the adverse side before the Commissioners by able lawyers, who endeavored to persuade the Commissioners to prevent the registration of women. They failed because the law under which the Commissioners act not only omitted to give them any powers in that direction, but recognized the right of female citizens in this Territory to register and vote by establishing certain disqualifications affecting a portion of them Under the Edmunds law two classes of voters are legislated against, namely, male voters who are bigamists or polygamists or who cohabit with more than one woman, and female voters who cohabit *with* any such persons. The various measures introduced during the wild excitement which culminated in the passage of the Edmunds bill, in a similar way all recognized the validity of the Utah woman suffrage act. A special attempt was made to annul it, but it failed. The act itself is virtually an Act *of Congress* because it has been subject to the disapproval of that body for twelve years and still stands and is in force.

That the Utah Legislature had the right to pass the law is evident from the following clause in the Organic Act:

"The qualifications of voters and of holding office shall be such as shall be prescribed by the Legislative Assembly: Provided that the right of suffrage and of holding office shall be exercised only by citizens of the United States, *including* these recognized by the treaty with the Republic of Mexico," etc.

There is nothing in the statutes of the United States, neither is there anything in the Constitution forbidding the suffrage to women. The only restriction, then, upon the Utah Legislature in relation to this matter is that those who exercise the elective franchise must be citizens of the United States. The Utah statute conferring upon women the right to vote, provides that they must be citizens either by birth or naturalization. That is, a woman in order to vote must be twenty-one years of age, and be either native born or naturalized, or the wife, widow or daughter of a citizen. This, in spirit, is in accord with the laws of the United States in reference to citizenship and naturalization. Under those laws by marriage to a citizen a woman, unless she is of a race that cannot be naturalized, is at once made a citizen. The children of citizens are also citizens. If the father is a naturalized citizen, all the children under twenty-one years of age at the time of the naturalization become citizens, if dwelling in the United States. Children born out of the United States whose parents are citizens, are considered as citizens thereof. If the wife of a citizen is a citizen, then the widow of a citizen is a citizen. Thus the intent of the Utah law was to cover the ground permitted by the United States laws.

It has been objected that there are some requirements of male citizens as a qualification for the suffrage that are not required of female citizens, and it is contended that therefore the woman suffrage act is invalid. But in the Tooele case, decided in the Supreme Court of this Territory, the contrary opinion was rendered. A male voter is required by the statute to be a tax payer, but a female voter is not. The Court ruled that instead of the women voters being excluded, if anything was to be ruled out, it would rather be the clause of the law requiring the taxpaying qualification for male voters.

A great deal has been said about uniformity in connection with this subject It is claimed that the qualifications for voters must be uniform. There may be different classes of voters as there are different classes of citizens. The uniformity principle must govern each class but need not be applied to the whole group of classes. A woman alien for instance, under the laws of the United States, may become naturalized by marrying, without going into court or receiving any papers whatever. A male alien must go through certain fomalities and possess certain qualifications whether married or single. Here are two classes of citizens. There are several more. The same provisions of law apply to each class but not to the whole group of classes. So it is in regard to the qualifications of voters. In some States different qualifications have been required of voters who are naturalized citizens from those who are native born. In others, before the amendment was made to the Constitution forbidding any such discrimination, colored voters had to possess additional qualifications to white voters. And these laws were valid and operative as long as they continued on the statute books unrepealed. So if the Utah law makes a qualification for male voters which was not required, in a later statute, of female voters, if the difference makes a fatality in either case—which, we do not admit, for uniformity prevails in the law concerning each class of voters—it only operates against the tax-paying clause in the older law concerning male voters and leaves the woman suffrage law intact.

We hope this matter will receive a thorough investigation with a view, not to sustain any prejudice or put down something obnoxious to a party, or suppress or sustain anything bearing either way upon questions that are only incident to this, but to settle the case on its merits in justice, equity and righteousness.

THE INFAMY AT OGDEN.

THE condition of affairs at Ogden is deplorable. The letter of "Ogdenite" presents a statement of facts which should call forth prompt action from the Commissioners. The character of the county Registrar, among all classes of the community, is such that no surprise is created by the course pursued in the junction city. But the question is now squarely put, is the object of the registration in Ogden to permit qualified monogamic citizens to register? or is it to bar out most of the voters of the People's Party, and let in all the "Liberals?" The Commissioners have manifested in all the questions submitted to them a disposition, in word at least, to institute a square registration of all monogamic qualified voters. But the course pursued in Ogden is the very reverse of this, and something has to be done at once by way of remedy. Will the Commissioners do anything in this direction, or are hundreds of qualified voters to be thrust back from registration and debarred from voting? *We direct the attention of the Ogden people* who are being defrauded, to the laws in reference to unlawful proceedings in election matters published in the DESERET EVENING NEWS of Saturday, September 9th. Make out clear cases of wilful hindrance and obstruction, with competent witnesses, and prosecute the criminal registrars to the full extent of the law.

SOME PERTINENT QUERIES.

SALT LAKE CITY,
Sept. 11, 1882.

Editor Deseret News:

I presented myself before the registrar for the second precinct of this city this morning and requested him to register me. He proceeded to make out the affidavit for me to sign and asked me if I was a native born or naturalized citizen of the United States. I answered, naturalized. He then asked me if I had got my papers. I told him I had, whereupon he asked me to produce them for his inspection. I told him that as I did not know that I would be required to produce them I had not brought them with me, but that I was prepared to take and subscribe to the required oath. He thereupon declined to register me, and upon my desiring him to state *his* authority for so doing, he told me he was *acting* under instructions from his superior.

I saw the County Registrar, and asked him the reason that I could not be registered without producing my naturalization papers. He stated that he had instructed his deputies to demand that the papers of all naturalized citizens be produced for inspection, so that persons who had obtained their papers from the Probate Courts of this Territory, and who would take the oath prescribed by the registrar, believing that they were *legally* and lawfully citizens, might be prevented from registering, they not being citizens and their naturalization papers being worthless.

I went and got my papers which were issued by the United States District Court, presented them to the registrar for his inspection and was allowed to register.

Now, Mr. Editor, I would like to know by what law or by what right I was required to produce my papers before I could be allowed to register? Is the oath of men and women who are naturalized citizens of the United States not worthy of credence, while that of a native born citizen is?

If I must *furnish proof* that I am a naturalized citizen before I am allowed to take the oath and register, why should those who are native born not be required to make proof before they are allowed to register?

Should I be put to the trouble of returning home and hunting up my papers and producing them for the inspection of the registrar, when I offer to take and subscribe to the oath required; if the only purpose is to prevent somebody else from innocently doing wrong, or maybe committing a crime? And again—are the papers that have been issued by the Probate Courts of this Territory not legal; provided they have been issued before the passing of the law of Congress approved June 3, 1874, which provides that "All judgments and decrees heretofore rendered by the Probate Courts which have been executed, and the time to appeal from which has by the existing laws of said Territory expired, are hereby validated and confirmed." (See page 54 Compiled laws of Utah.

By answering these questions you will oblige me and probably enlighten a great number of people who in this age and place cannot, for the life of them, understand the law as it is now being administered, or keep pace with the course of those solons who have taken it upon *themselves to make the laws* which in their judgment the Congress of the United States *ought* to have made but *did not.*

Yours respectfully,
ISAAC M. WADDELL.

NOTICE TO CREDITORS.

ESTATE OF ANDREW HENRY, DECEASED.

NOTICE IS HEREBY GIVEN BY THE undersigned, executrix of the last Will and Testament of Andrew Henry, deceased, to the creditors of, and all persons having claims against the said deceased, to exhibit them with the necessary vouchers, within ten months after the first publication of this notice, to the said executrix, at her residence, at Fillmore Drug Store, in the City of Fillmore, Millard County, Utah Territory.

MARGRET C. HENRY,
Executrix of the Will of Andrew Henry, deceased.

Fillmore, August 23rd, 1882. w33 4w