

The New Northwest.

FREE SPEECH, FREE PRESS, FREE PEOPLE.

VOLUME XI.—NO. 14.

PORTLAND, OREGON, THURSDAY, DECEMBER 15, 1881.

PER YEAR—\$3 00.

MORE LAST TOUCHES.

THE SENIOR EDITOR FINISHES WORK IN THE WASHINGTON TERRITORY LEGISLATURE AS OUR ARTIST.

THE MISDIRECTED BUT WELL-MEANT ENDEAVORS OF MEN TO LEGISLATE FOR WOMEN SHOWN UP WITH THEIR TRUE MEANING.

OLYMPIA, December 5, 1881.

TO THE READERS OF THE NEW NORTHWEST:

It was impossible to do full justice to the dissolving view of the late Washington Legislature in the time allotted to the work last week. Therefore, in order that the picture in ink may be properly finished, we again begin our penciling, hoping that full justice may be done to all before this last hour for our sketching closes.

The new legislative or special session is organized now, and the first member that moves into view at this sitting is Hon. J. W. Kerns, Councilman from Clarke, a sturdy farmer with broad brain and correspondingly comprehensive views, who, finding it impossible to pass the Woman Suffrage bill as first attempted, concluded to take opposing members at their word and offer a bill empowering women to vote at the next general election, and thus test their declaration that they were ready for women to be empowered with the elective franchise upon certain vehemently expressed conditions. The bill, of which the following is the text in full, shows how comprehensive were the ideas of the gentleman who introduced it, and how carefully he was disposed to guard the rights of women in case the same should become a law:

An Act to Submit the Question of Suffrage to the Women of the Territory.

Be it enacted by the Legislative Assembly of the Territory of Washington:

SECTION 1. That the question of Woman Suffrage shall be submitted to the women of the said Territory of Washington at the general election to be held in the year 1882, as is further provided in this act.

SEC. 2. All women above the age of 21 years (except Indian or China women), who are not idiots or insane, or who have not been convicted of any crime against the laws of the Territory, shall have the right to vote at said election on the question submitted to them by the provisions of this act.

SEC. 3. The ballots to be used for the purposes of this act shall have either written or printed upon them the words "Woman Suffrage, yes," or "Woman Suffrage, no," and no other words or letters shall be either written or printed thereon.

SEC. 4. The clerks of the election shall write down in columns to be prepared for that purpose the names of all women who vote, and the ballots shall be numbered to correspond with the number of the names on the lists of the clerks.

SEC. 5. Votes may be challenged, and the right of parties to vote shall be determined according to the general election law of this Territory, so far as the same may not conflict with the provisions of this act; and the inspector shall deposit in a separate box the ballots received, in accordance with the provisions of this act.

SEC. 6. The votes shall be counted and returns made and certified as in other cases, and the County Auditors of the several counties shall make a true and correct abstract of such vote and transmit the same to the Secretary of the Territory, within twenty days after the same shall have been counted and truly ascertained by them.

SEC. 7. If a majority of all the votes cast under the provisions of this act shall be for "Woman Suffrage, yes," then the Legislature, at its session immediately succeeding the said election of 1882, shall enact such law as shall be necessary to comply with and carry out the desire of the women of the Territory, as expressed by said vote.

SEC. 8. This act shall take effect and be in force from and after its passage and approval.

The prompt rejection of this bill by the vote of the members who had loudly proclaimed themselves in favor of allowing women the exercise of the elective franchise "whenever a majority of them should desire it," exposed the insincerity of their declarations, and placed them on record in unreasoning hostility to justice and right. The last prop was knocked from under their sandy foundation of argument, and they were left floundering in the shallow waters of sophistry, to be stranded upon the beach of political defeat after the next tidal wave of ballots shall sweep over Washington Territory.

The next Council member who appears on the scene is Hon. Elwood Evans, a portly and intelligent lawyer, and a platform public speaker of much renown. This gentleman is a well-known advocate of Woman Suffrage, and the ladies of the country will ever hold him in grateful remembrance because of his many manly acts in their behalf; but, truly as they appreciate his good intentions, they are led by the terms of his "bill to define the rights of married persons" to more fully comprehend than ever before the utter inability of any person, however well disposed, to represent a class of which he is not an integral part, and from whose standpoint he has no power to judge. The first section of Mr. Evans' bill shows that the fundamental principles of justice are clearly developed and strong, for it provides that—

Every married person shall hereafter have the same right and liberty to acquire, hold, enjoy and dispose of every species of property, and to sue and be sued, as if he or she were unmarried.

If this section of the bill were the only one in it

except those necessary to insure its enforcement, it would be a masterpiece of justice in human legislation, as it would impose no pecuniary disabilities whatever upon any married person or couple, but would leave all such persons free to make their own mutual contracts in property matters, or break or dissolve them by mutual consent.

Section 3 of the bill still further impresses the author's innate idea of justice upon the mind of the lover of liberty by providing that—

All laws which impose or recognize civil disabilities upon a wife, which are not imposed or recognized as existing as to the husband, are hereby abolished.

But of course women understand that it was necessary, in order that the bill should pass, to provide in this section that "nothing herein contained shall be construed to confer upon the wife the right to vote or hold office."

The bill further provides that the rights of parents in the children shall be equal, and their testamentary rights shall be equal also.

Section 5 provides as follows:

The property and pecuniary rights of every married woman at the time of her marriage, or afterwards acquired by gift, devise or inheritance, with the rents, issues and profits thereof, shall not be subject to the debts or contracts of her husband, and she may manage, lease, sell, convey, encumber or devise by will such property to the same extent and in the same manner her husband can property belonging to him.

Had the bill gone no farther than the sections before quoted, the above would have been wholly unnecessary, as all these matters would have naturally regulated themselves under the provisions of Section 1. But Section 5 leads for still further legislation, and makes the whole extremely distasteful to the persons who are subject to the law-making power of those who "declare themselves invested with power to legislate for them in all cases whatsoever."

This bill, taken as a whole, refuses to recognize the copartnership and unity of husband and wife upon the plane of mutual and undivided interests. It gives the wife power to hold her property, as above named, (provided she have any, which seldom happens,) as her "separate property," and the husband the power to control his possessions as his separate property. It permits each to sue the other, and like "the leak in the dyke," open great sluices of discord, through which the ere-while harmonies of a united copartnership may be sapped to their destruction.

The bill provides that the wife may receive the wages of her personal labor; a wise conclusion when drawn from the hypothesis upon which the whole instrument is based. However much we may deplore the legislation that makes such a provision necessary, we cannot be too thankful that the Legislature made it a law; for, be it known to you, women of Washington Territory: You who boil and bake and stew and fry, and wash and scrub and churn and iron; you who sew and patch and quilt and darn, and knit and wash the dishes; you who nurse the babies, care for the sick and minister to the wants of the well in your households; you who make the gardens, cook or do chamberwork in hotels, or run family boarding or lodging-houses, that it has been enacted by your friends in court, under the provisions of Section 9, that—

A wife may receive the wages of her personal labor and maintain an action therefor, in her own name, and hold the same in her own right; and she may prosecute and defend all actions at law for the preservation and protection of her rights and property, as if unmarried.

"Why, that's exactly what we want!" exclaims Mrs. Don't-Want-to-Vote. "If I could have twenty-five dollars a month for my personal labor and hold and dispose of it as I please, so I wouldn't feel myself a pauper in spite of my toil, I'd be just as rich as I'd care to be. What are you finding fault with Mr. Evans' bill for?"

Hold! good woman! You are going too fast. You do not stop to reason the matter through. Don't jump to conclusions till you know you're right. Let's look a little further. Section 14 upsets your newly-found rights by providing that—

Property not acquired or owned separately, as prescribed in Sections 5 and 13, and acquired after marriage by either husband or wife or both, is community property; and the husband shall have the management and control of community personal property, with a like power of disposition as he has of his separate personal property, except he shall not devise by will more than one-half thereof.

There you are, Mrs. D.-W.-T.-V.! You have all the rights you want! Pray enjoy them! The "twenty-five dollars per month," for which you so ardently long that you are willing to barter your birthright of liberty to procure it, is "community property," and your husband has the same management and control of it, with a like power of disposition as he has of his separate property. How do you like it? There is one palliation for your disappointment, though. You can will away "one-half thereof" to somebody else—after you're dead! Isn't it a grand privilege to live in a free country, under a government that guarantees to every citizen the "equal protection of the laws?"

There is another palliation in Section 16 which must not be overlooked, for it provides that—

Upon the death of either husband or wife, one-half of the community property shall go to the survivor, subject to the community debts, and the other half shall be subject to the testamentary disposition of the deceased husband or wife, subject to the community debts.

What is "sauce for the goose" in this section is also "sauce for the gander," so we have no complaint to make against it for woman's sake; but we do object on man's account (we're a man's rights woman), for there is here a strong temptation placed before woman to induce her to take advantage, in her capacity of personal laborer as cook, to put spiders in husbands' dumplings so she may have a little of the "management and control" of her own earnings, with a "like power of disposition" in her own hands.

Section 18 somewhat palliates the temptation to kill the custodian, however, for it declares that—

The earnings and accumulations of the wife and of her minor children living with her, or in her custody, while she is living separate from her husband, are the separate property of the wife.

We know a wife living in Washington Territory who keeps a boarding-house, and with the assistance of her minor children usually makes a comfortable living. About two years ago, her husband, who has the "management and control" of the community property, but is in no sense a producer or provider for the household, drew the entire savings of the wife's business, and in spite of her protest invested them in a wild-cat speculation, incurring an additional debt, which the wife is still struggling to pay. The husband is not a vicious man, nor is he in any accepted sense dissipated. He is simply visionary and idle. He likes to sit in the bar-room and tell about "my" table and "my" accommodations, and how "my" business is prospering, etc., etc., but he has nothing whatever to do with it except to collect and "control" the money. The family live harmoniously so far as the world sees, but it will be a great wonder if the "wife with her minor children" does not conclude, under the provisions of Section 18, to "live separate from her husband" in future, in order to secure some separate property. Of course she could not renew the conjugal copartnership, for the husband would again have the "management and control, with a like power of disposition," and her only relief could be found in the modern acquisition known as the divorce court, against which she has such strong religious convictions that she shuns it as an unholy terror.

Were every man and every woman in the land so wise and benevolent, so enterprising, capable, pure, conscientious and true as to rise above the need of any laws whatever, there would be no complaint urged against Mr. Evans' bill. It is hard, indeed it seems impossible, for a thoroughly benevolent man to comprehend the need of laws that will recognize woman's equality and individuality with himself. He does his duty by his own family; he would not so much as injure a hair of their heads; he confides in and trusts them, and loves his wife as his better self. Such a man will do his duty as he understands it, law or no law. He feels that he protects his family, and other men must do the same. His mistake consists in imagining that woman's position and individuality are secondary; that her judgment is weak, her conceptions narrow, as compared to men's, and her rights must be under the control of her husband as the head of the firm. The truth is that men and women are equal, endowed by their Creator with equal inalienable rights; that they should be at all times left free to make their own contracts and control their own interests in the mutual copartnership of marriage, the same as if unmarried; the same as if they were making a business copartnership as between men and men, wherein the headship or responsibility between the two should be left to their own election.

What would Mr. Evans think of a bill "to define the rights of copartnership," similar in all respects to the bill under review, except that it related to blondes and brunettes among men? Suppose the blondes were considered in law the responsible class, and the brunettes the protected one. If he will read his bill from beginning to end, precisely as it stands in law, substituting "blonde" for husband and "brunette" for wife in all sections pertaining to the sole interests of two partners in a life-long business, and report his opinion of it for our readers, we will be very much obliged to him for the favor.

We have been so long engaged in sketching Mr. Evans and his bill that it is almost time to go home, so we rapidly note the pleasing fact that the aesthetic is prevailing to a great extent among the Honorables of both Houses, as is evidenced by their endeavors to secure each other's autographs and post office addresses in gaily gilded and elaborately embossed ladies' albums.

With this parting comment, we bow ourselves out of the august presence of the representative dignity of the aristocracy of sex, feeling like a school-ma'am bidding her big boys a gentle farewell, and hoping some day in the future to meet them all again.

A. S. D.

THE PRESIDENT'S MESSAGE.

President Arthur's message is a lengthy document of fair ability. Its language is plain and good. Reference is feelingly made to his predecessor's death.

"Relations with foreign countries" are first mentioned. We are at peace with all nations. As regards the Panama canal, the President does not affirm the Monroe doctrine in a way that can give offense to other governments, but what he says nevertheless distinctly conveys the idea that the United States has a paramount interest in securing the neutrality of the canal under its own protection.

In discussing financial and home affairs, he recommends that silver certificates be called in and that the act requiring their issue be repealed. Discontinuance of the coinage of silver dollars is also recommended. It is suggested that all internal revenue rates be abolished except the taxes on liquors and tobacco and the special tax on manufacturers of and dealers in such articles.

The President thinks the army should be recruited till its strength reaches 30,000, and then maintained at that figure. The old story about the miserable condition of the navy is once more recited, and Congress is urged to take means to re-create it.

Akin to this is consideration of the condition of our merchant marine. Congress is asked to make inquiry why it is that our country, rich in resources and products, has lost the ocean carrying trade, and is actually dependent on foreign bottoms for exportation of its own products; but he offers no explanation himself.

The President views with concern the immigration to the Hawaiian Islands of outsiders, but says nothing regarding the misnamed "reciprocity" treaty.

Two recommendations are made in regard to the Indian question: The passage of an act making the laws of the various States and Territories applicable to the Indian reservations within their borders; and the enactment of a general law permitting the allotment of lands in severalty to such Indians as deserve it.

The Mormon question is treated plainly. He is particularly severe on polygamy. After mentioning the fact that for years the Executive has called the attention of Congress to the iniquity without result, he demands better laws in regard to evidence in polygamy cases. He says the "duty is imposed on Congress and the Executive of an assault upon the barbarous system with all the power which, under the Constitution and the law, they can wield against it."

The immediate establishment of a government for Alaska is urged, and also the passage of laws to carry the Chinese treaties into effect.

Improvement of the Mississippi River is recommended, but the Columbia is not mentioned.

Civil service reform is discussed at length. A trial of certain features of the English system is recommended.

The earnest attention of Congress is asked to a consideration of the "inability" question raised during President Garfield's sickness.

WOMEN PHYSICIANS.

It is within the recollection of persons not far advanced in years when an educated woman physician was a novelty as rare as a white black-bird. Now there are no less than 390 of that class in active practice, mostly in the States of New York, Massachusetts and Pennsylvania. Commenting on this fact, the *Marysville Appeal* says: "The change that has already taken place is probably only the beginning of a new era. In a few years the number of women who are creditable doctors will be so great that their sex will cease to be a matter of comment. The present condition of things illustrates the modified theories regarding marriage which are prevailing. Formerly it was thought that woman's chief aim and object was marriage. Now multitudes prefer the independence which is gained by avoiding it. Of the practitioners enumerated above, seventy-five per cent were single when they began their studies, and it is not probable that many of these have since taken husbands. Thus, those women who aspire to a career are leaving a more open field to their less ambitious and more domestically disposed sisters."

The Shakspeare Society of London has elected Mrs. Garfield its "first honorary member" as a "slight tribute of admiration for the loving devotion shown by her during the long and painful illness of the late President." President Garfield was an active member of the society.

The Washington Territory Legislature adjourned last Friday morning at 4 o'clock, after an all-night session. The *Oregonian's* excellent reports of proceedings during the past couple of months were furnished by Professor W. H. Roberts.