ought to be a warning to any other organization to which he wishes to become attached.

Mr. Bray has acted reasonably and consistently, and he will entertain the respect of his former co-religionists, while they deplore his departure from the fields of orthodoxy and his venture upon the shoreless sea of so-called "liberalism."

RIGHTS OF WIVES.

FOR several years there was a great outcry because the right of dower was abolished in Utah. The plotters against the peace of this Territory never rested until by gross misrepresentation Congress was induced to pass a law including, among other special provisions, the establishment of the right of dower in this Territory. It was a stupid piece of work. It accomplished nothing in the direction pretended to be desired. It simply complicated transactions in real estate.

It is a relic of common law matrimonial despotism, which was founded on the doctrine of the inferiority of woman and the absorption of the wife's legal identity into that of her husband. They twain became one by marriage and he was that one. All she had became his, and she owned nothing in her own right. To secure the widow something to subsist upon after the husband's decease, her "third" in his estate was secured by law in the shape of "dower."

In Utah when the right of property was vested in married women and "the sex" was endowed with the suffrage, the right of dower was abolished. The reason for its establishment was removed. Woman was placed on an equality with man in civil affairs and in the elective franchise. Every woman, whether married or single, was given power to hold property in her own right, to sue and be sued, to buy and sell, to control her own finances, to vote at the polls, and to be as independent in her sphere as man in his. As she could dispose of her individual property, whether acquired before or after marriage, so, it was thought, man ought to be able to dispose of his.

Congress was not made familiar with these facts. It was represented that the restoration of the dower would be a means of suppressing polygamy, and that depriving women here of the ballot would work in the same way. Neither was, in the nature of things likely to have any effect on the vexed question. But in the furore that accompanied the passage of the bill, good sense and sound judgment were thrust aside. The right of dower was restored, and any one who will take the trouble to read those portions of the Edmunds-Tucker Act which relate to it will see what a cumbersome thing it is made, and any one who will consider the fact that now a married woman may dispose of her property without the consent of her husband, while a married man cannot dispose of his realty without the consent of his wife, will perceive at a glance its inconsistency.

But what we desire to draw attention to is this: Utah was denounced with all the fury and venom that her maligners could pour forth, because her legislators had abolished the right of dower, as though it was the only spot on earth where such a condition existed: At the same time, Nevada, unless we have mistaken the date, had done the same thing without giving women the political privileges bestowed upon them in Utah. And Wyoming, in 1876, also abolished the right of dower for exactly the same reasons for which it was abolished in Utah.

A short time ago a decision was rendered in the District Court at Rawlins in regard to this matter. A widow sued the assignees of her late husband's estate for her dower in all the realty in their hands, basing her action on the dower provisions of the Edmunds-Tucker act. The court decided, in an elaborate opinion, that she had no right of dower, as it had been abolished by the Wyoming Legislature, and the Act on which the suit was entered only applied to the Territory of Utah. Thus it appears that the abolition of the right of dower was righteous in Wyoming, but desperately wicked in Utah.

Now will those indignant scribes and angry lawyers, who could not endure the terrible wrong said to have been perpetrated upon the wives of Utah, enter their protest against the same "outrage" upon the women of Wyoming? Or does the line without breadth or thickness that divides Utah from Wyoming, change the essential nature of a law that is common to both and make admirable in one what was condemnable in the other? And why should Congress, which assumes supreme power over the Territories, make legal in Utah that which is illegal in Wyoming.

In handling this "Mormon problem" as it is called, many unjust, inconsistent and absurd things have been done, and a great many more proposed and gravely considered. Legislators, as well as preachers and writers, seem to lose their heads when they undertake its solution, and drift off into the realms that border upon insanity. The history of the treatment of the "Mormon question" will be curious reading for the generations to come, and sane and liberal-minded people will wonder why the nation went daft over the doings of a small community of peaceable and industrious citizens, minding their own business and able and willing to manage their own affairs on the republican principles of local self-government and of civil and religious liberty.

A REMEDY DEMANDED.

THE denial of the writ of *habeas corpus* in the case of Peter Barton is one of those legal technicalities which appear very attenuated to common minds. It is admitted that the applicant is illegally deprived of his liberty. The decision of the Supreme Court of the United States establishes that fact. But the court does not see its way clear to release him from unlawful imprisonment. The difficulty all turns upon the point that it does not appear in the record of the particular case in which he was unlawfully sentenced, that he had been previously convicted of an offense which covered the one then at bar. The record of the court, however, on the same page, shows this previous conviction, and the defendant had no counsel and was not instructed by the court that he could plead the former conviction as a bar to the new proceedings. He plead guilty to an invalid indictment. The whole proceedings were therefore invalid. If the indictment was contrary to law, then, it would appear, the trial, the sentence and everything that grew out of the indictment were also contrary to law, and so void from the beginning.

We do not know that this view of the matter is dissented from by the counsel for the government or by the Judges upon the bench. But they contend for the letter of judicial rules, and decline to waive a technicality to give room for the claims of justice. Perhaps this is right. We will not rail at the ruling. Technicalities may be of paramount importance. The liberty of a citizen may be of less moment than legal red tape. But as a wrong manifestly