Henry James, Gules Simon, William Stead (of Review of Reviews) etc.

My well known pseudonym - "Radde Bai" (H.P. Slavatsky) published monthly since Jan 1890 among the names of the best known writers in Russia, and the names of the eminent foreign contributors, proved plainly enough that I am not quite the person bearing no name in literature as the Sun and Dr West comes would represent me in their joint label.

H.P. Slavatsky ("Radde Bai")

The above picture has been reduced 64%

3. H.P.B.'s translation of contributors to the August 1890 Russian Review.



The above pictures have been reduced 77%

4. Front and back of postal card sent to Mme. Blavatsky by Coues displaying the N.Y. *Sun* article.

40-B-1

413

New York Superior Court
New York County

Helena Petrona Davata

against

Jos. Printing Co. (S)
Publishing Association

vs

Elliott Case

Stenographer's Transcript.

of Examination of Aunice
Besant. May 4, 1891.

Harold R. ...
Attorney for Plaintiff
115 Broadway
N.Y.C.

Dec May 11 1891

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Besant, Annie Wood, 1847-1933.
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1. Blavatsky, H. P. (Helena Petrovna), 1831-1891--Trials, litigation, etc. 2. Theosophy--Trials, litigation, etc. 3. Coues, Elliott, 1842-1899--Trials, litigation, etc. 4. Sun (New York, N.Y.)--Trials, litigation, etc. I. Blavatsky, H. P. (Helena Petrovna), 1831-1891. II. Sun (New York, N.Y.) III. Coues, Elliott, 1842-1899. IV. Gomes, Michael, 1951- V. Title VI. Series

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