

THE LADIES' APPEAL.

MEMORIAL FROM THE WOMEN OF UTAH TO THE PRESIDENT AND CONGRESS.

The committee appointed at the Ladies' Mass Meeting, on March 6th, to memorialize the President and Congress of the United States in relation to the treatment received by the people of Utah, have completed their work, and the following is the

MEMORIAL.

To the Honorable President, and the Senate and House of Representatives of the United States in Congress Assembled:

GENTLEMEN—We, your memorialists, respectfully represent that at a mass meeting of the women of Utah, held in the Theatre, Salt Lake City, March 6, 1886, attended by over two thousand ladies, representing the wives, mothers, sisters and daughters of the whole Territory, the following resolutions were unanimously adopted:

PREAMBLE AND RESOLUTIONS OF THE WOMEN OF UTAH IN MASS MEETING ASSEMBLED:

Whereas, The rights and liberties of women are placed in jeopardy by the present cruel and inhuman proceedings in the Utah courts, and in the contemplated measure in Congress to deprive the women voters in Utah of the elective franchise; and,

Whereas, Womanhood is outraged by the compulsion used in the courts of Utah to force mothers on pain of imprisonment to disclose their personal condition and that of their friends in relation to anticipated maternity, and to give information as to the fathers of their children; and,

Whereas, These violations of decency have now reached the length of compelling legal wives to testify against their husbands without their consent, in violation both of written statutes and the provisions of the common law, therefore, be it

Resolved, By the women of Utah in mass meeting assembled, that the suffrage, originally conferred upon us as a political privilege, has become a vested right by possession and usage for fifteen years, and that we protest against being deprived of that right without process of law, and for no other reason than that we do not vote to suit our political opponents.

Resolved, That we emphatically deny the charge that we vote otherwise than according to our own free choice, and point to the fact that the ballot is absolutely secret in Utah as proof that we are protected in voting for whom and what we choose with perfect liberty.

Resolved, That as no wife of a polygamist, legal or plural, is permitted to vote under the laws of the United States to deprive non-polygamous women of the suffrage is high-handed oppression for which no valid excuse can be offered.

Resolved, That the questions concerning their personal condition, the relationship they bear to men marked down as victims to special law, and the paternity of their born and unborn children, which have been put to women before grand juries and in open courts in Utah, are an insult to pure womanhood, an outrage upon the sensitive feelings of our sex and a disgrace to officers and judges who have propounded and enforced them.

Resolved, That we honor those noble women who, standing upon their rights and refusing to reply to improper and insulting questions such as no true man nor any court with any regard for propriety would compel them to answer, have gone to prison and suffered punishment without crime, rather than betray the most sacred confidence and yield to the brutal mandates of a little brief authority.

Resolved, That the action of the District Attorney and the Chief Justice of Utah in compelling a lawful wife to testify for the prosecution in a criminal case involving the liberty of her husband and in face of her own earnest protest, is a violation of laws which those officials have sworn to uphold, is contrary to precedent and usage for many centuries, and is an invasion of family rights and of that union between husband and wife which both law and religion have held sacred from time immemorial.

Resolved, That we express our profound appreciation of the moral courage exhibited by Senators Call, Morgan, Teller, Brown and others, and also by Mrs. Belva H. Lockwood, who, in the face of almost overwhelming prejudice, have defended the constitutional rights of the people of Utah.

Resolved, That we extend our heartfelt thanks to the ladies of the Woman Suffrage Association assembled in Boston, and unite in praying that God may speed the day when both men and women shall shake from their shoulders the yoke of tyranny.

Resolved, That we call upon the wives and mothers of the United States to come to our help in resisting these encroachments upon our liberties and these outrages upon our peaceful homes and family relations, and that a committee be appointed at this meeting to memorialize the President and Congress of the United States in relation to our wrongs, and to take all necessary measures to present our views and feelings to the country.

The following ladies were selected as a committee to draft and present a

memorial to the President and Congress: Mrs. S. M. Kimball, Mrs. E. S. Taylor, Dr. R. B. Pratt, Mrs. M. I. Horne, Salt Lake City; Mrs. Mary John, Provo; Mrs. Mary Pitchforth, Nephi; Mrs. H. C. Brown, Ogden; Miss Ida I. Cook, Logan; Miss Ida Coombs, Payson.

In pursuance of this appointment we present the following in behalf of the women of Utah:

On the 22nd of March, 1882, an act of Congress was passed which is now commonly known as the Edmunds law. It was generally understood to have been framed for the purpose of settling what is called the Utah question, by condoning plural marriages up to that date and preventing their occurrence in the future, and also to protect the home, maintain the integrity of the family and shield innocent women and children from the troubles that might arise from its enforcement. But instead of being administered and executed in this spirit, it has been made the means of inflicting upon the women of Utah immeasurable sorrow and unprecedented indignities, of disrupting families, of destroying homes, and of outraging the tenderest and finest feelings of human nature.

The law has been so construed by the courts as to bring its penalties to bear upon the innocent. Men who had honestly arranged with their families so as to keep within the limits of the law, have been punished with the greatest possible severity, and their wives and children have been forced before courts and grand juries, and compelled to disclose the most secret and private relations which in all civilized countries are held sacred to the parties. The meaning of the law has been changed so many times that no one can say definitely what is its significance. Those who have lived by the law, as interpreted in one case, find, as soon as they are entrapped, that a new rendering is constructed to make it applicable to their own. Under the latest ruling, a man who has contracted plural marriages, no matter at how remote a date, must not only repudiate his families and cease all connection with them, but if he is known to associate with them in the most distant manner, support them and show any regard whatever for their welfare, the offense of unlawful cohabitation is considered to have been fully established, and he is liable to exorbitant fines and imprisonment for an indefinite period, one district judge holding that a separate indictment may be found for each day of such association and recognition. In the case of Solomon Edwards, recently accused of this offense, it was proven by the evidence for the prosecution, that the defendant had lived with one wife only since the passage of the Edmunds Act, but after having separated from his former plural wife, he called with his legal wife at the former's residence to obtain a child, an agreement having been made that each party should have one of the two children, and the court ruled that this was unlawful cohabitation in the meaning of the law, and defendant was convicted.

In the case of Lorenzo Snow, now on appeal to the Supreme Court of the United States, the evidence for the prosecution showed that the defendant had lived with only one wife since the passage of the Edmunds law, that he had not even visited other portions of his family except to call for a few moments to speak to one of his sons, but because he supported his wives and children and did not utterly and entirely cast them off, under instructions of Judge Orlando W. Powers, he was convicted three times for the alleged offense and sentenced in each case to the full penalties of the law, aggregating \$3000 fine besides costs, and eighteen months' imprisonment. The judge stating in his instructions to the jury: "It is not necessary that the evidence should show that the defendant and these women, or either of them, occupied the same bed, slept in the same room or dwelt under the same roof." "The offense of cohabitation is complete, when a man, to all outward appearances is living or associating with two or more women as his wives." "Thus women who are dependent upon the men whom they regard as their husbands, with whom they have lived, as they have regarded it, in honorable wedlock, must not only be separated from their society and protection, but must be treated as outcasts and be driven forth with their children to shame and distress, for the bare 'association' of friendship is counted a crime and punished with all the severity inflicted upon those who have not in any way severed their plural family relations."

In order to fasten the semblance of guilt upon men accused of this offense, women are arrested and forcibly taken before sixteen men and plied with questions that no decent woman can bear without a blush. Little children are examined upon the secret relations of their parents, and wives in regard to their own condition and the doings of their husbands. If they decline to answer they are imprisoned in the penitentiary as though they were criminals. A few instances we will cite for your consideration:

In the Third District Court Nov. 14, 1882, Annie Gallifant, having been asked by the Grand Jury a number of questions which she declined to answer, one of them being as to the name of the man to whom she was married, she was brought into court, and still declining, was sent to the penitentiary where, although daily expecting to become a mother, she was kept till the Grand Jury was discharged. On the trial of John Connelly. She was again brought into court and asked: "When

did you first cohabit with your husband?"

"How long after you commenced cohabiting with your husband was it that your child was born?"

Miss B. Harris was sentenced to fine and imprisonment in the Second District Court at Beaver, by Judge Twiss, because she declined to answer whether she was a married woman, and if so, who was her husband. She was taken to the penitentiary, a building used for the confinement of criminals of the most hideous types, with her babe in her arms, and leaving one behind with her mother. When asked the questions mentioned, by the grand jury, she answered, "Gentlemen, you have no legal right to ask this question, and I decline to answer it."

The question was an insult and a vile insinuation of departed virtue; and yet were she a public prostitute, no such question would ever be asked. She was fined \$25 and imprisoned three and a half months, when she was released by Judge Twiss. She is a lady with strength of character, who was defending a principle; her right as a witness was as a sacred as any right recognized in courts. She was a martyr to personal right, and in defense of a vital principle of freedom. The question was not directed to her knowledge of any crime, but to her social relation to another, she not being charged with any crime.

On May 22, 1884, in the same court, Nellie White for refusing to answer personal questions in regard to her relations with Jared Roundy, was sent to the penitentiary, under the same roof with murderers, burglars and other convicts, and confined there until July 7th, the Grand Jury being kept over and not discharged for the purpose of protracting her imprisonment until the beginning of a new term.

In the court of U. S. Commissioner McKay, June 20, 1885, Elizabeth Ann Starkey was brought in as a witness against Charles S. White. On refusing to answer the question, "Have you ever in this county, within the last two years, occupied the same bed with defendant," she was sentenced to one day's imprisonment and a fine of \$50, and placed in the custody of the U. S. Marshal until payment.

On June 22d, she again declined to answer, and was fined \$100 and committed until payment.

On June 24th she refused to answer similar personal questions to the grand jury, and was committed to the penitentiary until August 21st, but was again imprisoned and kept till October 6th. While in prison she was approached and grossly insulted by an employee of the Marshal's.

On the 15th of September, 1885, Eliza Shafer was sent to the Penitentiary for refusing to answer the question "Have you, within three years last past lived and cohabited with J. W. Seel as his wife?" The Court ordered her imprisonment until the question was answered.

On February 15th, 1886, Mrs. Martha T. Cannon was brought into the Third District Court, and the Grand Jury complained that she would not answer certain questions, among them the following: "Are you not now a pregnant woman?" "Are you not now with child by your husband, George Q. Cannon?" On still declining to answer, the Court adjudged her guilty of contempt, and pending sentence she was placed under bonds of \$2,500, which were subsequently raised to \$5,000.

On March 2d, 1886, Miss Huldah Winters was arrested by Deputy Marshal Vandercook at her home in Pleasant Grove, forty miles distant, no charge being preferred against her, but it was suspected that she was a plural wife of George Q. Cannon. She was brought to Salt Lake City and conducted to the Court House, where she was required to furnish bonds for \$5,000 for her appearance from time to time as she might be wanted.

Under the suspicion that any woman or young lady is some man's plural wife she is liable at any time to be arrested, not merely subpoenaed, but taken by force by deputy marshals and brought before a grand jury and examined and brow-beaten and insulted by the Prosecuting Attorney or his minions. But this is not all. In defiance of law and the usages of courts for ages, the legal wife is now compelled to submit to the same indignities.

On Feb. 20, 1886 in the Third District Court in the second trial of Isaac Langton upon whom the prosecution had failed to fasten the slightest evidence of guilt, Prosecuting Attorney Dickson exclaimed: "If the Court will allow me I would like to call Mrs. Langton" (defendant's legal wife.) After a strong protest from the attorneys for the defendant, the Court permitted the outrage and against her and her husband's consent, she was compelled to testify for the prosecution; the evidence however completely exonerating the husband, who was discharged.

But this has now been set up as a precedent, and within the past few days a legal wife has been taken before the Grand Jury, as many have been before, who refused to give evidence, but this time was compelled to answer the questions propounded by the public prosecutor against the lawful husband.

We also direct your attention to the outrages perpetrated by rough and brutal deputy marshals, who watch around our doorways, peer into our bedroom windows, ply little children with questions about their parents, and when hunting their human prey, burst into people's domiciles and terrorize the innocent.

On Jan. 11, 1886, early in the morn-

ing, five deputy marshals appeared at the residence of Wm. Grant, American Fork, forced the front door open, and while the inmates were still in bed, made their way up stairs to their sleeping apartments. There they were met by one of the daughters of Wm. Grant, who was aroused at the intrusion, and despite her protestations, without giving time for the object of their search to get up and dress himself, made their way into his bedroom, finding him still in bed and his wife in dishabille in the act of dressing herself.

Early on the morning of Jan. 13, 1886, a company of deputies invaded the peaceful village of West Jordan, and under pretense of searching for polygamists, committed a number of depredations. Among other acts of violence they intruded into the house of F. A. Cooper, arrested him and subpoenaed his legal wife as a witness against him. This so shocked her that a premature birth occurred next day, and her system was so deranged by the disturbance that in a few days she was in her grave.

Feb. 23, 1886, at about 11 o'clock at night two deputy marshals visited the house of Solomon Edwards, about seven miles from Eagle Rock, Idaho, and arrested Mrs. Edwards, his legal wife, after she had retired to bed, and required her to accompany them immediately to Eagle Rock. Knowing something of the character of one of the deputies, from his having visited the house before, when he indulged in a great deal of drinking, profanity and abuse, she feared to accompany them without some protection, and requested a neighbor to go along on horseback while she rode in the buggy with the two deputies. On the way the buggy broke down and she with an infant in her arms, was compelled to walk the rest of the distance—between two and three miles.

They could have no reason for subpoenaing her in the night, and compelling her to accompany them at such an untimely hour except a fiendish malice and a determination to heap all the indignities possible upon her because she was a "Mormon" woman, for she never attempted to evade the serving of the warrant, and was perfectly willing to report herself at Eagle Rock the next day. She was taken to Salt Lake City to testify against her husband.

On Feb. 23, 1886, Deputy Marshal Gleason went to Greenville, near Beaver, Utah. The story of their conduct is thus related by the ladies who were the subjects of their violence:

MRS. EASTON'S STATEMENT.

About 7 a. m. deputies came to our house and demanded admittance. I asked them to wait until we got dressed, and we would let them in. Deputy Gleason said he would not wait, and raised the window and got partly through by the time we opened the door, when he drew himself back and came in through the door. He then went into the bed-room; one of the young ladies had got under the bed, from which Gleason pulled the bedding, and ordered the young lady to come out. This she did, and ran into the other room, where she was met by Thompson. I asked Gleason why he pulled the bedding from the bed, and he answered, "By G—d, I found Watson in the same kind of a place." He then said he thought Easton was concealed in a small compass, and that he expected to find him in a similar place, and was going to get him before he left.

MISS MORRIS' STATEMENT.

Deputy Gleason came to my bed and pulled the clothing off me, asking if there was any one in bed with me. He then went to the fire-place and pulled a sack of straw from there and looked up the chimney. One of them next pulled up a piece of carpet, when Gleason asked Thompson if he thought there was any one under there. Thompson said "No," and Gleason exclaimed, "G—d— it, we will look any way!" They also looked in cupboards, boxes, trunks, etc., and a small tea chest, but threw nothing out.

WILLIAM THOMAS' STATEMENT.

The deputies called at our place about daybreak, and came to my window and rapped. I asked who was there, but received no answer. They then tried to raise the window, when I called again, and they said they were officers. I asked them to wait until I was dressed, but they said no, or they would break in the door. I told them they had better let that out, and they went around to mother's door, which was opened, and father was summoned. The deputies next went to the bed of Mrs. Elliotts and subpoenaed her. Gleason said, with a frightful oath, that he knew there was another woman in the house, and searched in boxes, trunks, etc.

These are a few instances of the course pursued towards defenseless women, who are not even charged with any offense against the law. We solemnly protest against these desecrations of our homes and invasions of our rights. We are contented with our lot when left unmolested, and would enjoy the peace of quiet homes, the society of our husbands and children, and the blessings that only belong to God-fearing families trained to habits of thrift, temperance, self-restraint and mutual help, if it were not for these outrages which are committed in the name of law, under the false pretense of protecting home and preserving the family.

We learn that measures are in contemplation before your honorable bodies to still further harass and distress us. We protest against the movement to deprive us of the elective franchise,

which we have exercised for over fifteen years. What have we done that we should thus be treated as felons? Our only crime is that we have not voted as our persecutors dictate. We sustain our friends, not our enemies, at the polls. We declare that in Utah the ballot is free. It is entirely secret. No one can know how we vote unless we choose to reveal it. We are not compelled by any men, or society, or influence to vote contrary to our own free convictions. No woman living with a bigamist, polygamist, or person cohabiting with more than one woman, can now vote at any election in Utah. Why deprive those against whom nothing can be charged, even by implication, of a sacred right which has become their property?

We ask for justice. We appeal to you not to tighten the bonds which are now so tense that we can scarcely endure them. We ask that the laws may be fairly and impartially executed. We see good and noble men dragged to jail to linger among felons, while debauched and polluted men, some of them Federal officers who have been detected in the vilest kind of depravity, protected by the same court and officers that turn all their energies and engines of power towards the ruin of our homes and the destruction of our dearest associations. We see pure women forced to disclose their conjugal relations or go to prison, while the wretched creatures who pander to men's basest passions are left free to ply their horrible trade, and may vote at the polls while legal wives of men with plural families are disenfranchised. We see the law made specially against our people, so shamefully administered that every new case brings a new construction of its meaning, and no home is safe from instant intrusion by ruffians in the name of the law. And now we are threatened with entire deprivation of every right and privilege of citizenship, to gratify a prejudice that is fed on ignorance and vitalized by bigotry.

We respectfully ask for a full investigation of Utah affairs. For many years our husbands, brothers and sons have appealed for this in vain. We have been condemned, almost unheard. Everything reported to our detriment is received; our cries to be heard have been rejected. We plead for suspension of all measures calculated to deprive us of our political rights and privileges, and to harass, annoy and bring our people into bondage and distress, until a commission duly and specially authorized to make full inquiry into the affairs of this Territory, have investigated and reported. And while the blessing of Him who will one day deal out even-handed justice to all, shall rest upon your Honorable Bodies, your memorialists, as in duty bound, will ever pray, etc.

MRS. SARAH M. KIMBALL,
MRS. M. ISABELLA HOBNE,
MRS. ELMINA S. TAYLOR,
DR. ROMANIA B. PRATT,
MRS. H. C. BROWN,
MRS. MARY PITCHFORTH,
MISS IDA I. COOK,
MISS IDA COOMBS,
MRS. MARY JOHN,
Committee.

PRESIDENT CANNON'S FAILURE TO APPEAR FOR TRIAL.

HIS COURSE JUSTIFIED AND SOME SUGGESTIONS MADE.

SALT LAKE CITY,

March 20, 1886.

Editor Deseret News:

Much has been said and written the last two or three days in relation to President Geo. Q. Cannon not responding to the bond given for his appearance in court on the 17th inst. To my mind this is not extraordinary when we take into consideration the axiom that "self-preservation is the first law of nature," and those who have been most rabid in their denunciation of him for not appearing, were the first to doubt that he would, thereby showing most conclusively and giving him the benefit of their ideas in advance that if they were in his place they would not place themselves in jeopardy under the circumstances that seem to control. The District Attorney, in the remarks which his organ said he made, showed his venom towards the man in part only. To a person who has observed the motives and actions of Dickson, Zane & Co., in their endeavor to get hold of him—the reward offered, the extra precaution taken in securing the arrest in a neighboring State after the Judas had earned his 30 or more pieces of silver, the military display, the seventeen times greater sum required for bail from him than from any other person for the same offense, and the still further demand of the usual bond,

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times multiplied on two more trumped-up charges for similar offenses, together with the extra heavy bonds of the witnesses, the full import of their animus is apparent. These facts would seem to indicate that his persecutors were not acquainted with the fact that the law knows no distinction between citizens, but that all are guaranteed alike a fair trial before a fair judge and jury, and would not justify them in following the bent of their prejudice against him and forcing him to trial under such circumstances that accusation would be tantamount to conviction.

I am much pleased that he has taken the course he has, and I hope that a fair, square fight will be made against the collecting of such excessive bonds,