

# **“A Depraved Taste for Publicity:” The Press and Private Life in the Gilded Age**

**Glenn Wallach**

In 1874, during a summer marked by Washington corruption and racial conflict in the South, the *New York Times* launched a curious editorial campaign against an “evil which has existed for some years in our midst.”<sup>1</sup> What was this scourge? The newspaper interview. The *Times* attack might seem a random stab at an innocent phenomenon, but this was no whim. The interview symbolized the stakes in a debate raging over public figures and intrusions into their private lives.

The catalyst for editorials was a sensation dominating all other news: Theodore Tilton’s charge of adultery against the minister Henry Ward Beecher. Long valued by scholars as symbolic shorthand for “The Spiritual Crisis of the Gilded Age,” the Beecher case had cultural significance beyond a narrative accessible through close analysis of court transcripts.<sup>2</sup> Scandals that engulfed Beecher and others during this era were located in courtrooms, bedrooms, hotel lobbies, and churches. But most Americans discovered them first in the pages of a newspaper. This article rehearses few facts of Beecher’s case itself; it will not offer a standard account of the changing relationship of “the press” and “society.” Rather, I argue newspapers shaped their social role and expanded the scope of their own authority through the coverage of popular scandals.

The debate about the meaning of the interview illuminates a redefinition of journalism’s relationship to individuals. In its treatment of scandal the press began to claim a special authority to enter the increasingly forbidding realm of private life. This expansion of boundaries offers historical perspective on the idea of the “public sphere.” Now a standard term in cultural studies, the public sphere existed as a daily element in the rhetoric of Gilded Age newspapers, although they

never used the modern phrase. The scandals posed a mortal threat to this sphere's existence. As the press resolved its internal conflicts over scandal coverage, we can glimpse the emergence of a new kind of public sphere in which journalism bore scant responsibility for what it produced and began to assess subjects of coverage for their spectatorial value. This nascent form appeared as the press offered itself as spokesperson for and defender of an elusive entity—"the court of public opinion."

In our own time, when casual familiarity with the private lives of all who appear in the media is second nature, it is easy to imagine an inevitable advent of celebrity culture. The modern newspaper began in the 1830s with a penny press that changed the meaning of news. The legitimization of the press' participation in civic life occurred in the years from the 1830s to the 1870s as newspapers increasingly linked their opinions to those of "the public voice." They had accomplished this in great measure by expanding coverage, reporting on both society balls and shocking murders.<sup>3</sup> By some accounts, the 1870s were a simple prelude to the sensational "New Journalism" of Joseph Pulitzer and William Randolph Hearst at the end of the century.<sup>4</sup>

Cultural historians describe the interview and the promotion of personalities as natural developments of the yellow press; even sophisticated analyses assume that newspapers had always been involved in private life.<sup>5</sup> Thus, a modern scholar of the Beecher scandal chose the *New York Herald* as his main source because he found the reporting of competing papers too "indirect" and "pedestrian." In the 1870s other papers attacked the *Herald* for its melodramatic headlines and prying practices. Meanwhile, institutional histories of several New York newspapers each portray their subject as principally responsible for exposing Henry Ward Beecher.<sup>6</sup> But issue after issue of the newspapers themselves contradict these crusading versions. Our culture of exposure did not always exist. The nineteenth-century press *insisted on* indirection.

The 1870s scandals occurred almost twenty years before the great era of press sensationalism and the first legal discussions of privacy rights.<sup>7</sup> Both papers that emphasized entertaining news coverage—sometimes celebrated as avatars of contemporary journalism—and the ostensibly laggard "respectable" press were forming a new conception of their relationship to "the public."

The Beecher scandal crystallized a series of debates in the press over its social role. In the years before the scandal and during its early stages, an individual's presence in print did not guarantee that every detail of personal life would inevitably be available for newspaper reporters or readers. Indeed, papers assailed attempts to provide such coverage. By the end of the Beecher affair, however, even the most anxious papers had joined a consensus enshrining the press as the remorseless prosecution, defense, and judge in a court of public opinion. The "serious" press applied its definition of public concern—and its responsibility for monitoring such subjects—to arenas of life that it previously had called private. This was not a simple surrender to the forces of sensationalism; it was a fundamental reconstruction of reality.

These issues are central to the work of the German sociologist Jürgen Habermas. He blamed the popular press in the early nineteenth century for hastening the decline of a “bourgeois public sphere” in which men “engaged in rational-critical debate . . . concerning the affairs of the ‘commonwealth.’” A new mass press “paid for the maximization of its sales with the depoliticization of its content.” The emphasis on human interest stories in the commercial press provided a “convenient subject for entertainment that, instead of doing justice to reality,” was “more likely to give rise to . . . stimulating relaxation than to a public use of reason.”<sup>8</sup> The result was a decline in political participation and a growing emphasis on spectacle.

Neither the public sphere concept nor Habermas’s assertions can simply be “applied” to a past era. Scholars point out that real political debate was much messier than Habermas’s rational vision.<sup>9</sup> If we investigate these notions in their historical specificity we find something unexpected: a strong resemblance between the beliefs of some nineteenth-century newspapers and the modern theorist’s ideal. Consider Habermas’s criticism of the press:

the public sphere becomes the sphere for the publicizing of private biographies, so that the accidental fate of the so-called man in the street or that of systematically managed stars attain publicity, while publicly relevant developments and decisions are garbed in private dress through personalization distorted to the point of unrecognizability.

Compare this editorial in the *New York Times* from 1869:

Incidental to a want of truthfulness in the Press is the practice of giving prominence and notoriety to obscure people in whose movements the public in general can have no possible interest. It encourages a depraved taste for publicity; it distorts the proper standards of public judgment.<sup>10</sup>

Gilded Age newspapers managed an arena of rational debate that existed as an integral part of their pages. In the 1870s some fought to maintain control over a “public” they defined as bounded by the realm of political activity. They asserted responsibility for maintaining the terms of debate through what one scholar has called “the discursive environment created by the print media.”<sup>11</sup> The *Times* editorial implied that since newspapers were forums for questions of public, political importance, the people who appeared in their pages should primarily be participants in that world. They monitored intrusions from potentially competing publics.<sup>12</sup> Antebellum critics had debated the dangers of a close relationship between the press and the public in the Jacksonian era. Significantly, editors in the 1870s still “saw themselves as distributors of political information rather than general purveyors of news.”<sup>13</sup>

But that arena was in a state of flux. Habermas argued that “publicity” distorted the public sphere by filling it with gossip that crowded out rational discussion of civic issues. Similarly, some Gilded Age editors saw the “depraved” interest in publicity threatening their prerogative to manage consideration of the public good. The moral scandals of the 1870s brought this dilemma into every editor’s office. Some struggled to maintain limits, embodying the old image of editor as “gatekeeper” for what appeared in print.<sup>14</sup> By analyzing the response to scandal we can see the locus of concern shift from the role of the press in political discourse to the legitimation of divisions between public and private.

Newspapers defined an emerging realm of “the public” that existed between the traditional public sphere of politics and the intimate, private world of family, home, and sexual relations.<sup>15</sup> The discursive environment created by the press obscured distinctions “among public arenas defined through politics and those produced through the market.”<sup>16</sup> A person could appear in print because of participation in civic affairs, but might also be a criminal, an actress, or a figure in a social scandal. The actress was expected to present all sides of her life to the public. The criminal’s words at the bar of justice had been public property for centuries.<sup>17</sup> New figures began to appear. One man who spent much of his time in public observed in the 1860s that it was a fact of life he would be “figuring in newspaper stories.” After all, “if he does not wish to be talked about, what is he a public man for?”<sup>18</sup> Neither that writer, Henry Ward Beecher, nor most editors of the day, would remain so sanguine.

The new realm raised questions for nineteenth-century editors and social critics: what access should readers of newspapers have to the respectable public figure’s private life? Was a person enmeshed in moral scandal equally a member of the public that existed in print as the politician and civic leader? There were, in effect, competing notions of what was included in “the public” and who spoke for it. In this struggle, the press emerged as an institution that inscribed lines between the spheres and guarded its boundaries. The debate over investigating the private lives of persons well known for their activities in the traditional arenas of politics and civic affairs also revealed the growing permeability of those borders.

Newspapers themselves were in transition. The Civil War had swelled the ranks of correspondents; their articles on the foibles of the military fueled the volatile reputations of both generals and reporters. The stories offered an early indication of the power to create a new kind of famous person.<sup>19</sup> By 1870, six cities accounted for about half of all newspaper pages printed in the nation. New York City alone had more than 25 daily newspapers.<sup>20</sup>

Even if most newspapers in America remained allied to leading political parties, major urban papers were establishing independent journalistic authority. As they became increasingly attuned to commercial concerns they faced another new dilemma: if they no longer represented parties, what did they stand for?<sup>21</sup>

Throughout the last quarter of the century, the rise of national information networks promoted newspapers’ tendency to identify individuals as symbols of

various cultural and social values. While business corporations were becoming increasingly impersonal, the papers magnified their emphasis on the personal.<sup>22</sup> They sharpened their skills in exposures of political malfeasance. They revealed an “underworld” of criminals and the working class to guide middle-class residents through the anonymous perils of the metropolis.<sup>23</sup> But in the 1870s, the press seemed at war with itself over journalists’ inspection of those very same “respectable” citizens.

Despite the rapid demographic and economic transformation of cities and the appearance of persons from all classes in their pages, most newspapers in the 1870s clung to topics and images of middle-class respectability. More than twenty years before new owners introduced the motto “All the News That’s Fit to Print,” the *New York Times* promised readers “the best daily family newspaper published; it contains the latest news and correspondence; all objectionable advertisements are rigidly excluded; and it has a constantly increasing circulation among the most respectable classes of the community.”<sup>24</sup>

*New York Tribune* editor Whitelaw Reid described the fortune waiting for the editor “willing to make a daily paper as disreputable and vile as a hundred and fifty-thousand readers would be willing to buy.” The head of a religious journal said things had already gotten out of hand. He recalled that the journalism of the past:

was more lenient towards private infirmities, and more considerate of private delicacies . . . if it shrunk prudishly from withdrawing the veil from . . . domestic life, and timidly avoided the custom of butchering men and women for the entertainment of the populace, these defects, [are] happily supplied to-day.

To this editor, “Journalism once told too little or nothing . . . now tells all there is, and a good deal beside.”<sup>25</sup> As he said these words, perhaps Theodore Tilton had his own situation in mind.

Unlike the streamlined facade of modern media products, newspaper stories in the 1870s left the gears of journalistic production exposed. Correspondents had already plunged readers into the midst of Civil War battles and courtroom cross-examinations. The Washington press corps after the Civil War became practiced in the exposure of public officials’ political and financial malfeasance, real and imagined. These investigations took an increasingly “prosecutorial attitude.”<sup>26</sup> Now this mode began to skirt the borders of private experience; interviews opened the frontier.

Whether the very first interview was James Gordon Bennett’s account of a conversation with a brothel owner in the 1830s or Horace Greeley’s report of his talk with Brigham Young in the 1850s, the practice was still noteworthy in the

1870s.<sup>27</sup> Mark Twain burlesqued it: a reporter inquiring if he might interview the author is asked in return, “How do you spell it?” The journalist wonders why. “I don’t want to spell it,” Twain says, as he looks through a dictionary, “I want to see what it means.” The author was not alone in his quest for definition. Webster’s 1867 dictionary identified the interview solely as “A mutual sight or view; a meeting for some conference on an important subject.” Twenty years later, *The Century Dictionary* had entries for “interview,” “interviewer” and “interviewing”; it now meant “A conversation or colloquy held with a person whose views or statements are sought for the purpose of publishing them.”<sup>28</sup>

Contemporaries treated the interview primarily as an adjunct to the newspaper’s role in public life. Frederick Hudson’s 1873 history of journalism reported the new popularity of interviews with “leading statesmen, army and navy officers, and politicians.” It was also true that interviews were recording more than the utterances of public officials. “Any body of any note, or who had been guilty of any crime or extraordinary act, was immediately called upon by a reporter.” As Twain’s fictional reporter put it: “It is all the rage now. Will you let me ask you certain questions calculated to bring out the salient points of your public and private history?”<sup>29</sup> When an English publication charged a New York paper would even interview the Devil, the sarcastic response contained both an assumption about the practice’s value and the morality of its readers. Of course it would conduct the interview, “by way of making known his views to our great constituency,” who otherwise would have been unfamiliar with them.<sup>30</sup>

Criticism concentrated on interviewing’s menace to political life. An interview was “generally the joint production of a hack politician and another humbug of a newspaper reporter,” seeking to provide spicy personality details rather than important aspects of policy. “The men who really have something to say which it would be worth while to hear do not suffer themselves to be made the interviewer’s prey, and assuredly never colloquy with him for the purpose of ‘keeping themselves before the public.’”<sup>31</sup> Even an exchange between newsmen and elected officials contained hints of an intrusion into another sphere. “The cardinal principle of interviewing is, of course, that no man has a right to his own time. . . . idle curiosity, or a desire for self-aggrandizement at the expense of others, warrants any species of intrusion at all hours and places.”<sup>32</sup> Those encroachments soon stretched beyond the political world. In several scandals of the early 1870s we can see intimations of the Beecher explosion.

It seems appropriate that an early flurry of concern over press intrusions surrounded the case of a murdered newspaper reporter. In 1869, Daniel McFarland shot *New York Tribune* reporter Albert Richardson because he had been living for some years with McFarland’s divorced wife. Richardson married McFarland’s ex-wife on his deathbed; the Reverend Henry Ward Beecher presided at the ceremony.<sup>33</sup> So new was interviewing that both the practice itself and complaints about it followed traditional modes for guarding propriety. When Beecher challenged the published version of an interview about the marriage, reporter and

minister each gave his side of the story in “cards”—public statements printed in newspapers. An interview with *Tribune* editor Horace Greeley also resulted in exchanged cards. Hudson used this incident as evidence of the new “mania” for interviewing. He found it absurd that “the reporter of one newspaper interviewed the chief editor of another in the same block, and within three doors of each other’s office.”<sup>34</sup>

A published brief conversation with the accused murderer revealed the interview’s prime appeal for reporters and readers. After Richardson’s marriage, a reporter found McFarland in the city jail: “his informant, not wishing to make the announcement too abruptly, asked him, after a few incidental remarks, ‘Have you heard the news. . . ?’” Readers then experienced McFarland’s physical reaction as he “threw himself back on his pillow” in shock. The conversation ended. Critics seized on intrusions in the intimate facts of emotional life. *Nation* editor E.L. Godkin attacked the coverage of Richardson’s wedding. “The presence of reporters, pencil in hand, ‘working up’ every detail . . . and noting verbatim even the prayer . . . put the stamp of the stage on it and damned it.” That a newspaper sent a correspondent to visit “Mrs. McFarland-Richardson . . . to see her, and report . . . her condition and feelings,” confirmed his condemnation.<sup>35</sup>

If interviews brought the journalist’s role “as interpreter of public life” to center stage,<sup>36</sup> some editors were uneasy about scrutinizing citizens who were neither members of legislatures nor regular guests in the police station or courthouse. A few even sought to protect the accused in political scandal. The *New York Times* investigation of the Tammany Hall ring and William Marcy Tweed in 1871 had set new standards for exposing public corruption. Yet, when reporters talked to the jailed ring-leaders, *Frank Leslie’s Illustrated Newspaper* complained “this is carrying interviewing a little too far, and overstepping the modesty of modern reporting.” The press had violated one of “the ‘inalienable rights’ of man not enumerated in the Declaration of Independence . . . the right of privacy.” Even in jail they had reputations: “so much the more should they be permitted to keep that little without having even it interviewed away from them.”<sup>37</sup> Few had such scruples about a social scandal of 1871.

The stock speculator James Fisk, Jr. was “our city’s ornament and amusement,” a familiar figure for his financial imbroglios and gaudy social life.<sup>38</sup> Headline writers and editorialists had a field day with reports that he had rigged the arrest of Edward Stokes, a rival for the affections of his mistress Helen Josephine Mansfield. Readers were regaled with the details of Fisk’s affair. *None* of this information, however, was drawn from interviews. It all came from affidavits, court documents, and police reports, the traditional sources of sensational information in newspapers.

The papers felt no compunction in ridiculing the Wall Street giant.<sup>39</sup> Opinions changed when the *New York Herald* sent its “special interviewing reporter” to talk to Stokes and Mansfield. One editorial observed, “There are places into which we should think even an interviewer would be ashamed to

intrude." Fisk's home life was "a spectacle not exactly fit for public exhibition;" Mansfield, "however picturesque she might be in an affidavit, ought . . . to be spared the nuisance of visits from reporters." The interview's cardinal offense, however, was that it served no public purpose.<sup>40</sup>

The *Herald* responded: "Where would be the great men of the age, bad, good, or indifferent, as may be, if the press did not give publicity to their doings, and if in the days both of triumph and reverse they were not interviewed . . . and their inmost ideas laid bare before the judgment seat of public opinion?"<sup>41</sup> Thus sides were drawn in the debate over the role of the press in private lives.

A story presented as a comedy turned tragic when Stokes murdered Fisk in the lobby of the Grand Central Hotel. The *Times*' front page story revealed its dilemma in managing who appeared in its columns: "For some time the respectable dwellers in our City have been shocked and disgusted with the unavoidable publicity" of Fisk, Mansfield, Stokes, and "their licentious amours; *unavoidable because they have been discussed in the police and law courts.*"<sup>42</sup> Had the principals not appeared in that particular arena, it seemed, they might never have materialized in print at all.

Despite a growing embrace of sensational news, on the eve of the Beecher scandal there seemed a rough consensus that the pages of newspapers were primarily reserved for participants in the political public sphere: officials, financial men, and their brethren. Although the lives of average people were increasingly a part of this reporting, the *Times* story on the Fisk murder showed that this was interpreted as a distasteful but inevitable product of the press' function as a participant in (and recorder of) law and the courts. The clear implication, however, was that such persons would not remain under press scrutiny for long. Moreover, no one should seek to remain in the public eye *solely* for the purpose of being famous.

Several years before, the *Times* had charged that journalism "gives undeserved prominence to people whose vanity must be presumed to have provoked it . . . and of course throws a more deserving class into corresponding obscurity." One of Fisk's crimes seemed to be that he enjoyed the publicity too much. Even the *Herald* found his exploits "disgusting to all right-minded citizens, save, of course, the lawyers and the parties themselves." Fisk's great fault, the *New York Tribune* concluded, was that "He lived so much in the public eye, his vanity and desire for admiration made him so grotesquely picturesque," that he embodied "that spirit of lawless fraud and plunder which created him."<sup>43</sup> Persons who appeared in public regularly were supposed to cooperate with the press and be shielded from intrusions into the intimate sphere of private life.

This implicit agreement to maintain respectability may help explain why some New York newspapers protected Henry Ward Beecher and Theodore Tilton for so long. Tilton had gained fame as an abolitionist and spoke often in public on many reform causes. Beecher's famous family and oratorical skills enhanced the wide popularity he received from his message of individual success, upward





REPORTERS ENDEAVORING TO OBTAIN ADMISSION TO A MEETING OF  
THE INVESTIGATING COMMITTEE AT MR. STORRS'S HOUSE.

Figure 1: Reporters endeavoring to obtain admission to a meeting of the investigation committee at Mr. Storrs's House. *Frank Leslie's Illustrated Newspaper*, August 8, 1874.

progress, and God's love.<sup>44</sup> As newspaper columnist, editor, and popular lecturer he had become a virtual trademark. Whenever he was quoted in the newspapers—and that was often—he was inevitably called the most famous minister in America.<sup>45</sup> Even though he and Tilton were both public figures, the facts of their case did not seem inherently public matters.

It was in this spirit that editorials inveighed against the general and popular “gossip” involving Beecher's private life. Briefly, the scandal had begun in rumors about the relations of Beecher and Elizabeth Tilton, a parishioner in his Brooklyn church and the wife of one of his best friends. Although the activist Victoria Woodhull had published an account of Beecher's “intimate and so-called criminal relations” with Mrs. Tilton in 1872, the story did not achieve wide publicity for at least a year and a half.<sup>46</sup> In the interim most papers published participants' opaque statements designed to quash the whole affair.

The headline of a May, 1873 story in the *New York Times*, “Galvanizing A Filthy Scandal,” reveals the paper already at the barricades. Boundaries of privacy and respectability had been breached. One editorial blamed “Some very indiscreet friends of Rev. Henry Ward Beecher” for the coverage.<sup>47</sup> The *Times* later said:

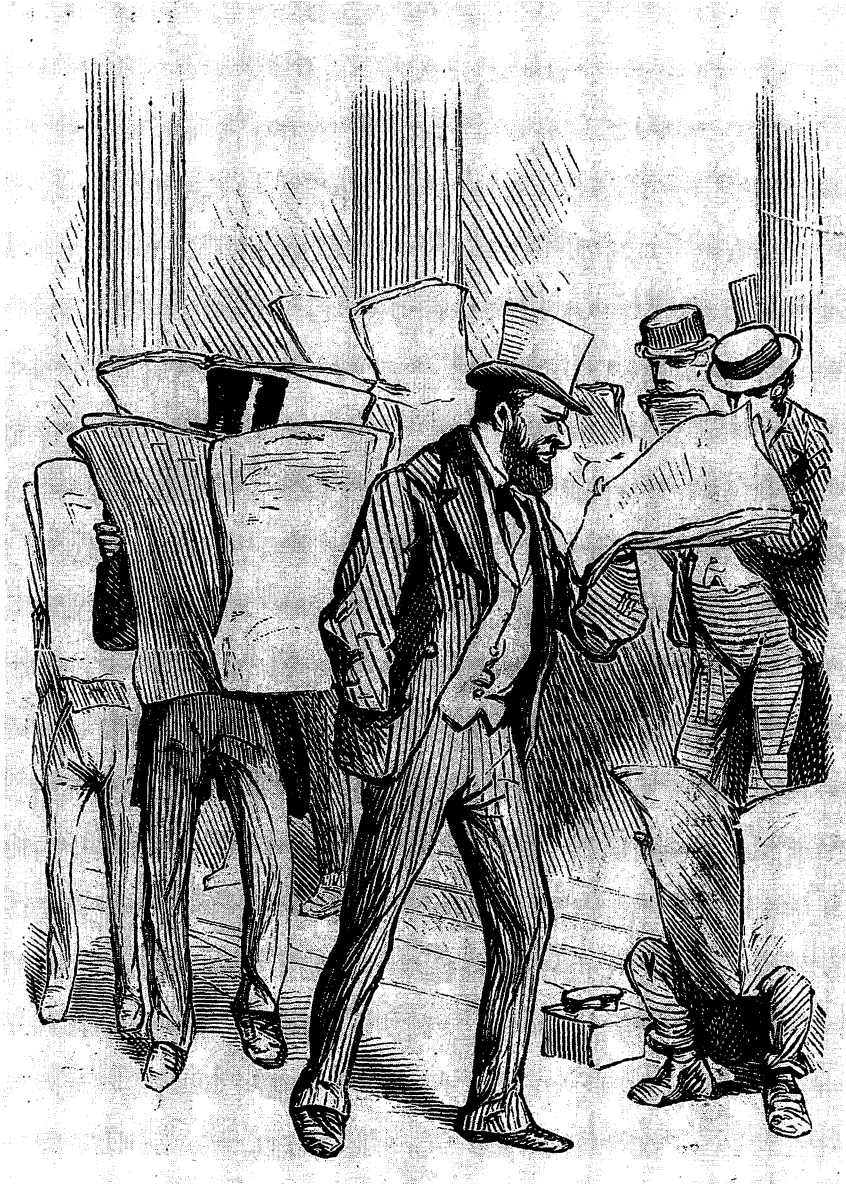
A good many correspondents write to ask why we do not take any notice of the ‘Beecher scandal?’ We answer that we do not believe that there is any ‘scandal’ in the affair . . . and then it seems to us that there is quite enough scandal afloat in New-York at the present moment without our going over to Brooklyn for more.<sup>48</sup>

In one of many editorials on the issues raised by scandals, the *Times* articulated its standard for assigning public reputation:

We bestow honors upon a man because, having observed him for years, we believe he deserves it; and then we allow another man, *upon whom we have conferred no such distinction, or of whom we know nothing*, to drag him before the court of public opinion; and if he will not plead, we condemn him by default.

Its exposures of Tweed were proof that “We are the last for whom silence upon the wrong-doings of public men will be expected.” This was simply not the occasion for a newspaper investigation of a private life.<sup>49</sup>

In 1874 Theodore Tilton published a letter accusing Beecher of an unspecified crime and the floodgates opened. A church committee investigated, and soon Tilton's testimony charging Beecher with adultery leaked to the papers. Reporters mobbed the leading witnesses; the papers published private letters between Tilton, Mrs. Tilton, and Beecher, which seemed to contain damning evidence.



NEW YORK PEDESTRIANS READING MR. TILTON'S STATEMENT.

**Figure 2:** New York pedestrians reading Mr. Tilton's statement. *Frank Leslie's Illustrated Newspaper*, August 8, 1874.

The church committee exonerated Beecher, and Tilton then brought a civil suit for damages. That case remained in court from January to July of 1875. By the time of the trial's end, with the jury unable to return a verdict, newspapers and national magazines had been engaged in a year-long debate over journalism's place in people's private lives.

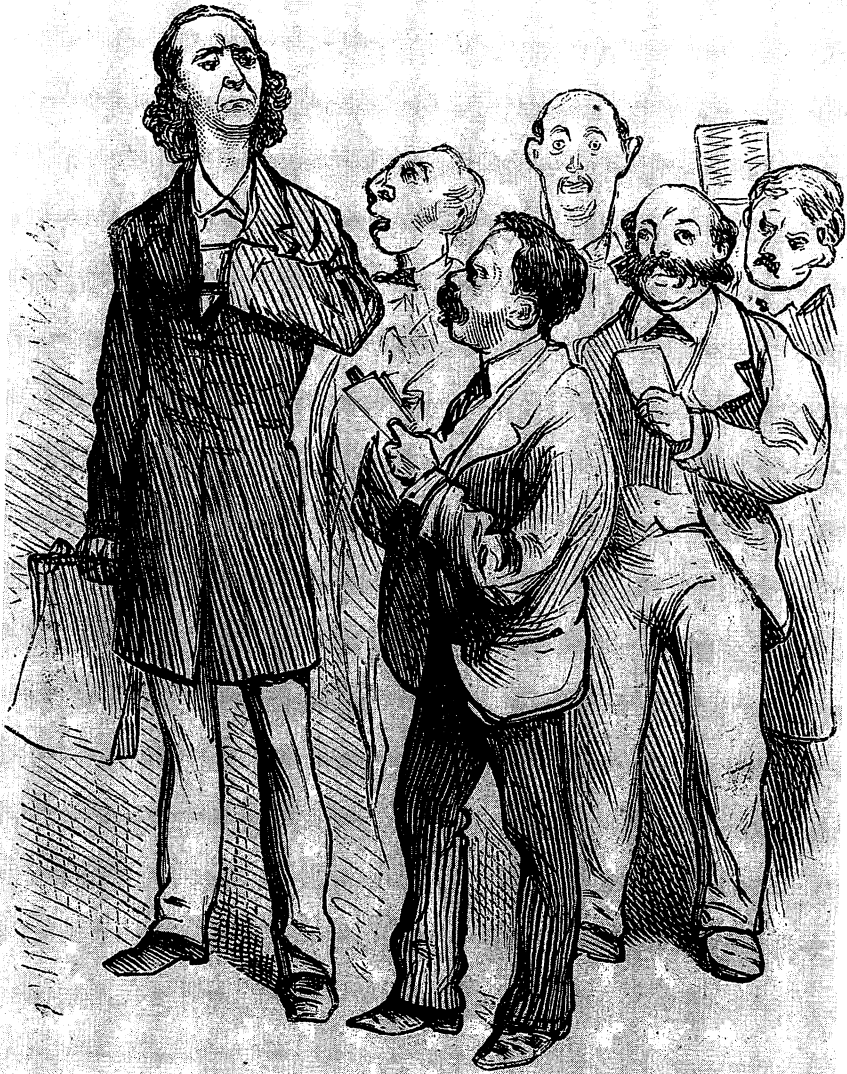
Throughout the entire evening the newsboys were thick and noisy in their shouts of 'Extra' and on every doorstep one or more of the evening papers were anxiously scanned.

*New York Tribune*, July 22, 1874

Ministers had been charged with corrupting female parishoners before. Throughout the nineteenth century, popular pamphlets had chronicled their sensational trials.<sup>50</sup> Yet, something about Beecher was different. Even if surface details fit into an existing genre, the Beecher case swiftly moved beyond all precedents. Like the McFarland or Fisk scandals, but on a monstrously magnified scale, the Beecher-Tilton story blossomed and flourished in the newspapers. All the machinery of daily news coverage combined to drive the production and distribution of this single story. The volume of columns at times filled from a quarter to a half of all available space. The story dwarfed everything else in the news.<sup>51</sup> "No investigation into Congressional corruption, or Custom-house frauds, or Ring thievery, had anything like the hold upon the public mind which was taken by this inquiry with regard to the conduct of one man toward one woman," *The Galaxy* magazine observed.<sup>52</sup>

The contrast with official wrongdoing suggested a crucial question: what was the "public" importance of the Beecher case? The *New York Sun* simply asserted it. Others felt the need to explain. The *Times* experimented with several justifications that echoed its explanations in earlier scandals: "The mere publication of the details . . . was a very unpleasant duty, but we did not see how that duty could be evaded," it wrote early in the summer. The "sworn and signed statement" accusing Beecher, and his response, "seems to us . . . public documents, such as a newspaper has no right to suppress." A month later, though, it reminded other papers of their primary responsibility. If the scandal did not fade by election time, "the average voter will be still talking about Beecher and Tilton instead of [gubernatorial candidates] Dix and Tilden." Other editorials saw the potential for a societal crisis. The *New York Tribune* wrote that unless Beecher responded to the charges against him immediately, "the most famous pulpit the world has ever seen, since Paul preached on the Hill of Mars, is silenced, the life of the greatest preacher in the world is ended."<sup>53</sup>

Interviews mushroomed and justifications became obscure as reporters sought any speck of new information while the church inquiry ground on in the



**THEODORE TILTON INTERVIEWED BY REPORTERS.**

**Figure 3:** Theodore Tilton interviewed by reporters. *Frank Leslie's Illustrated Newspaper*, August 8, 1874.

summer of 1874. Articles including interviews often offered lengthy justifications and elaborate stratagems for the journalist's meeting with a subject. In August, for example, a *New York Herald* reporter saw Theodore Tilton on the street:

. . . walking sedately along, as though endeavoring to appear unconscious of the curious glances that were cast at him by the passerby. . . . There was however, an unmistakable twinkle or twitching of his eyes, which, *to a close observer, could not fail to indicate the quiet inward satisfaction he felt at being the observed of all observers.* The *Herald* representative, seeing his opportunity, and being recognized by Mr. Tilton, entered into conversation with him. . . .<sup>54</sup>

Note, an *occasion* was required to permit the reporter's invasion of privacy. As in the earlier scandals, the object of scrutiny was portrayed reveling in his visibility; this was tantamount to an invitation. The chance meeting (seeing the subject on a street, a ferry, leaving home) created an ethos of spontaneity that softened the unnatural picture of a reporter questioning someone and reporting the conversation. Virtually any meeting between reporter and subject was described as a proper social encounter of salutation, conversation, and departure, even if the substance of the report was the subject saying that he had nothing to say.

Reporters began to mine emotions beneath the layer of correct behavior. Tilton was the primary target of a practice which had brief use in the McFarland-Richardson scandal, the ambush interview. As he got off a bus or left a house where he had been secluded, he was confronted with newspaper accounts of his "secret" testimony or, several days later, his wife's denial of his charges. On each occasion newspaper readers were treated to the apparently novel scene of a man caught off-guard. Even the *Times* participated in this exercise: "He snatched the paper hastily, became exceedingly nervous, his face flushed, and he evinced much agitation of mind" (July 24, 1874). As in the McFarland story, the "news" seemed to be the audience's sharing of the emotions of the subject.

Henry Ward Beecher enjoyed double-edged encounters with reporters. He was always understanding: "The reporter then apologized for calling upon him, but Mr. Beecher said he was perfectly free to do what he considered to be his duty," and in declining to comment, as he almost always did, Beecher was doing the same (*New York Times*, Dec. 27, 1874). But Beecher and his supporters actively shaped the story. After his gracious refusal, the minister told the reporter that Mr. Shearman, the church clerk, lived close by and "that probably he might be disposed to furnish the information required." Other papers also found Beecher unwilling but "Mr. Shearman Communicative" (*New York Tribune*, July



REV. HENRY WARD BEECHER PURCHASING EXTRAS FROM THE NEWSBOYS.

Figure 4: Rev. Henry Ward Beecher purchasing extras from the newsboys. *Frank Leslie's Illustrated Newspaper*, August 8, 1874.

11, 1874). As well as being Plymouth Church secretary, attorney Thomas Shearman was Beecher's unofficial *press* secretary. While Beecher pled a policy of detachment, Shearman blasted Tilton's every move. He complained privately to editors about supposed misuse of statements leaked to them or heaped effusive praise on those sympathetic to Beecher.<sup>55</sup>

Editorials proclaimed their disgust with scandal coverage. The *Boston Globe* refused to publish the details of Tilton's charges. The families who bought the paper preferred not to read "indecent matter merely because it is connected with events or persons who excite a great deal of public interest." Other papers around the nation warned the story was "not for the perusal of young girls," and referred to the "sickening recital" of "revolting domestic revelation[s]."<sup>56</sup> It might be reasonable, then, to assume that when little happened in the church committee the newspapers would simply stop covering the story. The *New York Times* reported the scandal's demise more than once. But for the *Times* and other papers the story had become a dependable daily feature, tucked in between reports on racing at Saratoga and the Jersey shore resorts.

Most turned their attention during fallow periods to what the *Herald* called "the social and domestic side of this tragedy" (August 13, 1874). Some papers reprinted an interview with residents of Tilton's hometown that revealed a supposed family history of insanity. The next week the *New York Tribune* interviewed Tilton's parents who had "no little hostility to newspaper representatives" (August 8). The *World*, meanwhile, followed the vacation of a key witness. In every small town he stopped, even to change trains, reporters were there to greet him. The *World* reporter put the others off the scent by registering the man at every Boston hotel (this intervention into the story seemed to require no comment). The witness finally left for New York with two writers trailing after him. "Did he find two Brooklyn reporters sitting on each side of his door-step when he got there, I wonder?" (August 20).

The *Nation's* editor, E.L. Godkin, was outraged. He felt newspapers played to the public's lowest instincts. The scandal particularly incurred his wrath because he also believed that Beecher represented the "mental and moral chaos" that plagued the broader culture.<sup>57</sup> This had particular relevance for journalism's role in maintaining the public sphere. "There is not a house in the country in which the defendant is not, week after week, put on his trial," Godkin wrote.

. . . nothing is frivolous or irrelevant or untrustworthy. It puts rumors, suggestions, theories, suspicions, reminiscences, hints, the idle gossip of the sidewalk, and the solemn assertions of the eye-witness on about the same level.<sup>58</sup>

Godkin's attack demonstrated the growing importance of the press itself in the scandal story. In the weeks following the *Nation's* article, editorials debated "The Trial by Newspaper."



Was there a real difference among the New York dailies? Some editors felt that on any day "there are six or seven morning papers . . . which are morally certain to have more or less detailed accounts . . . of precisely the same events."<sup>59</sup> Nonetheless, every paper attacked its rivals. Such editorials, common at this time, have been seen as crucial in the creation of a paper's identity.<sup>60</sup> A nineteenth-century observer speculated that the practice had less to do with internal identity and more to do with cementing a relationship with consumers. A newspaper editor was telling readers that they "are partners with him in his business"; he "heightens the effect of the compliment . . . by drawing attention to the low quality of the wares with which the subscribers of his rival are content."<sup>61</sup> Each paper's identity became clearer on the editorial page. *Times* editorials, for example, had been described as "cold, hard, and utilitarian," written "with the precision of a judge, always seeming to be charging a jury."<sup>62</sup>

In this case, the *Times* could not decide. In some respects it was a militant defender of personal privacy. It told readers when it received the supposedly secret reports of the church committee hearings, "We print such portions of it as we can conceive to be of any value to the public" (July 27, 1874). But it also argued that the scandal "has been forced on the attention of the public" and that "questions . . . asked by thousands of persons" required answers (August 3). After the committee reported, the *Times* expressed the hope that "our readers will not expect us to publish any more statements, explanations, or reports of this offensive, not to say loathsome subject. There is demand for such reading, we are sorry to say" (August 29). More statements appeared and the *Times* published them, accompanied by sour editorial comment.

The *New York World* looked beyond each day's revelation to ask a fundamental question: why was *any* newspaper the appropriate arena for airing private conflicts simply because one party to the fight had made a public statement? Who had nominated the press to be Beecher and Tilton's "court, judge, and jury," when there were as yet no witnesses?<sup>63</sup>

*World* editor Manton Marble had once said a journalist was "a merchant of news," who "sells it in any market not stocked with his commodity."<sup>64</sup> The *World* had briefly made extensive use of interviews and covered earlier scandals with sensational zeal.<sup>65</sup> During the Beecher scandal Marble imposed a different notion of merchandising. All reporting beyond "evidence bearing upon the truth or falsehood of Tilton's published charges" was out of bounds. He ridiculed any newspaper that "insists upon regarding itself as a kind of apostle" for the public by publishing more. It was "a pimp, because there are so many people who have ignoble sentiments to be pandered to."<sup>66</sup>

While every other newspaper said the scandal may have started as a private matter but had been forced into the public view, the *World* asked:

What possible interest can any decent man have in the matter which makes it necessary that he and his family,

not belonging to the Plymouth Church, should be compelled to wade with the committee through all the slops and ordure so plentifully poured forth about them by the parties to the investigation? (August 8, 1874)

Ultimately, the paper proposed the creation of a special magazine, “*The Tilton Home-Journal*, in which all the as-yet unpublished love-letters, butchers’ bills, dress-makers’ receipts . . . and miscellaneous emotional poetry of the Tilton household . . . could be duly co-ordinated and made public from time to time” (August 23). The other papers ignored the *World’s* demand that they justify their scandal coverage. They focused instead on the practice they all employed to breach the boundaries between public and private. Some embarked on an editorial crusade against the interview.

“Everyone who has, or is supposed to have any possible information concerning the parties . . . or concerning their relations and intimate friends . . . has been subjected to a searching examination by a crowd of so-called ‘representatives of the press,’” the *Times* complained in its editorial “The Abolition of Privacy.” “None are exempt from questioning which is to the last degree impertinent and which, since its avowed object is publicity, is in many cases despicable.” It railed against the desire “to go into the hidden recesses of hearts and households, to rake the gutters and swab the sewers of private life.”<sup>67</sup> Other papers entered the fray. “It is almost a matter of course now-a-days for young gentlemen of the press, note-book in hand, to force their way into a private citizen’s bed-room, and ask what he thinks about the rumored infidelity of his wife,” the *New York Tribune* said.<sup>68</sup>

“Have we to-day, any such thing in America as private life,” *Scribner’s Monthly* asked, when newspapers “must send its prying interviewers out among the ranks of private men”? The interview threatened “the barriers that have been gradually built about the affairs of the family,” the *Times* warned.<sup>69</sup> Yet, no newspaper renounced its use. Some offered inconsistent defenses that left their precise concern in the practice vague at best. The *New York Tribune* argued interviewing had revealed all kinds of wrongs—and kept the public informed in a case “that has certainly needed constant watching” (August 18, 1874). Without such scrutiny, the investigation might never have happened at all. At the scandal’s outset, that had been precisely what the *Tribune* (and others) had said it wished had occurred—that there had never been an investigation.

Each paper suggested it was easy to recognize an acceptable interview. For the *Boston Globe*, a reporter “should conduct himself like a gentleman visiting another on a matter of business.” The *New York Sun* saw no problem. Interviews were merely “a very convenient method by which any gentleman whose ideas are important enough to the public to hear them can state his opinions.” Even if it saw the opposition as overly squeamish, the populist *Sun’s* defense of interviews still implied that they were reserved only for “any distinguished citizen” (September

1, 1874). For the *Times*, “Whatever can be learned in decent ways as to any truly public matter,” was “the proper business of the journalist” (August 20). But there was still no clear definition of what was a “truly public matter.” One Midwestern newspaper argued the press itself was the arbiter of that question.

This disgusting Beecher scandal has so shocked the moral sense of the community that well-conducted children do not ask to see the morning paper until after their parents have finished.

*Chicago Tribune*, August 12, 1874

While East Coast papers bemoaned the consequences of their reporting, the *Chicago Tribune* embraced the scandal and poured mockery and abuse on the papers in “Gotham.” It had little patience with the New York press’ moralizing. The rest of the nation was deeply suspicious of Beecher, it said, and the New York press protected him. While New York reporters ambushed Theodore Tilton, the Chicago paper treated him sympathetically. It was rewarded with the one unqualified scoop of the scandal after Tilton gave its correspondent the private letters of the three principals.<sup>70</sup>

The Chicago paper claimed the mantle of spokesman for the entire nation. “Mr. Beecher must stand at the bar of the American people, not six men but 40,000,000 are his judges,” it stated early in the scandal. Publication of the Tilton letters fulfilled this responsibility: “We felt the public were disgusted” with the Brooklyn church investigation; “it has forfeited the confidence of the American people . . . therefore, the time had come to transfer the case . . . to the tribunal of American impartiality.” The *Tribune* presented itself as the instrument of that change.<sup>71</sup>

The *Tribune*’s stance reflected its editor’s belief that the paper was an independent advocate for the Western region of the nation against the East.<sup>72</sup> When long-time editor Joseph Medill returned to the paper after resigning as Chicago’s mayor, the editorial page lost some of its breezy contempt for issues of privacy and decorum. Nonetheless, the paper offered aggressive coverage of the scandal; the New York papers would refine this claim to call the court of public opinion into session.

The *New York World* stood virtually alone against the others. It was undoubtedly an anachronism in the 1870s for its continued alliance with the Democratic Party as it tried to steer an “independent” course. The *World* was losing money, more than \$700 a week in 1874 and \$1300 a week in 1875.<sup>73</sup> Sensational coverage might have brought in more readers, but the *World* refused. The *Boston Globe* wrote staid accounts by New York standards; its circulation rose from 10,000 to 30,000.<sup>74</sup>

“Strange that the *New York World* after reviling the Rev. Beecher so long and so savagely should now be defending him,” remarked New York lawyer and

diarist George Templeton Strong. The *World* attempted a precarious position as a “Trustworthy Organ of Opinion with candor, with steady devotion to sound public and private morals.” In reporting events linked to Democratic Party interests it was deeply and unreservedly partisan.<sup>75</sup> But, this “Organ of Opinion” felt less need to make non-political news a drama. The editor felt free to ask, as one of his staff said in a note to him, “is the case trying before a court or in the gutter? By the rules of law or by the reporters?”<sup>76</sup>

The independent papers, no longer representing a political ideology, had to represent *something*. They became more dependent, therefore, on volatile measures of social stability. In this uncertain world, the press could still be sure of itself. Editorials often invoked newspapers’ “high mission” and responsibility. A hyperbolic editorial written before the scandal reveals a growing sense of anxiety about a world unhitched from older moorings and the outlines of an increasingly strident argument that journalism must maintain equilibrium:

In one aspect, the press is the real pulpit of the time, crying out against crime, and pleading for honor and honesty. . . . it is the aegis which protects the administration of justice. . . . it is the State, bringing Presidents, and Senators, and Representatives, to the bar of public opinion.<sup>77</sup>

The *Chicago Tribune* used similar tones to announce that “the Press emancipated the people from the despotism of the Church; it taught them to read, write, and think for themselves.”<sup>78</sup> The heavy set of responsibilities that the press claimed it had to bear suggested the necessity of regular, careful scrutiny of challenges to social order. It also implied the need to expand what could be defined as representing public importance and thus of concern to a newspaper. As the Beecher scandal continued, it was this great burden that the press took on and linked to the minister’s fate.

The papers had staked a great deal on Beecher. In some senses, the verdict on him was already in. The *World* sourly summarized the “preposterous” editorial consensus: “to convict Mr. Beecher of adultery would be to shake the foundations of the American church and of the American state” (July 3, 1875). One historian finds in the “great bundle of editorials, personal interviews, public statements . . . and the endless rehashing of evidence” an “obsessive even a compulsive quality.”<sup>79</sup> The obsession may indeed have been a reflection of national concern that the charge against Beecher represented a threat to fundamental institutions. But this frantic activity tells us something about how journalism was seeing its role in the whole event. The strenuous ideal of the press’ social responsibility implied a broader sort of authority.

Despite its paeans to the court of public opinion, the New York press was uncomfortable conducting a trial by newspapers. At the heart of the editorial uneasiness was a perception that whatever great responsibility they claimed for

themselves they still required an *authorized* venue for their reportage. Editorials emphasized that the Plymouth Church inquiry was not a legal forum. As the *Herald* said, "What was needed at the outset of the whole proceeding was a policeman." In the *Times*, "'the Supreme Court of the People' . . . with a sigh of inexpressible relief . . . will hand over to legal tribunals" all the facts of the case.<sup>80</sup> When the scandal first moved into the familiar precincts of the Brooklyn Courthouse the papers did not follow people around or dig for reactions and scoops. The news was in court, which was where it belonged, they seemed to say.

The civil trial wore on for months. When proceedings stopped briefly in April, one lawyer told the *Times*: "There is absolutely no news in the Beecher case. . . . You must make bricks without straw. . . if you want to write anything about it today" (April 12, 1875). That day, as on all the others, reporters and editorials gathered available rumors and produced fresh speculations. After the crisis of the trial by newspaper, and a growing sense of meaninglessness in the trial in court, there seemed an increased need to find significance in the case and to justify the blanket coverage of an attenuated and sometimes absurd performance.

It was during this time that papers assessed the "Gospel of Love," women's rights, and many of the other cultural issues that historians now describe as also on trial in the Beecher case. For the *Times* and *New York Tribune*, reporting the case itself turned into a duel for respectability. Accuracy became one test of their own relevance. The *Tribune* reminded readers that they possessed the "official" court record. The paper printed each day's entire proceedings, verbatim. Its coverage was "the most complete and correct report of a trial of such magnitude ever made in a daily newspaper" (Jan. 29, 1875); it alone offered such a service to "those seeking to form an impartial opinion of the case" (April 3). The *Times* called the *Tribune's* "'official' reports . . . the laughing-stock of the gentlemen interested in the case," while describing its own version "as unsurpassed by any other report published" (Feb. 3). But when the jury returned, it demanded the last word for itself.

At the beginning of the scandal the *Times* delighted in that "it is no part of our duty to try either Mr. Beecher or Mr. Tilton." By the end, after its many calls to withhold judgment, the paper took an extraordinary step when the jury could not deliver a verdict. In an editorial that covered a full page and a half it explained: "we should ill discharge our duty if, before taking leave of the trial we neglected to review it with some little care." It sifted the evidence and concluded that although the jury could not decide, it would. Beecher was guilty.

The paper had moved from arguing it was the passive receptacle of current events to adopting an activist, judicial stance. The court of public opinion, in the *Times* at least, rendered judgment from the editor's desk. The *New York Sun* celebrated the *Times's* editorial as "the completest, justest, and most impartial summing up of the Beecher case that has yet appeared." More importantly, it noted, "The best and most effective intellectual efforts in connection with this protracted trial have been those of the newspaper press."<sup>81</sup>

This editorial conviction, "A Review of the Evidence," was the final shot in the quest for respectability. It was printed as a pamphlet and quickly went into multiple editions. The paper devoted all necessary editorial space to answer the slightest charge of inaccuracy in its accounting of events. Three years later, when Elizabeth Tilton published a statement that all the charges had been true, the *Times* simply commented that "on the evidence submitted at the trial of Henry Ward Beecher, *The Times* reached the conclusion that he was guilty of the charges brought against him." The letter added nothing to the case (April 16, 1878).

Equally striking was the *Times*' move from a reserved distaste during the trial by newspaper to a bitter disgust with the subject and the public it said clamored for more. It leveled its coldest attacks on those who complained about the saturation coverage. While it maintained the rhetoric of high duty, it sounded an increasingly defensive posture. Readers had brought it on themselves: "a newspaper is merely a slave of the public. It is useless for the public first to demand a certain commodity and then to complain because it is supplied with it" (Feb. 12, 1875). The *Times* suggested "it cannot fight the whole public," and pronounced its exhaustion trying to stem a tide that it blamed on the audience. At the end of the civil trial its reporters chased to interview jurors along with all the other papers. It made no excuses.

The newspapers charged that the mass of individuals, not institutions, bore responsibility for these changes. The *Times* had already indicated this in its crusade against the interview when it blamed people who surrendered to journalistic inquiry:

The American citizen who is coolly asked to submit for publication his opinion as to whether his brother is a scoundrel or his friend a liar. . . does not kick the inquirer down the stairs; he does not even show him the door; he meekly complies with the demand.

If respectable people "visited by a reporter with a request for information to which he is not entitled should treat such visitors with decent resentment, the fire would soon go out for lack of fuel." The fault did not lie with journalism: "It is useless to rail at the newspapers. When people get ready to respect themselves, they will have no difficulty in making the newspapers respect them."<sup>82</sup>

Here was the voice of the future: "The evil in this matter is in human nature and in society, and not in the daily press," said the *New York Sun*. Like the *Chicago Tribune* and *New York Herald*, the *Sun* had treated the scandal from the beginning as a show: "The Play from Real Life" and the "The 'Brooklyn Drama'" were two common headlines.<sup>83</sup> Although other papers insisted they would not comment on the case while it was being tried in court, the *New York Herald* said "there is no more harm in discussing it than for the spectators in the theater to discuss the incidents of the performance between the acts" (Jan. 24, 1875).

The taste for spectacle, however, did not simply force out all serious consideration of political matters after the scandal's conclusion. Instead, the press would increasingly treat public *and* private affairs as dramatic experiences of equal significance. The interview offered a way to bring intimate emotional details to readers' attention. Papers avoided any responsibility for this result. They justified their practices in a rhetoric of journalistic duty that emphasized the newspaper's responsibility for defending the public good. Increasingly, though, that seemed to mean maintaining public morality. The equation of "moral" with "public" that bubbled under the surface of editorial attempts to find significance in Beecher's marathon civil trial began to supersede an editorial position that associated the public with politics and government. Once views were pronounced, the process became abstracted as "the court of public opinion."

A writer in *The Galaxy* hoped that "instead of forecasting an habitual invasion of the provinces of courts and juries by the newspaper of the future," the lesson of the Beecher trial would be that this was an exceptional instance.<sup>84</sup> Once barriers were broken, however, there would be no mending them. The Beecher scandal had shown the way and subsequent coverage would follow its lead, whether the stories were written from the perspective of newspaper as respectable and authorized agent of the public in investigating private life or as tour guide into the spectacle of human frailty. The papers' insistence that responsibility for interactions with newsmen lay with the subjects of press coverage and not with journalism itself became an accepted commonplace. By the twentieth century, these changes promoted a greater detachment from the consequences of coverage. The critical voice throughout the scandal, the *New York World*, was swimming against the tide. Already suffering financial problems, it would go bankrupt only months after the scandal trial, to be purchased years later by Joseph Pulitzer as the vanguard of the yellow-press era.

The mass circulation newspapers at the turn-of-the-century would further enshrine the values that emerged from the ashes of the Beecher scandal. The seeds of a world of celebrities sharing air time with public officials, chased by packs of reporters, and watched by alienated inside-dopester spectators had been planted in attempts to shape the changing public sphere.<sup>85</sup> In the twentieth century there would be little questioning of the reasons for examining people's private lives.

#### NOTES

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1. "The Abolition of Privacy," *New York Times*, August 4, 1874, 4.
2. Paul Carter has a key interpretation of the Beecher case in *The Spiritual Crisis of the Gilded Age* (DeKalb, Ill., 1971). Richard Fox offers a particularly sophisticated reading in "Intimacy on Trial: Cultural Meanings of the Beecher-Tilton Affair," in Fox and T.J. Jackson Lears, *The Power of Culture* (Chicago, 1993). For a rhetorical analysis of the trial

transcript, A. Cheree Carlson, "The Role of Character in Moral Argument: Henry Ward Beecher and the Brooklyn Scandal," *Quarterly Journal of Speech* 77 (February, 1991), 38-52.

3. Michael Schudson, *Discovering the News* (New York, 1978) and Dan Schiller, *Objectivity and the News* (Philadelphia, 1981) are now the standard accounts of the penny press. For a dissenting view, see John C. Nerone, "The Mythology of the Penny Press," *Critical Studies in Mass Communication* 4 (December, 1987), 376-404, and "Responses," 405-22. Quotation in Dan Schiller, "An Historical Approach to Objectivity and Professionalism in American News Reporting," *Journal of Communication*, 29 (Autumn, 1979), 47.

4. For example see Michael and Edwin Emery, *The Press and America*, 6th ed. (Englewood Cliffs, NJ, 1988); Sidney Kobre, *Development of American Journalism* (Dubuque, Iowa, 1969); Frank Luther Mott, *American Journalism*, 3d ed. (New York, 1962).

5. Hazel Dicken-Garcia treats privacy as a given in *Journalistic Standards in Nineteenth-Century America* (Madison, Wisc., 1989). See, for example, 110-15, 184-96. Milton Rugoff, *America's Gilded Age* (New York, 1989), 145-46, 183-212; John D. Stevens, *Sensationalism and the New York Press* (New York, 1991); also see Warren Francke, "Sensationalism and the Development of 19th-Century Reporting: The Broom Sweeps Sensory Details," *Journalism History* 12 (Winter-Autumn, 1985), 80-84.

6. Carter, *The Spiritual Crisis of the Gilded Age*, 246, n. 22; 116. Histories of the *New York Sun* portray editor Charles Dana single-handedly toppling Beecher; the reality was more complex. Charles J. Rosebault, *When Dana Was The Sun* (New York, 1931), 212-16. Janet Steele repeats this tale in a recent study, *The Sun Shines for All: Journalism and Ideology in the Life of Charles A. Dana* (Syracuse, 1993), 125-26. For more modest claims see Elmer Davis, *History of the New York Times, 1851-1921* (New York, 1921), 124-125; Harry W. Baehr, Jr., *The New York Tribune Since the Civil War*, (New York, 1936), 133.

7. Rochelle Gurstein, *The Repeal of Reticence* (New York, 1996) offers fascinating commentary on the relation between journalism and ideas of privacy in the 1890s and after; Robert E. Mensel, "'Kodakers Lying in Wait' Amateur Photography and the Right of Privacy in New York, 1885-1915," *American Quarterly* 43 (March, 1991), 24-45.

8. Jürgen Habermas, *The Structural Transformation of the Public Sphere*, translated by Thomas Burger with the assistance of Frederick Lawrence (Cambridge, MA, 1989), 106-7, 169, 170.

9. Michael Schudson, "Was there Ever a Public Sphere? If So, When? Reflections on the American Case," as well as other essays in *Habermas and the Public Sphere*, edited by Craig Calhoun (Cambridge, MA, 1992).

10. Habermas, *The Structural Transformation of the Public Sphere*, 171-72; "Uses and Abuses of Journalism," *New York Times*, August 3, 1869.

11. Philip J. Ethington, "Hypotheses from Habermas: Notes on Reconstructing American Political and Social History, 1890-1920," *Intellectual History Newsletter* 14 (1992) urges attention to newspapers as a source of an active public sphere on p. 28.

12. Habermas discusses parallel publics in plebeian culture in "Further Reflections on the Public Sphere" in *Habermas and the Public Sphere*, 425-27; also see Mary P. Ryan, "Gender and Public Access," *ibid.*

13. Marvin Meyers, *The Jacksonian Persuasion* (Stanford, 1960), 84-88. Mark Wahlgren Summers, *The Press Gang* (Chapel Hill, 1994), 25-26.

14. David Manning White, "The 'Gate Keeper': A Case Study in the Selection of News," *Journalism Quarterly* 27 (Fall, 1950), 383-90.

15. Nancy Fraser, "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy," and Mary P. Ryan, "Gender and Public Access," discuss the divisions between private and public spheres but do not place a press-defined realm between them. See *Habermas and the Public Sphere*, 109-42, 259-88.

16. Kathy Peiss, "Going Public: Women in Nineteenth-Century Cultural History," *American Literary History* 3 (Winter, 1991), 826.

17. Daniel A. Cohen, *Pillars of Salt, Monuments of Grace: New England Crime Literature and the Origins of American Popular Culture, 1674-1860* (New York, 1993); David Ray Papke, *Framing the Criminal* (Hamden, Conn., 1987).

18. Henry Ward Beecher, "On the Pleasures of Being a Public Man," in *Eyes and Ears* (Boston, 1863), 207, 208.

19. Bernard Weisberger, *Reporters for the Union* (Boston, 1953), 73; Louis M. Starr, *Bohemian Brigade* (New York, 1954), 287; J. Cutler Andrews, *The North Reports the Civil War* (Pittsburgh, 1955).

20. Peter R. Knights, "'Competition' in the U.S. Daily Newspaper Industry, 1865-68," *Journalism Quarterly* 45 (Autumn, 1968), 474; Gerald J. Baldasty, *The Commercialization of News in the Nineteenth Century* (Madison, 1992), 49.

21. Michael E. McGerr, *The Decline of Popular Politics* (New York, 1986) analyzes the significance of declining partisan press in the Gilded Age on 113-35. Also see sources in note 20.



22. Leo Braudy, *The Frenzy of Renown* (New York, 1986), 508-9; Alan Trachtenberg, *The Incorporation of America* (New York, 1982), 125.

23. Trachtenberg, *Incorporation*; Stuart M. Blumin, "Explaining the New Metropolis: Perception, Depiction, and Analysis in Mid-Nineteenth-Century New York City," *Journal of Urban History* 11 (November, 1984), 9-38; John F. Kasson, *Rudeness and Civility* (New York, 1990).

24. *New York Times*, 1874, editorial page.

25. Reid, *Some Newspaper Tendencies, An Address* (New York, 1879), 62-63; Tilton quoted in Charles F. Wingate ed., *Views and Interviews on Journalism* (1875, Reprint edition, New York, 1970), 205.

26. Mark Wahlgren Summers, *The Era of Good Stealings* (New York, 1993), 80; see generally, 62-69.

27. George Turnbull, "Notes on the History of the Interview," *Journalism Quarterly* 13 (September, 1936), 272-79; Nils Gunnar Nilsson, "The Origin of the Interview," *Journalism Quarterly* 48 (Winter, 1971), 707-13. Also see Michael Schudson's recent consideration, "Question Authority: A History of the News Interview," in *The Power of News* (Cambridge, Mass., 1995).

28. Mark Twain, "An Encounter with an Interviewer," in *Lotos Leaves*, edited by John Brougham and John Elderkin (Boston, 1875), 27. A *Dictionary of the English Language* (Springfield, MA, 1876, 1867 edition), 192; *The Century Dictionary*, v. 3 (New York, 1889), 3157-58.

29. Frederic Hudson, *Journalism in the United States, from 1690 to 1872* (New York, 1873), 563-64. "Encounter with an Interviewer," 27.

30. "The 'Saturday Review' on Interviewing," *New York World*, December 3, 1869, 4.

31. "Interviewing," *The Nation*, January 28, 1869, 67.

32. "Interviewers," *New York Times*, February 28, 1870, 4.

33. Robert M. Ireland, "Death to the Libertine: The McFarland-Richardson Case Revisited," *New York History* 68 (April, 1987), 191-217.

34. For Beecher's disagreement with Isaac G. Reed Jr., see exchange printed in *New York World*, December 8, 1869, 5. For Greeley, see *New York Tribune*, December 13, 14, 1869. Hudson, *Journalism in the United States*, 561-62, 564.

35. "M'Farland on the Marriage," *New York Tribune*, December 1, 1869, 5. "The Richardson Tragedy," *Nation* 9 (December 9, 1869), 502; "Editorial Perspective," *Nation*, 10 (January 27, 1870), 55. Dicken-Garcia uses this last article and a portion of the identical quotation in *Journalistic Standards to illustrate press critics' growing concern with "violating private life."* 191. She does not address the specifics of the case.

36. Michael Schudson, "Preparing the Minds of the People: Three Hundred Years of the American Newspaper," in *Three Hundred Years of the American Newspaper*, edited by John B. Hench (Worcester, MA, 1991), 438-39; Also, see Susan Maushart, "Self-Reflexiveness and the Institution of Journalism," *Et cetera: A Review of General Semantics* 43 (Fall, 1986), 278.

37. "Interviewing Extraordinary," *Frank Leslie's Illustrated Newspaper*, December 9, 1871, 194.

38. Quotation in *New York Tribune*, November 26, 1869, 4. On Fisk see Marshall P. Stafford, *The Life of James Fisk, Jr.* (New York, 1872) and W.A. Swanberg, *Jim Fisk: The Career of an Improbable Rascal* (New York, 1959).

39. See for example, "Railways and Romance," *New York World*, January 11, 1871, 4; "Not For Josie," *ibid.*, January 13, 1871, 5; "The Twenty-Third Street Liliad," *New York Tribune*, January 14, 1871, 4.

40. For the interview, "Fiskiana," *New York Herald*, January 18, 1871, 5; for the response, "Blatherskite Interviews," *New York Tribune*, January 19, 1871, 4.

41. "The Catholicity of the Herald and the Sectarianism of the Trombone," *New York Herald*, January 22, 1871, 6.

42. "James Fisk Murdered," *New York Times*, January 7, 1872 (my emphasis).

43. "Uses and Abuses of Journalism," *New York Times*; *New York Herald*, December 2, 1871, 8; "Fisk," *New York Tribune*, January 8, 1872.

44. Clifford E. Clark Jr., *Henry Ward Beecher, Spokesman for a Middle-Class America* (Urbana, 1978); Marie Caskey, *Chariot of Fire, Religion and the Beecher Family* (New Haven, 1978); William G. McLoughlin, *The Meaning of Henry Ward Beecher* (New York 1970); Donald M. Scott, "Knowledge and the Marketplace," in *The Mythmaking Frame of Mind*, edited by James Gilbert, et al. (Belmont, CA, 1993), 91-112.

45. Philip Fisher suggests the idea of a trademark figure in "Appearing and Disappearing in Public: Social Space in Late-Nineteenth Century Literature and Culture," in *Reconstructing American Literary History*, edited by Sacvan Bercovitch (Cambridge, Mass., 1986), 155-88.

46. In addition to Fox's article (n. 2 above), Robert Shaplen, *Free Love and Heavenly Sinners* (New York, 1954) and Altina Waller, *Reverend Beecher and Mrs. Tilton* (Amherst, 1982) offer comprehensive accounts of the scandal.
47. *New York Times*, May 30, 1873, 4, 5; also see editorials that day in the *New York Tribune* and *New York World*; *New York Tribune*, "Too Much Zeal," May 31, 1873, 6.
48. *New York Times*, July 1, 1873, p. 4.
49. "Irresponsible Slander," *New York Times*, July 3, 1873, 4 (my emphasis).
50. Karin Gedge, "'Without Benefit of Clergy': Women in the Pastoral Relationship in Victorian American Culture," (Ph.D. dissertation, Yale University, 1994), 293-367.
51. I read the *New York Times*, *Tribune*, *Herald*, and *World* for the entire scandal and also read significant portions of the *Boston Globe*, *Chicago Tribune* and *New York Sun*. Paul Carter counted 105 stories and 37 editorials in the *New York Times* during the second half of 1874 alone; *The Spiritual Crisis of the Gilded Age*, 115.
52. "Nebulae," *The Galaxy* 18 (September, 1874), 433.
53. "The Beecher Case," *New York Times*, July 30, 1874; *ibid.*, August 24, 1874; *New York Tribune*, July 22, 1874.
54. *Herald*, August 23, 1874, (my emphasis).
55. Whitelaw Reid to Thomas Shearman, July 24, 1874, Whitelaw Reid Papers, Library of Congress, Reel 21; Thomas Shearman to Manton Marble, September 7, 1874, Manton Marble Papers, Library of Congress, v. 37. Also see Waller, *Reverend Beecher and Mrs. Tilton*, 80.
56. "For the Sake of Decency," *Boston Globe*, July 22, 1874. Quotations from *St. Louis Republican*, *Milwaukee Sentinel*, and *Louisville Courier Journal* all reprinted in *Chicago Tribune*, July 23, 1874.
57. James Gregory Murray, "Edwin Lawrence Godkin in The Nation: A Study in Political, Economic, and Social Morality," (Ph.D. dissertation, New York University, 1953), 9; Edward Caudill, "E.L. Godkin and His (Special and Influential) View of 19th Century Journalism," *Journalism Quarterly* 69 (Winter, 1992), 104. These do not discuss his concern with scandals. Thomas Bender, "The Erosion of Public Culture: Cities, Discourses, and Professional Discipline," in *The Authority of Experts*, edited by Thomas Haskell (Bloomington, 1984) discusses Godkin's response to Beecher (not the press coverage of him) in terms of the editor's concern about a declining public sphere.
58. "The Trial by Newspaper," *Nation*, July 30, 1874, 70-71.
59. Whitelaw Reid was not discussing the Beecher scandal when he made this observation, *Views & Interviews*, 38.
60. Maushart, "Self-Reflexiveness and the Institution of Journalism," 273.
61. E.L. Godkin, "The Mystery of the Newspaper," *Nation*, August 12, 1875, p. 105.
62. J.C. Goldsmith, quoted in *Views and Interviews*, 106-7.
63. "Mr. Beecher and the Newspaper Press," *New York World*, July 13, 1874; "The Brooklyn Scandal," *ibid.*, July 26, 1874.
64. Quotation in Wingate, *Views and Interviews*, 216.
65. See articles cited in notes 30 and 39. George T. McJimsey, *Genteel Partisan: Manton Marble, 1834-1917* (Ames, Iowa, 1971) discusses the tenure of David Goodman Croly, managing editor during the *World's* more energetic period, on 96-97. Marble was the *World's* editor and publisher.
66. "The Press and the Scandal," *World*, July 31, 1874.
67. "The Abolition of Privacy," August 4, 1874; last quotation, August 13; also see *New York Times* editorials on August 2, 9, 16, 20, 31.
68. *New York Tribune*, August 18, 1874; also see "Interviewing and Its Abuse," *Boston Globe*, August 21, 1874; "A Dirty Business," *Philadelphia North American and United States Gazette*, August 12, 1874.
69. "Our Newspapers," *Scribner's Monthly* 9 (April, 1875), 755; *New York Times*, August 4, 1874.
70. "Beecher and the New York Press," *Chicago Tribune*, August 24, 1874; see also August 20.
71. "The Country Press and the Beecher Scandal," *Chicago Tribune*, July 27, 1874; "The Tilton Letters," *ibid.*, August 13, 1874; *ibid.*, August 24.
72. Commentators at the time also perceived a regional split of opinion on Beecher; see "Chromo-Civilization," *Nation*, September 24, 1874, 201. Harris L. Dante, "The Chicago Tribune's 'Lost' Years, 1865-1874," *Journal of the Illinois State Historical Society* 58 (Summer, 1965), 139, 144 describes this period and the editor's stand on the West, although without reference to the scandal.
73. McJimsey, *Genteel Partisan*, 178-179; Sister Mary Cortena Phelan, *Manton Marble of the New York World* (Washington, D.C., 1957), 75-91.
74. A history of the *Globe* offers the Beecher story as an object lesson of a realistic business manager and an overly fastidious and out-of-date editor. Had the *Globe* published

the same material in New York, it might not have met with the same success. Louis M. Lyons, *Newspaper Story, One Hundred Years of the Boston Globe* (Cambridge, Mass., 1971), 22-23.

75. *Diary of George Templeton Strong*, v. 4, edited by Allan Nevins and Milton Halsey Thomas 4 vols., (New York, 1952), 535. During the Fisk scandal, the *New York Times* speculated: "the zest with which the *World* once more assails Mr. Fisk, Jr. . . . no doubt proceeds from an expectation that Fisk's fortunes are on the wane, and that the *World's* Tammany masters may find it expedient to sever the alliance." "The Erie Scandal," January 14, 1871.

76. William Henry Hurlbert to Marble, August, 1874; see the letters of John R. Howard to Marble, July 11, 1874, and Charles Beecher to Marble, August 3, 1874, for expressions of thanks for this stance. Manton Marble Papers, Library of Congress, v. 37.

77. "The High Mission of the Press," *New York Herald*, June 1, 1873.

78. "The Press and the Legal Profession," *Chicago Tribune*, April 3, 1875.

79. Carter, *Spiritual Crisis of the Gilded Age*, 118.

80. *New York Herald*, July 28, 1874; *New York Times*, Sept. 19, 1874; "The Brooklyn Scandal," *ibid.*, March 20, 1875.

81. *New York Times*, July 24, 1874; "A Review of the Evidence," *ibid.*, July 3, 1875. *New York Sun*, July 5, 1875.

82. "The Abolition of Privacy." Compare Andie Tucher's conclusion to her recent study of the penny press and sensational murder, *Froth & Scum* (Chapel Hill, 1994), 208-9.

83. "The Press and the Scandal," *New York Sun*, August 27, 1874. Also see August 5, 6, 20, 1874.

84. Philip Quilbet [George E. Pond], "The Press and the Tilton Mess," *The Galaxy* 19 (June, 1875), 845.

85. See David Riesman on the "inside-dopester," *The Lonely Crowd* (New Haven, 1950), 199-227.