EDITORIALS.

THE "INTER-OCEAN'S" GREAT MISTAKE.

A SHORT time ago we replied to some errors which appeared in an editorial in the Chicago *Inter-Ocean* concerning the election laws of Utah. The Woman Suffrage Association was ridiculed by the Chicago paper for objecting to the disfranchisement of the women of Utah, the *Inter-Ocean* taking the groond that the proposed legislation was aimed against polygamy. We proved that this was a mistake, because under the Edmunds law all polygamists, both male and female, and including every person who had at any time lived in the polygamic relation were already prevented from voting, and therefore the proposed abolition of woman suffrage in Utah was aimed against women not personally connected with polygamy.

The *Inter-Ocean* made some assertions in regard to the Utah woman suffrage law which we showed were incorrect. For instance, it added to it a section of an altogether different law, passed eighteen years previously, the object being to make it appear that women under twenty-one years of age could vote in Utah, providing only that they were married. We pointed out this unfair and erroneous method of assault, and explained the true status of the law.

Now comes the *Inter-Ocean* with an answer to the NEWS, and says: "We quoted the territorial suffrage act exactly as it is given in the records;" and to our statement that the added section has no reference to the right of suffrage, that paper says:

"We give the statement for what it is worth, remarking that it has been asserted time and time again that hundreds of Mormon women have voted under cover of the clause, 'All minors obtain their majority by marriage.' We ask the NEWS if these statements are true? Have Mormon women under age ever voted in Utah? If not it will be easy to say so."

"We insist that we published the 'Mormon' suffrage law, word for word, as it is given in the reference books. We re-assert that proposed legislation against this law is against polygamy and not against woman suffrage."

It will be observed that the *Inter-Ocean* does not meet our statement fairly and squarely. We found no fault with its quotation of the woman suffrage Act. What we objected to was the addition to it of a section of another law which has no connection with or application to it. This the *Inter-Ocean* does not deny. Suppose an Act is passed, defining a crime and fixing its penalty, and in quoting it an editor should clip out a clause from a law passed eighteen years previously in reference to a totally different offence, and tack it on to his first quotation for the purpose of sustaining an argument against it, and when corrected, should maintain that he had quoted the first named law word for word; how much honesty would there be in such a course, and what would his argument be worth?

We repeat that the law defining the responsibility of minors and fixing the age at which majority shall be reached for the purpose of making legal contracts, has nothing whatever to do with the law passed eighteen years afterwards providing that one of the qualifications of a woman voter shall be that she must be of the age of twenty-one years. Technically the *Inter-Ocean* has quoted the woman suffrage law as it appears on the statute book; actually and morally it has falsefied the record by adding to it something that does not belong there in any sense or for any purpose, and which was attached by the *Inter-Ocean* to convey an impression contrary to the intent of the law and contrary to the practice.

And now let us contrast the bearings of the two enactments. The law of 1852 provides that for the purpose of making valid contracts, minors shall reach their majority by marriage. The law of 1870 provides that women may vote, and that among other qualifications they must be twenty-one years of age. Nothing is said in the latter law about "majority." The word is not used in it. The definite minimum age of a woman voter is stated. What legitimate connection can be claimed for the two enactments? None whatever. They are for separate and distinct purposes, and one has no bearing or effect upon the other.

But we are asked to state whether "Mormon women under age have ever voted in Utah?" And we are told that "if not, it is easy to say so." Indeed. Could the editor of the *Inter-Ocean* answer the question, have any "Gentile" male persons voted under age in Chicago? If so, he must be very familiar with the birth and doings of a great many people whom he has never met. We can answer the question truthfully in this way: So far as we are aware there has been no such voting. But if there has been, it was contrary to the law and to the general understanding. The point in dispute is the law, not its violation. The *Inter-Ocean* tried to make it appear that the *law* allows voting by minor women, whereas the law prohibits it. But to make the matter still plainer, we refer to the Registration Act of this Territory. Under that, no woman can vote unless she *swears* that she is twenty-one years of age.

How much more binding can the law be made? We think that it is followed implicitly. We have every reason to believe that women in Utah do not attempt to register or vote, whether they are married or single, if under twenty-one years of age. The question has been asked in times past if they had the right to do so, and invariably answered to the contrary in the public prints, and the Central Committee of the People's Party have given, repeatedly, general instructions on this and other points of law in regard to elections. The position of the *Inter Ocean* in reference to it is an error, the source from which it derived its supposed information was wilful and deliberate falsehood.

Now as to its insistence that the proposition to disfranchise the women of Utah is "against polygamy and not against womsn suffrage." No women are now permitted to vote in Utah who a re or ever have been plural wives. To disfranchise the present voters, then, cannot be a movement against polygamy, and must be against woman suffrage and that alone. The Edmunds law was directed against polygamy, in that it disfranchised both men and women practically connected therewith. But the new Edmunds bill proposes to disfranchise the women who are not in polygamy, and does not propose to disfranchise the non-polygamic men, therefore it certainly is against woman suffrage and not against polygamy. The *Inter-Ocean* may "insist" all it pleases, and may assert and re-assert its illogical and disingenuous statements, but the plain facts and the inevitable conclusions are against it, and we respectfully ask that it will put this matter right before its readers, and not suffer the mistakes into which it has fallen, further to deceive that considerable portion of the public which is influenced by its utterances.

THE DEBATE ON THE EDMUNDS FOLLY.

WE publish to-day the report in the *Congressional Record* of the debate on the substitute bill, introduced by Senator Edmunds in place of the original bill understood to have been drafted by the District Attorney for Utah, but which was too bad in principle and construction even for the Senator from Vermont.

The dispute turned chiefly on the suffrage question, and the lamentable ignorance of our national legislators on the Utah question was again manifested. Mr. Edmunds acknowledged that he derived his alleged information from a number of the Commissioners who recently visited Utah, and who spent most of their time in this city. It was to the effect that woman suffrage here is "a suffrage of servitude;" that the women here "vote as their lords and masters require them to do, be they many or few." In response to the suggestion of Mr. Morrill that "if the Gentile woman did vote, one wife would not counterbalance six," Mr. Edmunds said "that is true enough." All of this goes to prove that the Senators named were ignorant of the effects of Mr. Edmunds' bill of last session, which took the ballot away from all the polygamic wives as well as the polygamic husbands. Even Mr. Hoar, while arguing rationally against the the principle of the bill, seemed at first to be unaware of the fact that polygamists, male and female, had been practically disfranchised in Utah, although he afterwards called attention to this fact.

The pretended object of the measure is the suppression of polygamy, but its real object was let out by Mr. Edmunds in replying to Mr. Hoar, and that is to cripple the "Mormon" Church and to put the political power of the Territory into the hands of the few to the detriment of the many. Senator Edmunds is a great expounder of Republican principles according to the theories of his party. Is it not a queer kind of republicanism to make laws for the express purpose of destroying popular government in an organized community, and of turning over all political power to a small minority of its citizens?

But the Vermont Senator gives his whole argument away by stating that if the "Mormon" women could have the free exercise of their opinions they should have the right to vote, and if they had not that right he would give it to them. He assumes that the "Mormon" women are "compelled to vote as their lords and masters direct," yet admits that he has not been able to get at their "real opinions," although he thinks the Commissioners have. Now, the evidence all goes to prove that the "Mormon" women vote just as they desire. The absolutely secret ballot is their protection. No one can tell how they vote. There is nothing to prevent them from voting as they please. There is no evidence to the contrary except the bald assertion of the Commissioners, who know no more about the real opinions of the "Mormon" women than Senator Edmunds does, for they never took the pains to enquire. The "Mormon" women vote with their husbands, fathers and brothers because they are of the same opinions. They are one with them both in religion and politics. Attendance at the enthusiastic political meetings of the People's Party held in this Territory last fall, in which women took part and applauded as much as the men, would have convinced any one with eyes and ears and common sense that what we have stated is correct. And if Senator Edmunds thinks women could be "compelled", by their husbands to vote in a certain way or at all against their will, he knows very little of female human nature.

But his ideas spring from a mistaken notion; that is, that "the very nature of woman revolts at polygamy." It is not nature, but tradition and training that excite such revolt. He does not understand "Mormon" polygamy nor the views of the "Mormon" women. The St. Louis *Republican* says on this point:

"The Mormon women outnumber the men. They could vote polygamy out of existence to-morrow if they would, but it is evident they do not wish to. They have voluntarily chosen their lot. They knew what Mormonism was before they embraced it. The greater number have come all the way from Europe to espouse it. They have never protested nor attempted to protest against it. On the contrary, so far as we are able to gather, they are not only submissive under their condition, but contented with it, and opposed to any change in it. They are stout advocates of polygamy, and will, of their own free choice, vote for it on every occasion. It may be hard for persons living outside of Mormonism to understand this, but the fact stands out in such plain view that we cannot ignore it."

The truth is, that the legislators who attempt the most to regulate Utah affairs, know the least about them. They are only the dupes of rascals who stuff them full of falsehoods and prevail upon them to father the schemes concocted by adventurers who want to control the affairs of this Territory. However, the schemers must feel considerably flattened out by Senator Edmunds' emphatic opposition to their pet plot—to which all their conspiracies gravitate—the establishment of a Legislative Commission for Utah. That is too outrageous even for him. He will have none of it. Although claiming, without advancing an argument to sustain it, the authority of Congress to legislate for a Territory as absolutely as for the District of Columbia, he cannot go to the length of placing legislative powers for Utah into the hands of a few persons irresponsible to the people. He says, "it cannot be done."

Senator Blair takes the really constitutional position in relation to this matter, that is, admitting for the time being that Congress has any right to regulate the domestic affairs of an organized community. He holds that the right of suffrage once lawfully exercised cannot be taken away without conviction for crime, and thus proclaims the illegality of the rulings of the Commissioners, by which citizens of Utah, not only unconvicted but clearly untainted of any offence against the laws have been prevented from exercising the right of suffrage.

The report of the debate, unlike much of the matter which appears in the *Congressional Record*, is worth reading, and to all impartial minds will show the shallow basis on which inimical legislation is proposed for Utah.

SINGULAR SENATORIAL REASONINGS.

THE debate in the United States Senate over Mr. Edmunds' latest piece of anti-republican legislation, to the report of which we again surrender much of our space, developed some singular logic. Senator Edmunds' position, briefly defined, on the clause for the disfranchisement of the women of Utah was, that because they do not vote in the way that the Senator desires they ought not to vote at all, and when asked why he did not extend this principle and disfranchise the men for the same reason, he replied that this would destroy local government and prevent the election of a Legislature. He claimed to have for his object the suppression of polygamy, and as a means of accomplishing it he wanted to disfranchise women who are not in polygamy.

Senator Logan did not want to consider whether woman suffrage was right or wrong, to investigate the charges that both men and women in Utah are under duress in political matters, or hesitate over the matter at all; but desired to strike at "Mormonism," to extirpate it and cut it out by the roots, to destroy the power of the "Mormon" Church, and was not particular how it was done. He would make "universal destruction of it at one blow."

Senator Jones, of Florida, made an extended argument on the power of Congress over the Territories which he claimed to be absolute. On some pointed questions being put by Senator Vest, he had to admit that this power is limited; that Congress cannot pass for any Territory an *ex post facto* law or bill of attainder, or deprive him of liberty or property without due process of law; that in fact its authority is limited by the Constitution, and the restrictions of that instrument apply to the powers of Congress over the Territories. And yet he argued that Congress could take away the vested political rights of the people, deprive them of legislative powers long exercised, and destroy every feature of republican government in a Territory, all of which would be in violation of the supreme law of the land.

Reference was made to the action of the general government in regard to Florida when that territory was acquired by the United States. A sort of preliminary government was organized by which the legislative power was vested in the Governor and thirteen persons, residents of the district, appointed by the President and Senate of the United States. But this was afterwards set aside and the people were allowed to elect their own Legislative Assembly, as they had the right to do. But Senator Jones claimed the same power for Congress over the Territories as over the District of Columbia, and all the proof he could adduce to sustain his position was the *exercise* of that power. He did not quote a line from the Constitution which he contended confers that authority, for the simple reason that he could not. His argument was that Congress had used that power and therefore they had the right to use it. Logic indeed!

It does not matter if every Senator agreed with Mr. Jones and would not "quarrel" with Mr. Edmunds on the powers of Congress; that would not alter the fact that the exercise of absolute power over the Territories is an assumption, and that the Constitution not only confers no such authority, but according to established rules of interpretation forbids it, in that the exclusive jurisdiction of Congress is specially extended only to the District of Columbia and the forts, arsenals, dockyards and similar property of the United States, and this excludes everything else.

We have not space to-day to enlarge on this subject. But we desire that those who read the report of the debate may be able to discern the fallacies and perceive the singular logic of the learned legal gentlemen, who supported the now defeated Edmunds attempt against the liberties of the people of Utah.

THE DEBATE CONTINUED.

THE debate on the new Edmunds bill was renewed in the United States Senate as in committee of the Whole, on Friday, February 23rd. The amendment offered by Mr. Blair was, after a short discussion, rejected by a vote of 37 against 6, absent 33, Senator Blair himself not being present. The amendment of Mr. Hoar was then considered, and at his request Section 8 of the existing Edmunds law, disfranchishing polygamists, bigamists, and persons cohabiting with more than one woman, was read by the Under Secretary.

Mr. Hoar. It appears, therefore, that the reason given by the Senator from Vermont in favor of the existing section, that the women in that Territory would vote, as he described it, as their lords and masters wished, falls us if that phrase is to be understood as describing Mormon women, because by the present law those who are married according to the Mormon practices are excluded, and all persons who come within the description of polygamists or bigamists. So the present section becomes not a criminal law leveled at certain gross and most disreputable criminal practices, providing for the means of proof and punishment, but the Senator brings forward a bill prohibiting the people of Utah from exercising the prerogative exercised in every other Territory, to wit, that of prescribing qualifications for their voters within innocent and proper limits, and provides that the women now enjoying the privilege of voting there shall not vote, on no other ground except the belief that they will vote in a particular way, in the belief that they will vote under a particular duress or restraint. That might be a proper reason for the interference of Congress, but those who are exposed to that duress are prohibited now, and it proposes to make that general, and extend it to all women, of course only including in the effect of the enactment those who are not under Mormon duress on the avowed and undisguised ground that they will not vote in the mode which is desired in this particular by the authors of the bill.

It seems to me that this is a violation of sound constitutional principles, and that it is equally unjustifiable whether we approve of suffrage being extended to women or not.

Mr. Logan. Mr. President, I propose to give very briefly my reasons for voting for the substitute reported by the Committee on the Judiciary, with the seventh section in that the Senator from Massachusetts proposes to strike out. I voted for the law that was read at the Clerk's desk depriving persons who practice polygamy, either men or women, in the Territory of Utah of the right to vote or hold office. I did that as a step in the direction at least of trying to reform if possible, or change in some way the influence of the priesthood upon the people of Utah. It does not seem to have had the desired effect.

I believe that polygamy, as practiced in Utah, or as practiced anywhere (but we are dealing with Utah, and as applicable to the people of this country), is, if I may use such an expression, a cancer upon the body-politic. There is but one way to deal with it, and that is to put the knife to the roots of it and cut it out and destroy it. There is no character of legislation within the purview and meaning of the Constitution of the United States that would be calculated to suppress polygamy in that or any other Territory that I would not vote for.

This is not a strike, as has been said, at the right to vote. It is not a question whether female suffrage is right or whether female suffrage is wrong. It is not a question in this bill as to whether the principle of female suffrage might be applied in Massachusetts or in New Hampshire, or in my own State, and whether it is correct or incorrect. It is bringing the question before Congress as to what we may or can do to influence and affect the practice of polygamy.