

deprives for the time being females in the Territory of Utah from voting. According to the information that we received from the commissioners appointed under the previous act of Congress and from other sources, it appeared that female suffrage in that Territory was so far as it relates to the Mormons a suffrage of servitude; that the females vote exactly as their lords and masters require them to do, be they many or few; and that counts to keep up in this hierarchy and polygamous really governed Territory as it has been, the power of those guilty of the crimes that we wish to repress. Accordingly, we felt justified, without any reference to the question of the general propriety of female suffrage, in proposing that for the time being female suffrage exercised as it is in that Territory, should be suspended. We do not, by proposing this clause, undertake to express any opinion as to the general question of female suffrage; but in order to accomplish the end, and to put the political power in that Territory in the hands of the people who are in accord with the laws and sentiments of the United States. This was one of the things that was thought to be necessary to that end.

Mr. Van Wyck. Allow me to ask one question for information. I did not hear all the statement of the Senator from Vermont. I lost the authority he had for saying that the females in the Territory voted as their lords and masters directed. I suppose he stated on what authority he said so, but I did not hear it.

Mr. Edmunds. We are all or all but one of the gentlemen who were commissioners under the former act, who spent some months in that Territory. This observation that I have made does not apply to the Gentile women as they are called there, very few of whom I understand really exercise this right of suffrage; but it refers to the other class of females under the domination of the Mormon Church, for there is no disguising the fact that the Mormon government of that Territory is a government of the most exclusive and powerful hierarchy that exists on this continent.

Mr. Morrill. If the Gentile women did vote one wife would not counter-balance six.

Mr. Edmunds. That is true enough; but our information drawn from these gentlemen who spent months there, and from all other sources that we can get by letters and so on, convinces us that the political power of this Territory is now largely influenced in respect of its being kept in the hands of the people who defy the laws of the United States, by force of their casting the solid votes of their females in the direction that I have named. We therefore thought that the greater good of breaking up this great crime would justify the suspension for the time being of female voting in the Territory, without any reference, I repeat, to the general question of female suffrage.

Mr. Hoar.—Mr. President, it seems to me that the Senator from Vermont to any legislator accustomed to be governed by general constitutional principles has stated very strongly the objection to the section which he proposes in his bill. Here is a criminal law, a law aimed at the defence of polygamy and prescribing the method of proving with a view to the punishing a certain crime. In that law he includes a general provision in regard to the right of suffrage, and he undertakes to make a general provision in regard to the right of suffrage prohibiting all women from exercising a right they now enjoy and taking from the people of a particular Territory the right to determine the qualifications of electors in that Territory, according to all other people and according to them in all other respects, by saying that a certain class of women whom the Senator thinks are in a majority will not vote as he thinks they ought to vote.

That is the whole of this proposition as he states it himself, translated into plainer and clearer language so far as disclosing the purpose goes. I do not mean to compare my general capacity for making a clear proposition with that of the learned chairman of the Judiciary Committee. He says that the Gentile women, the unmarried women, the women who are the sole lawful wives of lawful husbands, shall all be prohibited from the exercise of a right which they now enjoy, and which for the purposes of his present argument he does not deny they ought to continue to enjoy, because certain other women have voted or are likely to vote in a way

that we do not want they should for the wrong candidate or because they are constrained by domestic or other influences into voting a particular way.

Now, suppose we may take it for granted (though the Senator cites no authority except that of certain commissioners who have not been out of Salt Lake City) that the women who have so far become adherents or disciples of Mormonism as to live in polygamous connection with Mormons would be likely to cast their votes in the interest of that church and that institution; I should like to inquire of the Senator from Vermont why, if he excludes all the women of that territory from the right to vote because of the action of the majority of women, he does not exclude all the men of that Territory from the right to vote because of the way in which the majority of the men vote in that community? If he excludes the Mormon wife because of casting her vote in accordance with the will of her husband, why should he not exclude the husband who casts his vote under the domination of the same hierarchy?

It seems to me, Mr. President, that this is really doing what the author of this section, I will not say flinched, but shrank from doing, and from avowing in regard to men. Why not meet this question fairly and say that Mormons shall not vote, that persons under the influence of the Mormon hierarchy shall not vote, or at any rate that persons living in polygamous marriages, male or female, shall not vote? That is what the Senator undertakes to accomplish; and if he has a right to do what he proposes, he has a right to do that.

But I suppose that whoever drew this section and that the chairman of the Judiciary Committee in proposing this section thought that would be a violation of general and sound constitutional principles. He was not prepared to say even to a Mormon, "You shall not vote because of your religious or pretended religious principles;" he was not prepared to say even of Mormons, "We will punish a certain class of offenses against society and against the marriage relation as it is conceived and understood by Christians with the deprivation of the right of suffrage," because whatever evils the exercise of the right of suffrage by this class of persons may operate in the particular case, the assertion of the right by the government to control the suffrage with a view of making that control a lever or instrumentality in regard to certain opinions, however erroneous they might be, was the assertion of a vicious and most dangerous general principle, worse, if anything could be worse, than Mormonism itself. I will not say that; not worse than Mormonism itself, because Mormonism itself is a destruction of that most sacred tie which lies at the foundation of the home and of society itself.

Now, the Senator from Vermont says that he does not put this proposition upon any general objection to female suffrage. Whatever his opinion may be on that question he is not governed by that opinion here, but he puts it simply on the ground that the suffrage of a particular class of women preponderating in numbers over others in a particular community is exercised in favor of a vicious system or under the control of a vicious hierarchy. If that be the reason, it seems to me, with great respect to a Senator for whose conclusions I have so great respect always, whom almost always I delight to follow in public questions, that that is a bad reason in principle.

I hope, therefore, whatever may be done with the bill, which I shall be glad to support without this clause, that the section will be stricken out.

Mr. Edmunds. Mr. President, the question of suffrage is a political question within the control of the political power at all times. I believe everybody agrees to that. All that the Senator has said respecting the opinions of Mormon women is entirely apart from this bill. That is the motive merely; it is not law.

In the next place, if we could get at the real opinions of the Mormon women, and give them the free exercise of those opinions, desirous of breaking up as I am these practices in that Territory, I would say if the Mormon women could not now vote, they should have the right to vote, because if you can get at their real opinions (as the e commissioners did from many of them in private interviews, etc.) we should find that the very nature of woman in general—the very nature of every virtu-

ous woman—revolts at the notion of polygamy and of all its influences; but they are like the women of Central Asia at this present moment; they are dominated by the lords of creation, who wish to keep up a government which is opposed, as my friend and myself agree, to everything that is good as we understand it in this world, and that we all agree in desiring to put down.

That is the way it stands. Therefore we do not invade any principle of law or constitutional government in arranging the political affairs of a Territory over which we have supreme dominion. If the argument of a learned citizen of the State of Pennsylvania, said to have been delivered to a committee of the House of Representatives, and a copy of which has been sent to me, is sound, then we have no right to legislate about any of the transactions in the Territory of Utah at all, and Utah is entitled to the same powers of self-government by its people that a State is. But I do not propose to go into that question; I dismiss it as one to which no Senator, or very few Senators, will agree at all.

Then having the political power of arranging the suffrage in that Territory, and being determined to put down the practice of polygamy there and to abolish this anti-republican hierarchy which is founded on that alone, I think we are justified in taking any step that protects equal rights, necessary to that end. The motive is not to make a distinction in respect to opinions, but the motive is to liberate these women from the duress under which they keep up a government there which is injurious to their own fortune, their own honor, their own prosperity, and their own instincts of female virtue. That is it; and that is all of it.

My learned friend enquires why we do not exclude the men too. On constitutional principles of course we must make general rules. We have not undertaken, and I do not wish to undertake, and I do not think it right to undertake, and I doubt if it is constitutional to undertake—I will not say I doubt; I am sure it is not constitutional—to disfranchise any man on account of an opinion that he has, or any woman. Persons must be disfranchised on some other legal ground.

Everybody, I suppose, except Judge Black, agrees that in point of law we can confine voting in any Territory or in the District of Columbia to property-holders of \$100,000, and that would reduce the government of the District to probably one hundred men; we can confine it in the Territories to \$100,000, and that would reduce the whole Territory to one hundred men very likely; we can say that nobody who has a dollar in the world shall be entitled to vote; we can say that nobody who has any amount of property shall be entitled to vote, and that all those who have no property at all—the paupers—shall be the sole voters in a Territory over which we have dominion or in the District of Columbia, if we think it wise to do it, because we make a general classification.

If you say exclude the Mormon men as well as the Mormon women, you must exclude the Gentile men as well, as we do by this bill the Gentile women, and then you have nobody to vote in the Territory at all. So with the motive, which I avow with the utmost plainness, of diminishing this power and relieving these Mormon women from the slavery and duress under which they now cast their votes in a certain way, it is right and proper to do this thing. That is the whole of it.

Now, if my friend from Massachusetts is so stirred up with his admiration and desire for woman suffrage that he is unwilling to take every step possible lawfully to repress polygamy and this hierarchy founded on it in that Territory, that he prefers to have polygamy with woman suffrage than to have no polygamy without it for the time being, that, of course, will account for his position.

Mr. Hoar. Why does not the Senator abolish suffrage there altogether, allow me to ask him?

Mr. Edmunds. I will state that. Mr. Hoar. We have the same right to do it.

Mr. Edmunds. We have the same right to abolish suffrage altogether. Then what are you going to do? You must govern that Territory then just as you govern the District of Columbia, by a steady and constant act of Congress like a legislature, which is impracticable. Some people, a considerable number of the Gentiles in that Territory, were angry last year when we passed the

former bill, to which this is merely a supplement drawn out by circumstances and in aid of it, and extremely desirous that we should abolish suffrage altogether and put the government of that Territory into a commission and give the commission, as practically we must, if we do it at all, legislative powers.

I do not believe the Congress of the United States ought to give any commission anywhere legislative power. You can give them executive powers; but you must yourself exert the legislative power and we know with the way Congress is blocked up with business that we cannot provide local legislation from day to day and from time to time for that Territory. It cannot be done; and the committee thought, considering that part of the question, that it was improper as the thing now stands to undertake to govern that Territory by a commission that should be invested with the necessary legislative powers for the proper government of it. So we cannot do that.

Then we go just as far and as fast as the Constitution will allow us in every way to accomplish the end that I suppose we all have in view, and so far as the thing stands in point of law there can be no question of our right to regulate suffrage in that Territory, I suppose. When you come to the question of motive then my honorable friend is entitled to make the argument he has made, that this motive may apply just as well to men as to women. So it might; but we apply it both to the Gentile women who are willing and glad to suffer this deprivation in order to accomplish this great good, and to the Mormon women alike. If we apply it to the Mormon men we must apply it to the Gentile men alike, and then we shall have nobody to elect a Territorial Legislature and make a government.

Mr. Hoar. I want to ask the Senator a question, but I want to sound it, if he will allow me, on the reading of a passage from the last act. The Senator, as I understood him in what he first said, stated that these women acted under duress of their husbands. For that reason he wished to exclude them. The present law is this section 8 of the act of March 22, 1882.

That no polygamist, bigamist, or any person cohabiting with more than one woman, and no woman cohabiting with any of the persons described as aforesaid in this section, in any Territory or other place over which the United States have exclusive jurisdiction, shall be entitled to vote at any election held in any such Territory or other place, or be eligible for election or appointment to or be entitled to hold any office or place of public trust, honor, or emolument in, under, or for any such Territory or place, or under the United States.

So you have already excluded every bigamist, or polygamist man or woman, every woman cohabiting with any polygamist or bigamist; and this is a proposition merely to extend to all women this disqualification without extending it to all men. The Mormon man in carrying his principles into practice is not excluded. Now, I wish to ask the Senator from Vermont why it is that finding certain men not guilty of crime but only entertaining bad opinions, and certain women not guilty of crime but some of them as he supposes entertaining bad opinions, he makes a law applicable to the Territory of Utah by which he excludes all women from the franchise they now possess and refuses to exclude not only all men but even the men entertaining those opinions?

Mr. Edmunds. I have answered that already. I have said that your law must be equal and is equal as applied to classes. Nobody doubts, my friend from Massachusetts does not doubt that wherever we have legislative jurisdiction, like a State has or like Congress has over the District of Columbia, or a Territory, we may classify the people who are entitled to the exercise of political rights by age, by sex, by property, or the want of property, or any other such thing that is general in its application. Now in order to accomplish the object we have in view, one great and necessary step in it is to diminish the political power of the polygamous Mormon Church, because that is what it is, and that is what it is alone, as it is now constituted, although it is an ingrafted contrivance on the original Mormon faith.

Now how are you going to do it? I have answered that already. You can do it by excluding all men in the Territory if you please and leave it all to women; but inasmuch as three-fourths of the women there are under the domination of the men who which to keep up this polygamous church, they vote just as

they are compelled to whether they are plural wives or not, because the power of the church extends entirely beyond the mere polygamous relation. It extends to almost all the female people of that Church as well as the male people, and they vote almost solid in one way in order to maintain this central power of the kind that I need not take time to describe. That is the reason, and therefore having the power to make this classification under the law and not having the power to abolish it entirely with any safety for the government of the Territory, for we cannot put it in a commission with legislative powers, we must do this or do nothing; and it really comes back to the question whether you prefer polygamy to suspending for the time being female suffrage in that Territory and relieving these poor women who are far more vastly sinned against than sinning, from the domination that forces them to uphold by their votes this institution that we are trying to get rid of.

Mr. Blair.—Mr. President, I believe in what is called manhood suffrage; that is, the right of partaking in the sovereignty on the part of every human being of mature powers, whether male or female. I admit that the power to regulate the exercise of suffrage is in the political organization as it exists, and that the extension of the suffrage is at its will, not as a matter of right but as a matter of power, because there is no other way to obtain the extension unless it be exercised by force and violence, which is revolution. Wherever, in any republican community or in any community where the republican form of government prevails, this right has been extended to all to whom it belongs by nature, I never will consent by any act of mine to see any class deposed of the exercise of that right; and if in the Territory of Utah woman has acquired it, I will so far as my action is concerned incline always to vote in such way as to enable her to continue rather than to restrict her in its exercise. But without entering upon the general question of the right of female suffrage, I wish to confine what little I have to say now to the specific provisions of the bill.

The exact state of the law seems to be this. By the statute of the last session we deprived every polygamist and bigamist of the right to vote and hold office. I suppose we would consider that they have the right to continue the exercise of suffrage and the right of office-holding until tried and convicted of the crime mentioned according to law, and it is because we cannot inflict this pain and penalty—for certainly the deprivation of the right of partaking in the suffrage is punishment—because we cannot deprive them till after conviction by due course of law, that the Mormon men still retain the right of suffrage. Therefore they can vote still. Both can vote until they are convicted of the crime specified in the act of last session. Now, this bill comes to us and reads as follows:

That it shall not be lawful for any female to vote at any election hereafter held in the Territory of Utah for any public purpose whatever, and no such vote shall be received or counted or given effect in any manner whatever; and any and every act of the Governor and Legislative Assembly of the Territory of Utah providing for or allowing the registration of voting by females is hereby annulled.

It does not touch the matter of office-holding, it does not attack the right of suffrage in the hands of any but women, and it makes no distinction among women. The Senator from Vermont brings in this bill with this section because certain of the women in the Territory of Utah believe in polygamy and vote in accordance with their belief, or if he does not place it upon that ground he says it is because these women are practically enslaved and vote in accordance with the will of their husbands or their masters.

That is a question of fact, and his proof of that question of fact is, I think, liable to be controverted. To be sure he says that certain commissioners who went out there and spent a few months came back and say so. I do not know in what authoritative way they have even said so; but I do know that all the accounts I have ever heard from the Territory of Utah are overwhelmingly to the point that the women are as much attached to the institution as are the men in that Territory, and I think that is the fact.

I happened to be the last Gentile who conversed with Brigham Young before his death. I was in the Territory at that time. It was on a Monday evening, and he died the next Thursday. In conversation