EDITORIALS.

ANOTHER BLOW AT WOMAN SUFFRAGE.

THE recent decision of the Supreme Court of Washington Territory against the validity of the woman suffrage law, gives pleasure to the opponents of "woman's rights" throughout the country. We understand the ruling was given unanimously by a full bench. For the present, then, women will not vote in that Territory and it will take some time to test the question of the soundness of this judicial opinion.

The ruling contained about seven thousand words, but the whole question seems to have turned on the word "citizen" in the Organic Act. Of course the Legislature has no power to enact anything that is not in conformity with that instrument, which acts to the Territory as a Constitution does to a State. Under it the Legislature may provide for the qualifications of voters, but they must be above the age of twenty-one years and citizens of the United States, or persons above that age who have properly declared their intentions to become citizens. There is nothing in the Organic Act forbidding woman suffrage.

The Court took the ground that the word "citizen" in that act means "male citizen," and that therefore the Legislature had no power to endow females with the elective franchise. We have not read the opinion in full, and therefore cannot attempt to criticise it in detail. But the foundation on which it rests seems so shaky that we have small confidence in the soundness of the superstructure.

The term "citizens" comprehends both sexes. A woman born in the United States is a citizen just as much as a man. The laws of the United States declare that every person born in the United States is a citizen thereof. An alien woman can be made a citizen by naturalization just the same as an alien man. A woman who marries a citizen of the United States becomes a citizen by the marriage. The organic acts of the Territories empower the Legislatures thereof to confer the franchise upon citizens, or persons declaring before a competent court their intentions to become citizens.

It looks, then, to an ordinary mind with common comprehension of the English language, that those Legislatures may provide that women citizens over twenty-one years of age shall have the right to vote. Two of those Legislatures have taken this view of the matter and acted upon it. The laws of Wyoming giving women the elective franchise have never been brought into legal disrepute, and the Utah statute to the same effect was always held to be valid. It took an Act of Congress to deprive the women of Utah of the right they had held and exercised for fifteen years.

There is another point worth considering in this argument, which seems to turn upon the intention of Congress when passing the organic acts of the Territories. The court claims it was to authorize the Legislatures to endow *male* citizens only with the franchise. But in prescribing the qualifications for voters at the first elections in new Territories, before any Legislature is formed, Congress provided that "Every male citizen above the age of twenty-one, including persons who have legally declared their intention to become citizens, in any Territory hereafter organized, and who are actual residents of such Territory at the organization thereof, shall be entitled to vote at the first election in such Territory." But in prescribing the qualifications which voters must have at all subsequent elections, which the Legislatures are to regulate by law, the word "male" is omitted, evidently with the intent to permit those Legislatures to establish woman suffrage if they should so elect. When prescribing all the qualifications of voters for the first election, Congress used the term "male citizens;" but when endowing the Legislatures with power to prescribe those qualifications, subject to certain limitations, Congress simply used the word "citizens," thus leaving the Legislatures to either establish or forbid woman suffrage.

This is the second time that the Legislature of Washington Territory, representing a majority of the citizens, has enacted a law, voted on by a large majority of the members, establishing woman suffrage, and each time the court has pronounced it unconstitutional. The case will now go up to the Supreme Court of the United States, and we believe the law will there be sustained if it is properly presented before that judicial body. But unless it is advanced on the calendar, Washington Territory may meanwhile be admitted into the Union as a State, and will then be able to do justly by its women citizens without fear of obstruction by a court of Federal appointment.

The last "fat" producing circular sent out by Mr. Fester of the Republican League makes this significant admission: "Unless great effort is made in the next three months, there is great danger that Grover Cleveland will be re-elected." The danger appears to be increasing.

"WHY NOT?"

THE following caustic comments on the proceedings to forfeit "Mormon" Church property to the government of the United States, is taken from the New York *Truth Seeker*. After giving a list of the property in dispute it says:

"We trust that when Receiver Dyer gets through confiscating the church property of the Mormons he will take hold of the church property of the Protestants and the Catholics. He has the same right to confiscate the property of one sect as of the other. But he won't do it.

And now that Congress has set the legislative example, let us hope that the state governments will profit by it. Let all states confiscate all property in excess of $50,000 of sects. Let's take the church farms and stock, steal the fruits of their gardens, gather in their stocks and bonds and cash, and sell their real estate under the auctioneer's hammer. Probably a hundred millions could be realized in this way in this city and county alone, making the paltry three or four millions garnered in Salt Lake City look small!

Why not? If it is right in Utah it is right in New York. Precisely the same reasons exist for such confiscation, and shall the Christians who boast of their readiness to do and dare for principle shrink from doing the right because it would touch their own pockets?"

EXIT JUDGE ZANE.

WITH the advent of Judge Sanford of New York as Chief Justice of Utah Territory, to whom we extend cordial welcome, Judge Zane, who has served one full term in that capacity, retires from the bench and lays down his judicial authority. We cannot express any deep regret at his exit. Neither are we disposed to indulge in any exultation. We are simply content, and so are the very large majority of the people.

Judge Charles S. Zane has made some deep marks upon the later pages of Utah's history. He has been a prominent figure during the past four years. His name is familiar to all the people of Utah, and is not unknown in the various States of the Union. He is chiefly noted through his association with the determined attack that has been made upon the family relations of a number of our citizens, including some of the most prominent men and women and the oldest inhabitants of the Territory.

But Judge Zane has been called upon to decide very many important causes, not connected with the question of difference between a portion of our people and the nation at large. In these, we take pleasure to say, he has usually exhibited the characteristics and qualities of a learned lawyer and an upright jurist. He has sustained the cause of law and order and the rights of the people, their municipal authorities, their school laws and their city ordinances, in a manner that could not fail to gain the respect and admiration of the thoughtful and peace-loving, no matter what might be their religion or their politics. There have been many things in Judge Zane's administration which have been for the best interests of society here, and for which we think he should and will receive due credit.

But we would not be doing justice to him nor to the facts in his case, were we not to allude to the other side of his career. In the prosecutions for polygamy and unlawful cohabitation, in fact in any cases that were connected with the "Mormon" marriage system, he has appeared to the majority of the people here to be influenced by an animus that should never enter into judicial affairs. His rulings as to the signification of the law have been various and peculiar, and as we view it, the penalties inflicted were often unnecessarily extreme, particularly in cases when the defendants were only guilty of a technical infraction of the law, or rather of the construction placed upon it by the court.

We understand the position in which Judge Zane was placed and feel disposed to take all the circumstances into consideration. He was charged with the adjudication of laws specially framed to suppress a certain practice. It became his duty to proceed to that end. It is not to be expected that the severity which might appear proper to the Judge, would be viewed in the same light by the people against whom it was directed. But it has seemed that the ends of justice would have been fully answered by at least some leniency in cases of men who, even if in the wrong, had acted upon the deepest conviction, and whose unwillingness to bow to the court's decree as to their manner of life, was not through a disposition to defy the law, but through reluctance to violate the claims of conscience and what they deemed the most sacred religious and family obligations.

There were times, undoubtedly, when a fair interpretation of the laws according to well known precedents, and a disposition to be merciful in cases where men volunteered the testimony which convicted them, and where the relations of the parties were substantially innocent, would have done far more than the infliction of the very utmost penalties of the law, and indeed far more than the law permitted, to bring about that condition of affairs here which it has been asserted was the object of the legislation and the litigation.

We will say here that in some things Judge Zane dissented from the other Judges in their absurd and novel interpretations. He never endorsed, although he has had to be governed by, the infamous doctrine that a man cohabits with his legal wife even though he has not been in her presence for years, in order to make him guilty of cohabiting with two women, in face of the proven fact that he has lived with but one. In some other matters he has dissented from peculiar and vicious rulings, although in vain. These speak in his favor and we mention them to his honor.

Apart from what we view as his anti-"Mormon" animus, Judge Zane has been one of the very best judges who has sat upon the bench in Utah. He is a lawyer, a man of dispatch, a dignified and gentlemanly Chief Justice. We entertain for him no ill will. We understand he intends to remain here and practice law. We hope he will achieve that success that his talents demand, and that he will find, in his experience among the "Mormon" people, that they are not vindictive or revengeful, but ever ready to recognize merit and sincerely disposed to return good for evil.

CANADA BELIGERENT.

THE rejection of the Fisheries Treaty by a Republican Senate may lead to serious complications with Great Britain. The object of the treaty was, of course, to settle amicably the differences that have arisen between the Canadian and American fishermen. The rejection of the treaty was a party movement designed to bring the Administration into trouble. The retaliatory measures which seem to be inevitable are not unlikely to precipitate a war that, at first, would be very disastrous to this nation, now so feeble in its naval armament. The responsibility for this would rest upon the party of obstruction that has rendered abortive the means desired in the interest of justice and conciliation.

As evidence of the feelings that animate the Canadians on this serious matter, we clip the following from the Halifax *Herald*, which is the recognized organ of the Dominion government:

"Canada has no alternative but to revert to the stipulations of the convention of 1818. Trouble is sure to follow. The Gloucester fishermen, finding that their outrageous pretensions are backed by one great political party, will contemptuously disregard our fishery laws and regulations. Our Canadian customs officers and cruisers in enforcing these laws and regulations will be brought into unpleasant relations with Yankee fishermen. All the disputes, recriminations and misrepresentations of the past will be renewed with increased bitterness.

"The outlook for peaceful relations was so gloomy that a treaty had been negotiated by which Canada made liberal concessions in the interest of international peace and good will. The President of the United States has formally approved of that treaty in recommending it to the Senate for its ratification. Although one political party vigorously denounced the Canadian administration for making too liberal concessions to the United States, yet the Canadian Parliament immediately passed the bill of ratification in the interest of international comity. The United States Senate has evinced no disposition to pursue such an honorable course. They have not acted except with due deliberation and they accept full responsibility for all the consequences of their action.

"The vast majority of the people of Canada are unanimous in their decision to support the Canadian Government in protecting our valuable fishery interests from the onslaughts of these foreign marauders. We are indeed apprehensive of very serious complications. Any resistance on the part of a United States fishing vessel, which is caught in fragrant violation of our fishery laws, will compel our Canadian cruisers to use force. The loss of a single life may lead to an open rupture between the two countries. War may ensue, yet the Canadian people will prefer war to contemptuous and even outrageous treatment at the hands of an alien government. We must either protect our fishery rights or else sacrifice our self-respect and disgracefully forego all claim to a national dignity."

A WRETCHED ATTEMPT TO SMIRCH CLEVELAND.

THE Pittsburg *Leader* has published a long article, purporting to have been written by a representative of that paper, sent to Utah and other places for the purpose of obtaining correct information, taking President Cleveland severely to task for pardoning a large number of "Mormons" convicted of polygamous practices. The alleged facts as to the pardons are gross exaggerations and in several instances intentional misrepresentations, and the whole screed, with immense headlines in true bill-poster style over double columns, is but a campaign document badly designed and miserably executed.

The funny part of it is an attempt to make President Cleveland "partial to polygamists," because of a supposed relationship between his charming wife, who is universally esteemed, and a widow of the late President Brigham Young's, against whom even the scribe hired to work up this diatribe cannot utter a syllable of reproach, except that she made what he calls "a wicked Mormon marriage." No positive connection is established between the two ladies, except that their maiden surnames were the same and they are supposed to be either third, fourth or fifth cousins. It is not claimed that they ever met, or that there has been any communication between the parties. Yet President Cleveland is painted as partial to polygamist criminals because of this fancied and remote kinship on the part of his wife! Can the absurdity of "offensive partisanship" reach a higher climax than this?

We do not propose to reproduce any of the stuff which this too willing recipient gathered up for "facts" in an alleged visit to this city, where he says "the Gentile people are terribly outraged at these wholesale liberations of law-breakers," and that they have "a grievance that will be carried to every voter in the land." But we will simply say that the bitterest anti-"Mormon" here will scarcely object to the clemency shown to a very few persons convicted under the Edmunds law. Perhaps in two cases objection has been raised, but in the others both Republicans and Democrats have acquiesced. Some of the names given of persons "pardoned" were never convicted at all, and the exercise of *amnesty* powers by the President, which has been very gingerly extended and that under very stringent requirements, is twisted by the *Leader* correspondent into "wholesale *pardons*."

A number of papers allude to the sensational six headed mess of twaddle, and the best of them receive it with ridicule, while a few partizan journals briefly refer to it as a serious charge against the President.

If the facts concerning the prosecutions against the "Mormons" are brought out, as designed in the resolution passed on Saturday in the House of Representatives, it will be seen that under the present Administration a most vigorous onslaught has been made upon the social affairs of the "Mormons," and that the number of pardons are insignificant compared with the convictions and the infliction of the full penalties prescribed by law, and that these pardons have in every case been recommended by the Federal officials, and in several instances endorsed by leading Gentiles of both political parties.

The *Leader's* sensation is a wretched attempt to make a huge mountain out of the shadow of a very small molehill, and if that paper has been to as much trouble and expense as it pretends, to hunt up the frail data on which it has reared this transparent bugaboo, it has shown very little business sense and will not add to its journalistic reputation anything commensurate with its outlay. And how about this being "a clean campaign?"

A WEIRD "WINTERS' TALE."

THE suit entered in the Supreme Court of this Territory on Monday, ostensibly to recover five thousand dollars from the corporation of the Church of Jesus Christ of Latter-day Saints, is one of the most remarkable pieces of audacity ever witnessed in a court of law. An attorney named Winters presented a petition, alleged to be in behalf of one Carl P. Carlson, asking that the sum of five thousand dollars with interest, be paid to Carlson out of unappropriated funds of the Church now in the hands of the Receiver. The grounds of the petition are to this effect:

That the Church, to facilitate the emigration of its members sent out agents to assist and take charge of them. That the Church instructed its agent to demand the money carried or owned by the emigrants. That in July 1865 Carlson was emigrating to Utah and had in his possession about five thousand dollars in money. That at Wyoming, now Omaha, Joseph W. Young, deceased, demanded of the emigrants their money in the name of the corporation and as a Divine messenger, and that Carlson paid over his money and has never since received any portion of it.

We do not know anything about the person who is said to be making this absurd claim, but we do know that certain things set forth in the petition as facts are nothing but undiluted fiction. The thousands of emigrants who have come here from the old world can testify that no such demand was ever made upon them by the Church. It may be that persons unaccustomed to traveling have entrusted valuables to experienced men for safe keeping by the way. But it is well known that President Young was scrupulously careful in seeing that no frauds were perpetrated upon such people, and that exact justice was done when any cause of complaint arose. We also know that in 1865 Omaha was not called Wyoming, and that the money spoken of could not have been paid to Joseph W. Young, for he was not within a thousand miles of the place nor acting as agent for the emigration.

The object in bringing up such a singular claim as that at this late date does not appear on the surface. The attorney presenting it must know that legal action is barred by the statute of limitations, if there is any ground whatever for the claim. He cannot hope to recover, even if all the errors and falsehoods in the petition were truths. It is clear to every one who understands the policy of the Church and its courts for the settlement of difficulties between brethren, that if Brother Young had received money from this person which he had refused to return or to account for, every opportunity would have been afforded the claimant before a Bishop's court or High Council to bring the offender to account.

The object in getting this petition before the court and the case upon its record, appears to be very much like an attempt to work up a sensation to put before the country for anti-"Mormon" purposes. A claim twenty-three years old, founded upon evident errors and a false statement of the "policy and practice" of the corporation complained of, is a rather musty case to bring before the Supreme Court. But it can be used by unscrupulous dispensers of anti-"Mormon" trash, to pander to the prejudices of the multitude, who will gulp down a falsehood about the "Mormon" Church with avidity, and never deign to look at a thorough refutation of the slander.

We have known of zealous converts to religious creeds who, in a fit of enthusiastic generosity, have voluntarily donated money or other property to the Church of their choice, and afterwards, apostatizing from their faith, have endeavored to recover what they gave away, and failing have declared that they had been robbed. We do not say this fits the case of the alleged Carlson, but it may do so, and it is not an uncommon thing in the history of religious societies. Gifts have been made by emigrants having money, to the Perpetual Emigrating Fund, for the purpose of helping some poor people to gather with the Saints, and the donors after cooling in their ardor, have repented of their generosity and wished they had their money back. Such instances are rare, it is true, but this case may be one of them.

Whatever may be the bottom facts in the case, it is certain that if there had been any merit in it, an equitable settlement could have been effected long ago when it was alive and both sides could have been heard. Now, it is a dead issue, reflecting upon a dead man, and brought against a defunct corporation. The youthful attorney who has made this venture must have been very hard up for a cause, and terribly anxious to cut a figure at the bar. If he makes no more reputation than money out of it he will not become very rich in either.

CITY LIMITS.

THE following from a town some distance from this city, is presented and answered in accordance with the request therein contained:

"*Editor Deseret News*:

You would greatly oblige your correspondent and a number of your subscribers of this city if you would publish in the SEMI-WEEKLY NEWS, the following, with an answer to the same:

If a city moves its boundary lines, inclosing farms that have been obtained from the government by homesteaders and pre-emptors, who have received their patents, can said city collect city taxes from said farms?"

Prior to the last session of the Legislature, the only way in which an incorporated city or town could extend its boundaries, so as to take in farms or land not previously embraced therein, was to secure the passage by the Legislature of an act amending the municipal charter, and prescribing the desired change of boundary lines. The Legislature had the power to enlarge or contract, at pleasure, the boundaries of a city, but the city itself had no right to change its own boundaries.

In 1886 Congress passed a law forbidding Territorial Legislatures from passing special acts of this kind, and it thus became necessary for the Utah Legislature to pass a general law upon this subject, applicable alike to all cities in the Territory, and this was done at its last session.

The provisions relative to changing the boundary lines of cities are contained in Article XVII of "An Act Providing for the Incorporation of Cities," page 143, Session Laws 1888. A petition signed by at least two-fifths of the property owners of the district which it is desired to annex to the city, must be presented to the city council. The question of such annexation is then to be voted upon at the next municipal election, both by the electors of the city and of the territory proposed to be annexed. If a majority of both are in favor of annexation, the proposed territory becomes a part of the city, but not otherwise.

The annexation properly made, all of the taxable property in the district so joined to the city becomes subject to city taxes. But a city government has no right to levy a tax on real estate not actually included within the boundary lines of the municipality, as established by or in pursuance of law.

CINCINNATI, August 28.—Hermann Klein & Son's packing factory burned this morning. Loss $100,000. Partly insured.