

FIRST BIRTH CONTROL CLINIC TO OPEN HERE

**Staff of 40 Physicians, Says Mrs.
Margaret Sanger, Selected
for Institution.**

A birth control clinic, the first in the United States, will be opened in this city next Wednesday, according to an announcement made last night by Mrs. Margaret Sanger at a dinner at the Hotel Plaza in connection with the first American Birth Control Conference, of which Mrs. Sanger is Chairman. The guest of honor was Harold Cox of London, former Member of Parliament and editor of *The Edinburgh Review*.

The clinic is at 317 East Tenth Street, where four rooms on the ground floor have been leased for a year. A staff of forty physicians has been selected, of whom thirty will be in regular attendance and ten who will act in an advisory capacity. "The little clinic is practically ready to open within the next few days," said Mrs. Sanger.

"The next question will be that of establishing similar clinics in the cities of the various other States of the nation."

After Mrs. Sanger had given a brief outline of the clinic, a collection was taken up, and in a few minutes more than \$1,200 was donated. Mrs. Sanger did not give further details in regard to the new clinic, but from Mrs. Anne Kennedy, a member of the committee that arranged the conference, it was learned that the backers of the institution have no fear of the police. "Under a decision of the Court of Appeals," explained Mrs. Kennedy, "Mrs. Sanger was found to have been entirely within the law. The clinic will afford an opportunity to women suffering from a disease, such as tuberculosis, to inform themselves." Mrs. Kennedy further explained that a large staff of doctors was necessary because the plan of those backing the project is to make the clinic immediately a first-class institution for research.

This evening's session of the conference will be held at the Town Hall in West Forty-third Street.

POLICE VETO HALTS BIRTH CONTROL TALK; TOWN HALL IN TUMULT

New York Times
November 14, 1921

Mrs. Sanger and Mary Winsor,
Leaders in Movement, Ar-
rested at Meeting.

AUDIENCE SWARMS STAGE

Sergeant Seizes Mrs. Sanger as
She Starts to Speak—Police
Buffeted by Crowd.

ORDER FROM HEADQUARTERS

No Further Explanation Offered by
Raiders—100 Reserves on
Guard in 43d Street.

A mass meeting to discuss "Birth Control: Is It Moral?" was broken up by the police at the Town Hall last night. Hundreds of men and women, many socially prominent, defied the police and urged the speakers to defy the order not to speak.

After an hour of uproar and disorder, during which the police were buffeted about in the crowd that swarmed upon the stage, Mrs. Margaret Sanger and Mary Winsor, both conspicuous figures in the birth control movement, were placed under arrest, charged with disorderly conduct.

The police appeared before the speaking had begun, but while the hall was half filled. The doors were locked and the crowd that was inside had to stay there, while hundreds of others in West Forty-third Street clamored for admittance. Among those locked out were Mrs. Sanger and Harold Cox of England, editor of The Edinburgh Review and a former member of Parliament. When the doors were opened to dismiss the audience, the crowd swept the police aside and carried Mrs. Sanger and Mr. Cox inside. The attempts to speak and the arrests followed.

The meeting was to have been the culmination of the First American Birth Control Conference, which held sessions at the Plaza on Friday and Saturday. The Town Hall had been engaged three weeks ago and \$250 had been paid for the use of it. When the doors opened at 7 o'clock hundreds crowded in. By 7:45 the hall was filled except for the reserved seats which had been set aside for persons identified with the movement. There was still a large crowd of ticket holders outside and the street was filled with limousines on their way to the hall when, at about 8 o'clock, Police Captain Thomas Donahue, of the West Forty-seventh Street station went to the hall and ordered the doors closed.

Crowd Sweeps Into Hall.

Mrs. Sanger and others who were caught outside appealed in vain for admittance. They were told that the meeting had been ordered stopped by a telephone message from Police Headquarters. Telephonic inquiries to headquarters brought the reply that the orders had been issued by one of the Commissioners, and that none of the Commissioners nor any one who could give any information as to the cause for the order, was at headquarters last night.

One hundred reserves from the West Forty-seventh Street Station were posted in front of the door. The announcement that the meeting had been called off, instead of scattering the crowd, served to increase it. At 8:30 Captain Donahue, who was inside the hall, announced that the doors would be opened to allow those who had entered to leave. As soon as the doors had swung back, the crowd outside, with Mrs. Sanger and Mr. Cox in the van, brushed the police aside and swept into the hall, and Mrs. Sanger was lifted to the stage.

"Defy them! Defy them!" came from all parts of the hall.

Mrs. Sanger motioned for silence, then cried: "One would certainly suppose that this display of liberty and freedom of speech was in Germany, not in America."

"Go on with the meeting," some one shouted, and an outburst of applause followed.

Mrs. Sanger Mounts Stage.

Mrs. Sanger stepped to the front of the stage again and began to speak. She was checked by another demonstration, but before she could continue Sergeant August Handberg and Patrolman Thomas Galne walked onto the stage and seized her by the arms.

"You can't speak here," the Sergeant said.

"They don't dare arrest you," a woman called out. "Where's the warrant? What is the charge?"

Mrs. Sanger, stepping away from the two policemen, began her address: "The calling of this meeting tonight," she said, "is the greatest compliment you have ever had. I believe you and I are able to discuss the question whether birth control is moral or not."

Sergeant Handberg again told Mrs. Sanger she could not speak and advised her not to cause any disorder. When the policemen took her by the arms again scores of persons in the audience jumped upon the stage. Arrest her—

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POLICE VETO HALTS BIRTH CONTROL TALK

Continued from Page 1, Column 1.

"You don't dare arrest her," they cried. Robert M. C. Marsh was among those who went on the stage, and he told Mrs. Sanger that if she desired he would act as her legal adviser. Others who appeared on the stage in Mrs. Sanger's defense were Mrs. Ogden Reid, Mrs. Juliet Barrett Rublee, Mrs. Ernest R. Adee, Dr. Lydia Allen De Vilbis and Lowell Brentano.

The stage was then in a tumult. Several women began to address the audience, and as fast as one was seized by the police another began to speak. Mrs. Sanger was still the storm-center, and her friends crowded around her and all but swept the policemen off their feet.

"If you would help us," one woman told the audience, "we could remove the police from this platform."

"There were cries of 'Put out the police!' but wiser counsel prevailed and the audience contented itself with booing the two policemen, who up to that time had made no attempt to clear the stage. The attempts to speak persisted. Mr. Cox, the British editor who had been scheduled to speak, was pushed to the front of the platform and introduced to the audience.

London Editor Cut Short.

"I have come across the Atlantic to address you," he began, but further remarks were cut off by the policemen.

Captain Donahue, who up to this time had been watching the scene from the front of the hall, then appeared on the stage and addressed Mrs. Sanger. "Please get off this stage before you cause some disorder," he told her. Mrs. Sanger refused to move.

"If you arrest her you'll have to arrest me too," one woman cried.

"The captain informs me that this meeting has been stopped by an order by telephone," Mrs. Sanger called out to the audience. "I asked him who was the other end of the wire and he couldn't tell me.

When it became apparent that his orders to leave the hall were not to be obeyed Captain Donahue ordered the arrest of Mrs. Sanger and Miss Winsor, who were taken out of the hall between the two policemen, while the audience sang "My Country, 'Tis of Thee, Sweet Land of Liberty."

Mrs. Sanger, hatless, led the procession across Broadway and up Eighth Avenue to Forty-seventh Street. Nearly all of those in the hall had followed and hundreds joined them on Broadway. Many of those in the hall had gone directly to the police station, some on foot and some in limousines, and the police had to fight their way through a big crowd to get their prisoners inside.

At the police station, Mrs. Sanger described herself as a writer and gave her address as 104 Fifth Avenue, the headquarters of the Birth Control Committee. Miss Winsor, who has been prominent in the suffrage movement, said her home was in Haverford, Pa. Patrolman Gaine told Lieutenant Courtney, in charge at the station, that the arrests had been on the order of Captain Donahue and that the charge was "refusing to leave the stage in the Town Hall when ordered by the Captain and me."

Prisoners Sent to Night Court.

The prisoners were ordered to be taken to Night Court, at 316 West Fifty-fourth Street. While they were in the police station the congestion in Forty-seventh Street had become so great that reserves were placed at Eighth Avenue, half a block from the station, to keep the throng back. When the prisoners left the station in a patrol wagon they passed through cheering crowds, which followed on a run to the court.

The two women were again applauded as they entered the court room. Accompanying them were Robert M. C. Marsh and Jonah J. Goldstein as counsel, and

as witnesses Mrs. Ogden Mills Reid, Mrs. Ernest R. Adee, Mrs. Juliet Barrett Rublee and Mrs. William A. McGraw of Detroit.

Magistrate Francis X. McQuade released the two prisoners without bail in the custody of their counsel until today, when they will appear for examination in West Side Court. After the trial, the court room, they went to the home of Mrs. Rublee, at 242 West 100th Street.

Mrs. Sanger, after leaving Night Court, declared that immediate steps would be taken to get out an injunction to permit the meeting to be held this week. She said that a daughter of a Supreme Court Justice, who was in the audience, called up her father last night and was informed that there was not enough time last night to get the injunction.

"We have reason to believe," Mrs. Sanger declared, "that this meeting was closed by the influence of the Catholic Church."

Mrs. Ann Kennedy, one of the officers of the First American Birth Control Conference, told reporters that she had seen in the hall after the police locked the doors a man who said he was Mr. Joseph P. Dineen, secretary to Archbishop Patrick J. Hayes. Mr. Dineen, Mrs. Kennedy said, declared that he had been sent by the Archbishop to the meeting.

In a formal statement, which she gave out later, Miss Sanger said:

"My idea of calling the public together tonight was in the belief that this subject could be discussed at the Town Hall with as much dignity and delicacy as it was discussed the last two days at the Hotel Plaza. We were in no way violating the law. I consider my arrest in violation of every principle of liberty that America stands for, and I shall take this case to the highest courts, if necessary, to preclude the possibility of its ever happening again.

"My arrest will in no way stop the opening of the Mother's Health Centre at 317 East Tenth Street.

Anne Lifshitz, Mrs. Sanger's secretary, complained after the meeting that she had been roughly handled by the police while attempting to reach Mrs. Sanger after her arrest. She said that she was at the rear of the crowd that followed Mrs. Sanger across Forty-third Street and Broadway. She displayed a torn coat, which, she said, was the result of the rough handling.

Both Mrs. Sanger and Miss Winsor have served jail sentences for participation in militant movements. Mrs. Sanger was indicted in 1916 by the Federal authorities here on the charge of sending improper matter through the mails. This consisted of copies of "The Woman Rebel," containing an article on birth control. Later the charge was dropped.

In the same year Mrs. Sanger opened a birth control clinic at 46 Amboy Street, Brownsville, and as the result of a police raid she and her sister, Mrs. Ethel Byrne, were arrested. She was sentenced to thirty days in the workhouse. Mrs. Byrne started a hunger strike against her imprisonment and was pardoned by Governor Whitman. Mrs. Sanger agreed at the time to be governed by the law as it stood, and Governor Whitman promised her that he would have a commission investigate the subject of birth control.

Miss Winsor was one of the militant suffragists who, after disturbances in Washington in 1919, were sentenced to Occoquan jail, outside of Washington.

The committee in charge of the birth conference and last night's meeting includes many persons prominent here and in other parts of the country. Among them are:

Mr. and Mrs. T. L. Chadbourne,	Mrs. G. H. Day Sr.
Mrs. T. W. Lamont,	Mrs. W. Spinney,
Winston Churchill,	Mrs. Charles Tiffany,
Prof. Irving Fisher,	Mrs. Ernest Poole,
D. R. Hooker, M. D.	Florence B. Elliot,
Mrs. Wallace Irwin,	Laura H. Young,
Mrs. J. L. Laldlaw,	J. C. Vaughan, M. D.,
Mrs. Donn Barbour,	Mrs. Simeon Ford,
Dr. and Mrs. Frederick Peterson,	Miss Martha Davis,
Dr. and Mrs. Ernest H. Gruening,	Robert M. Lovett,
Mrs. W. Straight,	Mrs. Minnie Finchot,
Mrs. J. W. Brannan,	Mrs. A. L. Lawrence,
Dr. and Mrs. L. E. Holt,	Mrs. Walton Martly,
Rabbi R. I. Coffey,	Mabel W. Hill,
Ph. D.,	Edith Swift, M. D.,
Mrs. John A. Fry,	Kendall Fanning,
Dr. C. G. Taylor,	Florence G. Turie,
Mrs. M. Parrish,	Mrs. Ruth W. Porter,
Mrs. H. St. Gaudens,	Dr. Anna Blount,
Mrs. L. L. DeLafield,	Dr. Kenneth Taylor,
Prof. W. B. Pitkin,	Herbert Croly,
Mrs. C. E. Knoblauch,	Mrs. Frank I. Cobb,
Esarones K. Ishimoto,	Dr. E. M. East,
L. Stoddard, Ph. D.,	William J. Fielding,
Prof. and Mrs. J. A. Field,	Bernarr MacFadden,
Rev. A. E. Whatham,	Virginia Young,
Kate W. Baldwin,	Mary Shaw,
M. D.,	Dr. S. A. Knopf,
Mary Halton, M. D.,	Mrs. Kate C. Gartz,
Clara W. Carter,	Mrs. Henry Villard,
Dr. Mary I. Bigelow,	Dr. Alice Hamilton,
Bertha Rembough,	Dr. John Favill,
Mrs. Robert Bass,	Mrs. Shelly Tolhurst,
	Mrs. Otto H. Kahn,
	Lillian D. Waid,
	Mrs. Dexter Blagden,
	Mrs. M. Stearns,
	Mrs. Dwight Morrow,

Birth Control Clinic To Be Started Here

Mrs. Margaret Sanger An-
nounces at Conference Ad-
vice Will Be Given Women
by Staff of Physicians

\$1,000 Given to Fund

Laws to Check Births De-
clared Farce; Likened
to the Volstead Act

Mrs. Margaret Sanger, leader in the birth control movement, who served a thirty-day sentence in 1917, after her birth control clinic in Brooklyn was raided, announced last night at the Hotel Plaza that a new clinic would be opened within a few days at 317 East Tenth Street, under the auspices of The American Birth Control League.

This announcement was made in an address by Mrs. Sanger at a dinner given Harold Cox, editor of "The Edinburgh Review," by the first American Birth Control Conference. She said the clinic would be equipped with consultation rooms and rest rooms. Its establishment, she declared, meant that birth control agitation had become a real, definite movement, capable of accomplishing its desired purpose.

Staff of Thirty Physicians
It was made clear last night that at this clinic birth control advice and information would be given only to women who, because of disease or physical infirmities, desired to avoid child birth. No interference is expected from the police or city authorities. A staff of thirty physicians will be available for the Tenth Street clinic, it was said.

Subscriptions totaling \$1,000 to a fund for the maintenance of the clinic were received last night. The fund is expected to reach substantial proportions.

Mrs. Sanger has been active for several years in an effort to establish birth control clinics. She became interested in the subject of birth control in 1912 while serving as a visiting nurse on the East Side. In 1914, she was indicted by the Federal grand jury for alleged violation of the birth control statutes. The indictment was dismissed in 1918. She was arrested in 1916 for the opening of a clinic in Brooklyn and arrested the following year on the same charge. She was convicted and sent to the Queens County penitentiary for thirty days.

Legislation prohibiting birth control is about as effective as the Volstead act, declared Andre Tridon, psychoanalyst, yesterday in addressing the conference at the Hotel Plaza. The only result he had observed prohibition had accomplished, he said, was the replacement of healthy, inexpensive beer with perfumed wood alcohol at high prices.

"Whether it is legal or not," Dr. Tridon said, "birth control is being practiced by the masses, with the exception of the ignorant. Breaking the law is not a criminal act, but a duty, when it is for the benefit of the community."

Dr. Tridon urged the members of the conference not to wait for legislation, which, he said, was usually years behind public opinion, but to bring about the formation of circles throughout the country for the distribution of accurate information concerning birth control. An important step, he said, would be accomplished when parents and physicians were brought to the realization of the necessity of enlightening children on biological subjects.

U. S. Far Behind Europe

Harold Cox, a member of the British Parliament, declared that the United States was many years behind England and Continental Europe in its appreciation of the need for birth control.

"This subject," he said, "is one of the great fundamental problems, because nations with large and rapid increases in population must have room for expansion. This was the question with Germany. It is the reason for the urge in France to a large birth rate, and it is the underlying point of difference between the United States and Japan. In England we have birth control, and there is no law against the dissemination of information on the subject."

James Murray, president of the Pennsylvania State Federation of Labor, criticized the advocates of large families, who, in most cases, he said, were childless themselves. Birth control information, he asserted, was usually available to people of wealth and social standing and was denied "the masses, who frequently find themselves in keen industrial competition with their children."

World-wide Control Urged

Other speakers were Dr. Lothrop Stoddard, of Brookline, Mass.; Dr. William J. Robinson, of New York City; Professor Herman M. Bernalot Moens, of Holland; C. V. Drysdale, of London, England, and Miss Mary Winsor, of Haverford, Pa. An open letter was addressed to the International Disarmament Conference at Washington, urging that all nations should publicly recognize the importance of well-distributed birth control among all classes "as a means of raising the standard of human life and of guaranteeing the peace of the world."

A resolution was adopted asking the Surgeon General of the Public Health Service to undertake medical research into contraceptive methods for the control of disease.

The conference gave a dinner last night at the Plaza in honor of Mr. Cox and to-night it will close with a mass meeting at Town Hall, at which the subject of birth control will be debated.

New-York Tribune
November 13, 1921

Police Break Up Meeting on Birth Control

Invade Town Hall, Order
Out Audience of 1,500;
Arrest Margaret Sanger
and Miss Windsor

Officers Hooted by
Indignant Crowd

Reserves Called to Handle
Throng Angered by
Treatment of Women

The final session of the first American Birth Control Congress, to have been held last night at Town Hall, 113 West Forty-third Street and extensively advertised in advance, was broken up by police orders at the last moment, just before Mrs. Margaret Sanger, one of the leaders of the movement, had arrived in the hall.

Captain Thomas Donohue, of the West Forty-seventh Street police station, with a squad of police and detectives, entered the hall and declared the meeting would not be permitted. There were more than 1,500 in the audience at that time. Hundreds were held back by uniformed officers at the doors. The police gave no advance intimation of intention to stop the meeting.

When Mrs. Sanger arrived she was unable to get in. Later when the doors were reopened to let the audience out she entered with Harold Cox. During the ensuing confusion Mrs. Sanger sought to make a statement from the platform and, as a result of this apparently, the police decided a half-hour later to place her under arrest on one of the usual "disorderly conduct" charges.

As she was led from the hall the audience spontaneously joined in the strains of "My Country 'Tis of Thee."

The gathering was to end the congress, which has been in session here, and Harold Cox, former member of the British Parliament and editor of "The Edinburgh Review," was to have delivered the principal address.

Arrest Angers Audience

Hundreds of well known New York women were present in the audience, and the arrest of Mrs. Sanger was the signal for a demonstration of indignation on the part of the gathering.

Immediately after Mrs. Sanger's arrest Miss Mary Windsor, writer and lecturer, of Haverford, Pa., was also taken into custody.

Mr. Cox, who sought to speak after the police interfered, was peremptorily ordered by Captain Donohue to keep quiet if he wished to keep out of trouble. The editor replied that he believed himself within the law, but being an alien would bow to police decision.

Scores of automobile owners volunteered to take Mrs. Sanger and Miss Windsor to the police station, but Captain Donohue insisted they would have to go in the patrol wagon. When the women protested against this indignity they were marched through packed streets to the station house, followed by a crowd which hooted at the police and demanded Mrs. Sanger's release.

Before the station was reached the crowd became so threatening that police reserves were ordered out to prevent trouble. Shouts of "Where did you get your orders?" were directed at Captain Donohue, and one woman screamed repeatedly that Donohue was acting on Tammany instructions.

Extra Reserves Summoned

"The Tammany gang's behind this," called one woman. "Are we going to let them have their way?"

The first squad of reserves was unable to handle the more than 5,000 persons packed about the station and extra reserves were summoned. Meanwhile several women addressed the multitude, declaring the meeting at Town Hall had been a representative American gathering, called to discuss a scientific subject in a scientific way. The raiding of the hall by Captain Donohue and his men was a gross outrage, they charged. While the crowd taunted and threatened, Mrs. Sanger and Miss Windsor were booked on disorderly conduct charges.

The raid by the police was evidently prearranged. Fifteen hundred persons had been admitted to the auditorium when Captain Donohue and a squad of patrolmen and detectives arrived. Uniformed men were stationed at the doors with orders to permit no more to enter. Captain Donohue then ordered the doors thrown open. An announcement was shouted to those within that the meeting would not be held. Com-

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New-York Tribune
November 14, 1921

Police Break Up Meeting on Birth Control

(Continued from page one)

ment was excited by the presence in the lobby of the hall with Captain Donohue of Mrs. Dineen, secretary to Archbishop Patrick J. Hayes, of the Roman Catholic Archdiocese of New York.

Refuses to Discuss Presence

Efforts made to learn from Mrs. Dineen the meaning of his presence at the meeting were without result. When asked whether he had been active in bringing about police intervention, he replied that it was a matter he could not discuss.

When Mrs. Sanger and Miss Windsor were arraigned in Night Court the mob had become so dense that it was with difficulty cleared for witnesses. The courtroom was thronged with representative citizens, and many clamored to furnish bonds. The prisoners were released in custody of J. J. Goldstein, counsel for the Birth Control League. After they left the courtroom the women were escorted through the streets by a cheering crowd. Mrs. Juliet Barrett Rublee, of 242 East Forty-ninth Street, and Mrs. Noel Lakin, of 242 Lexington Avenue, remained with Mrs. Sanger and Miss Windsor from the time of their arrest until after they had been arraigned. Mrs. Anna Kennedy, secretary of the Birth Control League, also went to court.

The action of the police at Town Hall created a disorderly scene. Just before the meeting was scheduled to begin at 8 o'clock, Miss Kennedy, league secretary, received instructions from the police to notify speakers it would not be held. As the announcement was made shouts of derision and jeering cries proceeded from every part of the house. A man's voice called out:

"That's what you get for voting Hyman into office again."

After hearing the orders, Mrs. Sanger rushed onto the stage and, addressing the audience, by this time on its feet, asked all to be seated.

Declares Right to Hold It

"This meeting is not suspended," she cried. "It is a legal meeting, legally announced. We have a right to hold it under the Constitution. Police interference here is disgraceful. We will stand on our rights as citizens under the Constitution. Let them club us if they want to."

Turning to Mr. Cox, who was standing at the speaker's table with a manuscript in his hand, about to begin speaking, Mrs. Sanger said she hoped he would proceed with his address. The British man of letters appeared in doubt. He began to explain his position to the audience, but he was ordered brusquely to "cut it if you want to keep out of trouble."

Mrs. Sanger again pleaded with the audience to remain, insisting that the meeting would be held, but already squads of the reserve force numbering ninety-six men were hustling the audience toward half a dozen doors. While Patrolman Thomas Gaines was struggling with Mrs. Sanger in an effort to prevent her speaking, Mrs. William De Graw, of Detroit, jumped to the front of the platform, shaking her fist.

"Tammany!" she screamed. "This is Tammany! Do we stand for it?"

Calls on Men to Resist

Just then Miss Mary Shaw, a friend of Mrs. Sanger, also appeared down stage. She extended her hands appealingly, shouting:

"Aren't there any men? How many men will come and help us put out these policemen—let's throw them out; they've no business here."

Mrs. Sanger was led away under arrest and the arrest of Miss Windsor followed.

Mrs. Sanger, whose home is at 104 Fifth Avenue, has been in frequent trouble with both Federal and local authorities in the several years past because of her birth control advocacy. In 1917, Mrs. Sanger and her sister, Mrs. Ethel Byrne, were both sentenced to thirty day terms in the Queens County penitentiary. Mrs. Byrne, after a hunger strike, which she purchased to the point of death from starvation, was pardoned by Governor Whitman.

Captain Donohue, when questioned as to the origin of his orders to stop the meeting, said they came from Police Headquarters. All efforts last night to reach Mayor Hylan or Police Commissioner Enright were futile.

Dr. Harriet de Vilbis was to have presided at the meeting. She was already on the platform when the police entered. Others to have spoken were Dr. Royal S. Copeland, Health Commissioner; Dr. Y. N. H. Meens, of Holland, a birth control advocate, and Dr. Alayne Ireland, of Manhattan. Dr. Caspary Young, of the Episcopal Home for Delinquent Girls, 37 Beekman Place, was among those occupying seats on the stage.

Mrs. Sanger Makes Statement

Mrs. Sanger later gave out the following statement:

"The meeting to-night was a culmination of a three-day conference held at the Plaza Hotel to discuss the various aspects of birth control. Harold Cox, editor of 'The Edinburgh Review' and former member of Parliament, was to deal with the subject from an economic aspect and the immorality of war.

"My idea of calling the public together to-night was in the belief that this subject could be discussed at the Town Hall with as much dignity and delicacy as it was discussed the last two days at the Hotel Plaza. We were in no way violating the law. I consider my arrest in violation of every principle of liberty that America stands for and I shall take this case to the highest courts if necessary to preclude the possibility of it ever happening again.

"The discussion that was to have taken place to-night would have been no more against the law than the discussion of the same subject in the book 'Women and a New Race,' which is sent through the mails and which has received the highest recommendation from scientists and students of economics.

"My arrest will in no way stop the opening of the Mothers' Health Center, at 317 East Tenth Street, where the birth control information will be given without charge to women suffering from disease and for the cure and prevention of disease."

LIAM R. STEWART
PRESIDENT

WILLIAM H. GRAYWICK
VICE PRESIDENT

CHARLES H. JOHNSON
SECRETARY



STATE OF NEW YORK
STATE BOARD OF CHARITIES

OFFICE AT THE CAPITOL

ALBANY, N. Y. November 17, 1921.

File
Quinn

Mrs. Margaret Sanger
104 Fifth Avenue
New York City

Dear Madam:-

Information has reached this Board to the effect that under your auspices there is to be established at 317 East Tenth Street, Manhattan, a so-called birth control clinic. While we have no exact information as to the work to be carried on, it appears that the proposed activities may constitute a dispensary as defined by Section 290 of the State Charities Law. A copy of this law is enclosed herewith for your information. May I call your attention particularly to the fact that any person or organization pursuing an activity coming within the definition of a dispensary must, before entering on this work, obtain a license therefor from the State Board of Charities. Section 294 of this law prohibits the use of a tenement house by a dispensary and we are informed that the premises at 317 East Tenth Street, Manhattan, come within the definition of a tenement house.

The Attorney General of this State has rendered to us an opinion to the effect that the word "clinic" is so commonly associated with dispensary activities that its use other than by a licensed dispensary is prohibited by the latter portion of Section 294.

May I ask that you give careful consideration to the relation of your proposed activities to this Dispensary Law.

Very truly yours,

Charles H. Johnson

Secretary.

Enclosure

file

November 22, 1921.

Mr. Charles J. Johnson,
State Board of Charities,
Albany, N.Y.

Dear Sir:-

Thank you for your kind letter of November 17th in which you inform me concerning conditions relative to the establishment of a birth control clinic.

I wish to state in reply, that it is not our intention to open a birth control clinic in the sense which would bring under Section 290 of the State Charities Law. I think you can safely depend upon our keeping well within the boundaries of the law, considering the fact that a staff of from thirty to forty physicians will give us their support, as well as the best legal advice obtainable. I think our issue will be very clear and our rights guaranteed under the laws of the State of New York.

I thank you sincerely for your thoughtful consideration in informing me of the conditions of the laws pertaining to the establishment of a clinic, as defined.

Sincerely yours,

MHS:AL