**Woman Suffrage By Federal Constitutional Amendment eBook**

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**By CARRIE CHAPMAN CATT**

State Election Laws defective.  Many state suffrage amendments undoubtedly lost by frauds in elections.  In twenty-four states election law or precedents offer no correction of returns in fraudulent amendment elections.  In twenty-three states Contest on election returns probably possible.  In eight states recount of votes made.  A court procedure and expensive.  Punishment for bribery.  Relation to Contest.  Ohio cases.  Vagueness of election laws protects corruption.  Ignorant vote used by corrupt.  Form of ballot often helps corruption.  Only 13 states have headless ballots.  Form of Suffrage amendment ballots in recent years aided in defeat of measure.  Examples.  Non-partisan referendum not protected from fraud like party questions.  In most states women cannot be watchers at polls.  Aliens can vote in eight states.  Illiterate can vote in most states.  Resume.

**CHAPTER IV 36**

**THE STORY OF THE 1916 REFERENDA**

By *Carrie* *Chapman* *Catt*

Three states voted on Woman Suffrage amendments.  Some causes of failure.  Story of Iowa election.  Woman’s Christian Temperance Union proves forty-seven varieties of corruption.  South Dakota.  Foreign vote defeated Woman Suffrage there.  Figures of some counties.  Relation between Prohibition and Woman Suffrage votes.  West Virginia.  Illiteracy and conservatism defeated Woman Suffrage there.  Liquor influence felt.  Corruption in Berkely County, West Virginia.  Special Legislative session called but investigation of frauds abandoned.  Analysis of vote of certain counties.  Resume.

**CHAPTER V 55**

**FEDERAL ACTION AND STATES RIGHTS**

By *Henry* *Wade* *Rogers*

Judge of U.S.  Circuit Court of Appeals, N.Y.C.

Would Federal Amendment violate local self-government or conflict with State Rights?  States rights a sound doctrine, but has been perverted, misapplied and carried to extremes.  Henry St. George Tucker maintains this way of gaining woman suffrage is contrary to rightful demarcation of powers of federal and state governments.  Constitutional Convention 1787 provided that amendments be ratified by three-fourths State Legislatures, State Constitutions may not violate United States Constitution for this is supreme Law.  Amendment to U.S.  Constitution valid regardless of provisions in State Constitutions.  Ratification by State Legislatures does not violate States rights for by it states act as sovereigns.  Same argument for removal of sex line in Suffrage as that on which 13th, 14th and 15th amendments were based. 15th amendment gives the sound basis for woman suffrage amendment.

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*Objections* *to* *the* *federal* *amendment* By *Carrie* *Chapman* *Catt*

States Rights objection discussed.  U.S.  Constitution twice amended recently under Democratic administration.  Federal Prohibition Amendment introduced by Southern Democrat.  Even if all state constitutions gave woman suffrage U.S.  Constitution would contain discrimination against women in word “male.”  Objection that woman suffrage will increase Negro vote.  If true, would be objection also to State suffrage amendment.  White supremacy will be strengthened by woman suffrage.  Discussion of figures of Negro and white population in 15 southern states.  Testimony of Chief Justice Walter E. Clark.  Objection that women do not want the vote.  Men of 21 and naturalized citizens become voters without being asked.  Only those who wish to need use the vote.  That many women do want the vote is shown by western figures in election of November, 1916.  Objection that unfavorable referenda in various states show that constituency has instructed its representatives in Congress against woman suffrage.  Unfavorable majority against a suffrage amendment is in reality a minority of constituency.  Objection on ground of political expediency.  Meaning of this argument as used by different interests.  If government “by the people” is expedient, then government by *all* the people is expedient.  If Government by certain classes is better, then basis of franchise should, be morality and education, not sex.  Objection that Woman Suffrage will increase corrupt vote.  Woman Suffrage will increase intelligent electorate.  Statistics.  It will increase the moral vote.  Only one in twenty criminals is a woman.  Election conditions in equal suffrage states.  Objection that Prohibition sentiment is stronger than Suffrage sentiment since former has spread faster.  Prohibition can be established by statute and by local option and suffrage cannot.

**CHAPTER I**

**WHY THE FEDERAL AMENDMENT?**

Woman Suffrage is coming—­no intelligent person in the United States or in the world will deny that fact.  The most an intelligent opponent expects to accomplish is to postpone its establishment as long as possible.  When it will come and how it will come are still open questions.  Woman Suffrage by Federal Amendment is supported by seven main reasons.  These main reasons are evaded or avoided; they are not answered.

1.  *Keeping* *Pace* *with* *other* *countries* *demands* *it*.

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Suffrage for men and suffrage for women in other lands, with few and minor exceptions, has been granted by parliamentary act and not by referenda.  By such enactment the women of Australia were granted full suffrage in Federal elections by the Federal Parliament (1902), and each State or Province granted full suffrage in all other elections by act of their Provincial Parliaments.[A] By such enactment the Isle of Man, New Zealand, Finland, Norway, Iceland and Denmark gave equal suffrage in all elections to women.[A] By such process the Parliaments of Manitoba, Saskatchewan and Alberta gave full provincial suffrage to their women in 1916.  British Columbia referred the question to the voters in 1916, but the Provincial Parliament had already extended all suffrage rights except the parliamentary vote, and both political parties lent their aid in the referendum which consequently gave a majority in every precinct on the home vote and a majority of the soldier vote was returned from Europe later.  By parliamentary act all other Canadian Provinces, the Provinces of South Africa, the countries of Sweden[A] and Great Britain have extended far more voting privileges than any woman citizen of the United States east of the Missouri River (except those of Illinois) has received.  To the women of Belise (British Honduras), the cities of Rangoon (Burmah), Bombay (India), the Province of Baroda (India), the Province of Voralberg (Austria), and Laibach (Austria) the same statement applies.  In Bohemia, Russia and various Provinces of Austria and Germany, the principle of representation is recognized by the grant to property-holding women of a vote by proxy.  The suffragists of France reported just before the war broke out that the French Parliament was pledged to extend universal municipal suffrage to women.  Men and women of high repute say the full suffrage is certain to be extended by the British Parliament to the women of England, Scotland, Ireland and Wales soon after the close of the war and already these women have all suffrage rights except the vote for Parliamentary members.  These facts are strange since it was the United States which first established general suffrage for men upon the two principles that “taxation without representation is tyranny” and that governments to be just should “derive their consent from the governed.”  The unanswerable logic of these two principles is responsible for the extension of suffrage to men and women the world over.  In the United States, however, women are still taxed without “representation” and still live under a government to which they have given no “consent.”  *It* *is* *obviously* *unfair* *to* *subject* *women* *of* *this* *country*—­*which* *boasts* *that* *it* *is* *the* *Leader* *in* *the* *movement* *toward* *universal* *suffrage*—­*to* A *longer*, *Harder*, *more* *difficult* *process* *than* *has*

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*been* *imposed* *by* *other* *nations* *upon* *men* *or* *women*.  American constitutions of the nation and the states have closed the door to the simple processes by which men and women of other countries have been enfranchised.  An amendment to our Federal Constitution is the nearest approach to them.  To deny the benefits of this method to the women of this country is to put upon them a *penalty* *for* *being* *Americans*.

[Footnote A:  See Appendix A for dates and conditions.]

2.  *Equal* *rights* *demands* *it*.

Men of this country have been enfranchised by various extensions of the voting privilege but *in* *no* *single* *instance* were they compelled to appeal to an electorate containing groups of recently naturalized and even unnaturalized foreigners, Indians, Negroes, large numbers of illiterates, ne’er-do-wells, and drunken loafers.  The Jews, denied the vote in all our colonies, and the Catholics, denied the vote in most of them, received their franchise through the revolutionary constitutions which removed all religious qualifications for the vote in a manner consistent with the self-respect of all.  The property qualifications for the vote which were established in every colony and continued in the early state constitutions were usually removed by a referendum but the question obviously went to an electorate limited to property-holders only.  The largest number of voters to which such an amendment was referred was that of New York.  Had every man voted who was qualified to do so, the electorate would not have exceeded 200,000 and probably not more than 150,000.[A]

[Footnote A:  Suffrage in the Colonies.  New York Chapter.  McKinley.]

The next extensions of the vote to men were made to certain tribes of Indians by act of Congress; and to the Negro by amendment to the Federal Constitution.

At least three-fourths of the present electors secured their votes through direct naturalization or that of their forefathers.  Congress determines conditions of citizenship and state constitutions fix qualifications of voters.  In no instance has the foreign immigrant been forced to plead with a vast electorate for his vote.  The suffrage has been “thrust upon him” without effort or even request on his part.  National and State constitutions not only close to women the comparatively easy processes by which the vote was extended to men and women of other countries but also those processes by which the vote was secured to men of our own land.  The simplest method now possible is by amendment of the Federal Constitution.  To deny the privilege of that method to women is a discrimination against them so unjust and insufferable that no fair-minded man North or South, East or West, can logically share in the denial.

3.  *Relief* *from* *unjust* *constitutional* *obstructions* *demands* *it*.

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The constitutions of many states have provided for amendments by such difficult processes that they either have never been amended or have not been amended when the subject is in the least controversial.  Their provisions not infrequently are utilized by opponents of a cause to delay action for years.  A present case illustrates.  Newspapers in Kentucky which have opposed woman suffrage, and still do so, have started a campaign (December, 1916) to submit a woman suffrage amendment to voters with the announced intention of securing its defeat at the polls in order to remove it from politics for five years as the same question cannot be again submitted for that length of time.

There are state constitutions so impossible of amendment that women of those states can only secure enfranchisement through Federal action and fair play demands the submission of a Federal constitutional amendment. (See Chapter II.)

4.  *Protection* *from* *inadequate* *election* *laws* *demands* *it*.

The election laws of all states make inadequate provision for safeguarding the vote on constitutional amendments.  Since election laws do not protect suffrage referenda, suffragists justly demand the method prescribed by our national constitution to appeal their case from male voters at large to the higher court of Congress and the Legislatures. (See Chapters III and IV.)

5.  *Equal* *status* *of* *men* *and* *women* *voters* *demands* *it*.

Until the adoption of the Fourteenth Amendment the National Constitution did not discriminate against women but in Section 2 of that amendment provision was made whereby a penalty may be directed against any state which denies the right to vote to its *male inhabitants* possessed of the necessary qualifications as prescribed by nation and state.  If the entire 48 states should severally enfranchise women their political status would still be inferior to that of men, since no provision for national protection in their right to vote would exist.

The women of eleven states are said to vote on equal terms with men.  As a matter of fact they do not, since they not only lose their vote whenever they change their residence to any one of the 37 other states (except Illinois, where they lose only a portion of their privileges), but they enjoy no national protection in their right to vote.  Women justly demand “Equal Rights for All and Special Privileges for None.”  Amendment to the National Constitution alone can give them an equal status.  Equality of rights can never be secured through state by state enfranchisement.

6.  *National* *significance* *of* *question* *demands* *it*.

Woman suffrage in every other country is a National question.  With eleven American states and nearly half the territory of the civilized world already won; with the statement of the press still unchallenged that women voters were “the balance of power” which decided the last presidential election, the movement has reached a position of national significance in the United States.  Any policy which seeks to shift responsibility or to procrastinate action, is, to use the mildest phraseology, unworthy of the Congress in whose charge the making of American political history reposes.

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7.  *Treatment* *of* *question* *demands* *intelligence*.

The handicaps of a popular vote upon a question of human liberty which must be described in technical language will be clear to all who think.  It is probable that at least a fourth of the voters in West Virginia, one of the recent suffrage campaign states, could not define the following words intelligently:  constitution, amendment, franchise, suffrage, majority, plurality.  It is probable they would succeed even less well at an attempt to give an account of the Declaration of Independence, the Revolution, Taxation without Representation, the will of the majority, popular government.  Such men might make a fairly intelligent choice of men for local offices because their minds are trained to deal with persons and concrete things.  They could decide between Mr. Wilson and Mr. Hughes with some discrimination, but would have slight if any knowledge of the platforms upon which either stood.  A referendum in many of our states, means to defer woman suffrage until the most ignorant, most narrow-minded, most un-American, are ready for it.  The removal of the question to the higher court of the Congress and the Legislatures of the several states means that it will be established when the intelligent, Americanized, progressive people of the country are ready for it.

**CHAPTER II.**

**STATE CONSTITUTIONAL OBSTRUCTIONS[A]**

[Footnote A:  Table of difficulties in each state is to be found in the Appendix.]

**MARY SUMNER BOYD**

At its last session the Arkansas Legislature passed a Woman Suffrage bill by a generous majority; in Kentucky a bill passed both houses and one house in five other states.  One of these was Arkansas where a constitutional provision that only three amendments can be submitted to the people at once rendered of no avail the passage of the Legislature.  In the five other states the enormous Constitutional majorities required in a legislative vote on amendments defeated the measure.

This is the story of a typical year and these are two of the difficulties which beset the gaining of suffrage “state by state.”  Year after year labor is thrown away and money wasted because actual minorities in legislatures can defeat constitutional amendments; or because once past the legislature, constitutional technicalities can keep them away from the polls; or because, safely past these hazards, a minority vote of the people can defeat a bill that has successfully reached the polls.

Theoretically an amendment to a state constitution must have the approval of the Legislature, ratified by the approval of the people.  This ratification is what differentiates it from a statutory law.  This is the actual requirement, however, in but two of the male suffrage states, South Dakota and Missouri.  In all the rest, except Delaware and New Hampshire, which have special methods of amending, much more than simple passage and ratification is required.

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There are some half-dozen classes of technical requirements which make the amending of many state constitutions wellnigh impossible.  Some states have never been able to amend; others have had to submit the same amendment again and again before it passed, even in the case of measures which were not unpopular.  The Legislatures of Nebraska and Alabama have occasionally succeeded in passing amendments favored by politicians, by resorting to clever tricks to circumvent the constitutional handicaps.  Only by outwitting the framers have they been able to make changes in their constitutions.

Among the common technical requirements are the passing by a set proportion much larger than a mere majority of the legislature; the passing of the people’s vote by a majority of those voting for candidates and not merely of those voting on the amendment itself; the setting of special time and other limits for the submission of amendments, *etc*.  Many states combine three or more of these requirements.

No impediment seems more vexatious than that which prevented the Arkansas bill from coming before the people after the Legislature of 1915 had approved submission.  Nor is Arkansas alone in limiting the number of amendments to be submitted to the people at one time; Kentucky goes farther and makes the limit two and Illinois allows but one at a time.

The other six states whose bill failed at the last session belong to a group of fifteen which require a special “constitutional majority” of two-thirds or three-fifths favorable in the vote of both houses on an amendment bill.[A] In South Carolina and Mississippi it must pass two legislatures by this large vote, one before and one after the referendum; in Mississippi this means four years’ delay for its sessions are quadrennial.  In thirteen states the amendment bill must pass two legislatures, in some by a constitutional majority at one passage.[B]

Alabama is one of the states whose bill failed through the constitutional majority rule in 1915.  In that state another suffrage bill must wait four years for the next legislative session.  If this time it surmounts the hazard of a three-fifths favorable vote it will be faced by another hazard; for Alabama is one of nine states in which an amendment must pass the

[Footnote A:  South Carolina, Georgia, Illinois, Maine, Michigan, West Virginia, Louisiana, Texas and Mississippi—­all a two-thirds vote, and Alabama, Florida, North Carolina, Ohio, Maryland and Kentucky a three-fifths vote.]

[Footnote B:  In Connecticut, Massachusetts, Tennessee, Vermont by a two-thirds majority of one Legislature or of one house or both; in Iowa, Indiana, North Dakota, Pennsylvania, Virginia, Wisconsin, New Jersey, New York and Rhode Island by majorities.  All but the last three have biennial Legislatures.] referendum not by a majority on the amendment but by a majority of all voting for candidates at this general election.[A]

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[Footnote A:  These states are Arkansas, Illinois, Minnesota, Mississippi, Nebraska, Oklahoma, Rhode Island and Tennessee.  Rhode Island sets a definite majority (three-fifths) of those voting at the election.  Probably Texas and North Carolina should be included but the amendment clause in their constitutions is misleading and they may be given the benefit of the doubt; their clause reads:  “An amendment shall be submitted to the voters and adopted by a majority of the votes cast.”]

This requirement by itself is regarded by one authority on state constitutions[B] as making amendment practically impossible for it means that the indifference and inertia of the mass of the voters can be a more serious enemy than active opposition; the man who does not take the trouble to vote is as much to be feared as the man who votes against.

[Footnote B:  Dodd, W.F.  Revision and Amendment of State Constitutions.]

A majority vote is required by the constitution of Indiana that is so extravagant as to have caused contradictory decisions in the courts.  The constitution reads:  “The General Assembly ... (shall) submit such amendment ... to the electors of the state, and if a majority of said electors shall ratify.”  This was interpreted in one case (156 Ind. 104) to mean a majority of all votes cast at the election, but in a later case (in re Denny) it was taken, exactly as it reads, to mean all the people in the State eligible to vote—­and this in the face of the fact that the number of people eligible to vote is unknown even to the Federal Census Department.  Indiana also requires that while one amendment is under consideration no other can be introduced.  She is, needless to say, one of the states whose constitution has never been amended.

Other states besides Indiana have time requirements to insure the immutability of their inspired state document.  Thus the Vermont Constitution can be amended only once in ten years—­it was last amended in 1913—­and five others set a term of years before the same amendment can be submitted again.  Among these are New Jersey and Pennsylvania, which having submitted the Woman Suffrage amendment in 1915 cannot do so again till 1920.[A]

[Footnote A:  The five states are Illinois (four years), Pennsylvania, New Jersey and Kentucky (five years), and Tennessee (six years).]

In no state is the Constitution so safeguarded from change as in New Mexico, whose iron-bound rules are in a class by themselves.  For the first twenty-five years of statehood a three-fourths vote of both houses of the Legislature ratified by three-fourths of the electors voting, with two-thirds at least from each county, will be required to change the suffrage clause.  After twenty-five years the majority will be reduced to two-thirds.  This is the state whose Constitution provides that illiteracy shall never be a bar to the suffrage; her democracy falls short only in the matter of women whom she makes it constitutionally impossible ever to add to her electorate.

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Where constitutions can be revised by the convention method as well as by amendment there is some hope; if amendment fails revision holds out a chance.  But twelve states[A] hold no constitutional conventions; in Maryland conventions are twenty years apart and in many other states it is as difficult to call a constitutional convention as to revise the Constitution by amendment.

[Footnote A:  Louisiana, Texas, Mississippi, North Dakota, Arkansas, Connecticut, Indiana, Massachusetts, New Jersey, Pennsylvania, Rhode Island and Virginia.]

New Hampshire amends by constitutional convention alone and these conventions are held infrequently.

Only in Delaware is the Constitution amended to-day by act of the Legislature without the people’s vote and without any technical requirements except a large Legislative majority.

Yet in twenty-four states[A] before the Civil War the foundations of male suffrage were laid by legislature or constitutional convention alone, and in many cases, furthermore, the conditions of suffrage were dictated by the Federal Government.  Even as late as the ’90’s five State Constitutions were adopted, suffrage clause and all, by State Legislatures or constitutional conventions without the referendum.[B]

[Footnote A:  New Hampshire, South Carolina, Virginia, Pennsylvania, North Carolina, Georgia, New York, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, Vermont, Kentucky, Florida, Tennessee, Ohio, Louisiana, Indiana, Mississippi, Illinois, Alabama, Missouri and Arkansas.]

[Footnote B:  Many reconstruction constitutions also but these were not permanent.  The five constitutions in the 90’s were Mississippi, South Carolina, Delaware, Louisiana and Virginia, and Kentucky made changes after the constitution had been submitted.]

In the other states universal male suffrage came easily at a time when thinly populated states wanted to hold out inducements to male immigrant labor.  To-day any male once naturalized, and in some states before he is naturalized, becomes automatically a voting citizen of any state in the Union after he has fulfilled the state residence requirements and, in some states, an educational requirement.

The one word “male” shut women out in the old days from these easy avenues to citizenship and to-day her path by the state by state method is beset by almost insuperable difficulties.

**CHAPTER III.**

**ELECTION LAWS AND REFERENDA**

To establish a “government of the people” is to follow an ideal set by the growth of democratic principles, but, after such government has been established by a constitution, it remains to be determined how the will of the people is to be recorded and each state accordingly has enacted an election law to provide for registration and for taking the vote.  These laws are so defective as to give unquestioned advantage

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to dishonesty and corruption in most elections upon referendum questions.  In several states there is little doubt that suffrage amendments have been lost through fraud.  All the suffragists in Michigan seem to agree that the amendment was counted out in the first campaign of 1912 and that ballot boxes were stuffed in the second, 1913.  Willis E. Reed, Attorney General of Nebraska, has declared that he believes the amendment was counted out in that state.  An investigation has revealed forty-seven varieties of fraud or violation of the election law in forty-four counties in the Iowa suffrage election of June 5, 1916.  Given a group determined to prevent women from getting the vote, a group provided with money and knowing no scruple, and the inadequacy of the law in many States offers a positive guarantee at the outset of a campaign that a suffrage amendment will be lost.

If suffrage amendments are defeated by illegal practices, why not demand redress, asks the novice in suffrage campaigns.  Ah, there’s the rub.  In twenty-four states, no provision has been made by the election law for any form of contest or recount on a referendum nor are precedents for a recount found.  Political corrupters may, in these states, bribe voters, colonize voters and repeat them to their hearts’ content and redress of any kind is practically impossible.  If clear evidence of fraud could be produced a case might be brought to the courts and the guilty parties might be punished, but the election would stand.  In New York, in 1915, the question was submitted to the voters as to whether a constitutional convention should be called.  The convention was ordered by a majority of about 1,500.  Later the District Attorney of New York City found proof that at least 800 fraudulent votes had been cast in that city.  Leading lawyers discussed the question of effect upon the election and the general opinion among them was that, even though the entire majority, and more, should be found to be fraudulent, the election could not be set aside.  The convention was held.

In the other twenty-three states,[A] contests on referenda seem possible under the law, but in practically every one, the contest means a resort to the courts and in only eight[B] of these is reference made to a recount.  The law is vague and incomplete in nearly all of these States.  In some of these, including Michigan, where the suffrage amendment is declared to have been counted out, application for a recount must be made in each voting precinct.  To have secured redress in Michigan, provided the fraud was widespread, as it is believed to have been, it would have been necessary to have secured definite evidence of fraud in a probable 1,000 precincts and to have instituted as many cases.  This would have consumed many months and would have demanded thousands of dollars.

[Footnote A:  In Ohio, New Mexico, Wyoming, Utah, New Jersey, Minnesota and Michigan by law; in Illinois, Texas, New Hampshire, Massachusetts, Oregon, Arizona and Iowa by precedent; in West Virginia, South Dakota, Kentucky and Colorado, officials express the opinion that the law governing candidates’s contests could be stretched to cover amendments.  In Pennsylvania, Arkansas, Louisiana, Mississippi and Washington, the law is so fragmentary as to make the possibilities very uncertain.  Information on this last group of laws will be found in Appendix B.]

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[Footnote B:  Ohio, Texas, New Jersey, New Hampshire, Minnesota, Michigan, Massachusetts and Utah.]

In some States the courts decide what the redress shall be, but where such provision exists, no assurance is given by the law that such redress will include a correction of the returns.  In at least seven States,[A] the applicants must pay all costs if they fail to prove their case a provision amounting to a penalty imposed upon those who try to enforce the law.

[Footnote A:  Illinois, Michigan, Nebraska, New Jersey, West Virginia, Minnesota, Utah.]

The penalties for bribery range from $5 to $2,000 and from thirty days’ to ten years’ imprisonment, but only one state (Ohio) provides in definite terms for punishment of bribery as a part of the penalty in an election contest.  In most cases proof of bribery does not throw out the vote of briber or bribed, nor does an action to throw out purchased votes in contest cases bring with it automatically punishment of the purchased voter.  This omission from the contest provisions presupposes that these bribery cases would be separate actions.  Thirty-two states in clear terms disfranchise (or give the Legislature power to disfranchise) bribers and bribed, but few make provision for the method of actually enforcing the law, and upon inquiry the Secretary of State of many of these states reported that, so far as he knew, no man had ever been disfranchised for this offense.  This was true of states which have been notorious for political corruption.

From Ohio alone has evidence been found of the actual enforcement of the disfranchisement provision.  In this state nearly 1,800 bribed voters of Adams County were disfranchised in 1910 for scandalous and well-remembered corruption but in 1915 they were restored to citizenship.  These cases reveal a disgraceful provision in the Ohio law, by which the briber is given immunity if he will turn State’s evidence on the bribed; the vote-buyer may purchase votes by the thousands with perfect safety provided that when suspected he will deliver up a few of the bought by way of example.

With a vague, uncertain law to define their punishment in most states, and no law at all in twenty-four states, as a preliminary security, corrupt opponents of a woman suffrage amendment find many additional aids to their nefarious acts.  A briber must make sure that the bribed carries out his part of the contract.  Whenever it is easy to check up the results of the bribe, corruption may reign supreme with little risk of being found out.  A study of some of the recent suffrage votes gives significant food for reflection.  It shows how the form, color and arrangement of the ballot may help the corrupt politician to organize ignorant voters to do his will.  In Georgia and Louisiana no party names are printed on the official ballot and emblems only are used.  In almost half our states, though the party name is used also, the emblem is the real guide.  New York does not even relegate this emblem to the top of the column.  The emblem is placed before the name of each candidate, so that the illiterate voter can make no mistake in recognizing the sign of the machine which controls his vote.  Scarcely more than a dozen states have the headless ballot[A] which makes it impossible for politicians to make corrupt use of the illiterate voter.

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[Footnote A:  Oregon, Nevada, South Carolina, Florida, Colorado, California, Maryland, Minnesota, New Jersey, Massachusetts, Mississippi, Nebraska, Pennsylvania.]

In Wisconsin suffrage referendum the suffrage ballot was separate and pink.  It was easy to teach the most illiterate how to vote “No” and to check up returns with considerable accuracy.  In New York there were three ballots.  The official ballot had emblems which easily distinguished it.  The other two were exactly alike in shape, size and color and each contained three propositions:  those which came from the constitutional convention and the other those which came from the Legislature.  The orders went forth to vote down the constitutional provisions and it was done by a majority of 482,000, or nearly 300,000 more than the majority against woman suffrage.  On the ballot containing the suffrage amendment, which was No. 1, there was proposition No. 3, which all the political parties wanted carried and to which no one objected.  It could easily be found by all illiterates as it contained more lines of printing, yet so difficult was it to teach ignorant men to vote “Yes” on that one proposition that, despite the fact that orders had gone forth to all the state that No. 3 was to be carried, it barely squeezed through.

In Pennsylvania there are no emblems to distinguish the tickets and on the large ballot the suffrage amendment was difficult to find by an untutored voter.  In probable consequence Pennsylvania polled the largest proportional vote for the amendment of any eastern state.  In Massachusetts the ballot was small and the suffrage amendment could be easily picked out by a bribed voter.  In Iowa the suffrage ballot was separate and yellow while the main ballots were white.

In the North Dakota referendum the regular ballot was long and complicated and the suffrage ballot separate and small.  It was easy to teach the dullest illiterate how to vote “No.”  It might be said that it would be equally easy to teach him to vote “Yes.”  True, but suffragists never bribe.  Both the briber and the illiterate are allies of the opposition.

A referendum on a non-partisan issue has none of the protection accorded a party question.  Election boards are bi-partisan and each party has its own machinery, not only of election officials but watchers and challengers, to see that the opposing party commits no fraud.  The watchfulness of this party machinery, plus an increasingly vigilant public opinion, has corrected many of the election frauds which were once common and most elections are now probably free from all the baser forms of corruption.  When a question on referendum is sincerely espoused by both the dominant parties it has the advantage of the watchfulness of both party machines and is doubly safeguarded from fraud.  But when such a question has been espoused by no dominant party it is utterly at the mercy of the worst forms of corruption.  The election officers have even been known to wink at irregularities plainly committed since it was no affair of theirs.  Or, they may even go further and join in the entertaining game of running in as many votes against such an amendment as possible.  This has not infrequently been the unhappy experience of suffrage amendments in corrupt quarters.

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Honest election officers, respecting “the will of the majority” as the sovereign of our nation, would protect honesty in elections, regardless of their own or their party’s views, but unhappily that high standard is not universal.

Surely, the method of taking the vote and of safeguarding the honesty of elections should be the most important and fundamental of all questions in a republic.  Such laws ought to be preliminary to all other laws.  Yet as a matter of fact the laxity and ambiguity of many state election laws and the utter inadequacy of provisions for enforcement are almost unbelievable.  The contemplation of the actual facts seriously reflects upon the intelligence and good faith of the successive lawmakers of our land.

With no one on the election board whose special business it is to see that honesty is upheld, a suffrage amendment must face further hazards through the fact that most states do not permit women, or even special men watchers, to stand guard over the vote and the count upon such questions.

When it is remembered that immigrants may be naturalized after a residence of five years; that when naturalized they automatically become voters by all our state constitutions; that in eight states[A] immigrant voters are not even required to be citizens; that the right to vote is limited by an educational qualification in only seventeen states, and that nine of these are Southern, with special intent to disfranchise the Negro while allowing the illiterate White to vote; that evidence exists to prove that there is an unscrupulous body ready to engage the lowest elements of our population by fraudulent processes to oppose a suffrage amendment; that there is no authority on the election board whose business it is to see that an amendment gets a “square deal”; that the method of preparing the ballot is often a distinct advantage to a corrupt opposition; and that when fraud is committed there is practically no redress provided by election laws, it ought to be clear to all that state constitutional amendments when unsponsored by the dominant political parties which control the election machinery, must run the gauntlet of intolerably unjust and unfair conditions.  When suffragists have been fortunate enough to overcome the obstacles imposed by the constitution of their states and a referendum to the male voters has been secured, they must immediately enter upon the task of surmounting the infinitely greater obstructions of the election law.  They make their appeal to the public upon the supposition that a majority of independent voters is to decide their question.  Instead, they may discover that in a determining number of precincts the taking of the actual vote is a game in which the cards are stacked against them.  One woman, who had watched at a precinct all day in a suffrage amendment election, said “Something went out of me that day which never came back—­and that was pride in my country.  At first I thought

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it was disappointment produced by the defeat of the woman suffrage amendment, but when I had recovered and could think calmly, I knew it was not that.  I was still patient and still willing to go on working, struggling, sacrificing, for my right to vote; but I could not forget that I lived in a land which tolerated the things I saw that day.”  The women who know cannot rise to “The Star-Spangled Banner” without a “lump in their throats,” for they recognize the terrible fact that hidden under the beautiful pretense of democracy is a hideous menace to our national liberties, which no political party, no legislature, no congress, has dared to drag out into the daylight of public knowledge.

[Footnote A:  The number of states which permitted men to vote on “first papers” was formerly fifteen.  The following eight states still perpetuate this provision:  Arkansas, Delaware, Indiana, Kansas, Missouri, Nebraska, South Dakota, Texas.]

Bear these items in mind and remember that Congress enfranchised the Indians, assuming its authority upon the ground that they are wards of the nation; that the Negroes were enfranchised by Federal amendment; that the constitutions of all states not in the list of the original thirteen, automatically extended the vote to men; that in the original colonial territory, the chief struggle occurred over the elimination of the land-owning qualifications and that a total vote necessary to give the franchise to non-landowners did not exceed fifty to seventy-five thousand in any state.

Let it also not be forgotten that the vote is the free-will offering of our forty-eight states to any man who chooses to make this land his home.  Let it not be overlooked that millions of immigrant voters have been added to our electorate within a generation, men mainly uneducated and all moulded by European traditions, and let no man lose sight of the fact that women of American birth, education and ideals must appeal to these men for their enfranchisement.  No humiliation could be more complete, unless we add the amazing fact that political leaders in Congress and legislatures are willing to drive their wives and daughters to beg the consent of these men to their political liberty.

The makers of the Federal Constitution foresaw the necessity of referring important and intricate questions to a more intelligent body than the masses of the people and so provided for the amendment of the Constitution by referendum to the legislatures of the several states.  Why should women be denied the privilege thus established?  The United States is one land and one people.  All the states have the same institutions, customs and ideals.

Woman suffrage has been caught in a snarl of state constitutional obstructions, inefficient election laws and the misapplied theory of States Rights.  It is a combination which has so far retarded the normal progress of the movement in this democratic land that other countries have already outstripped it.  Under these circumstances Congress should extricate the woman suffrage question from this tangle by way of honorable reparation for the injustices unintentionally put upon the only unenfranchised citizens left in our Republic, and women should insist upon their enfranchisement by amendment to the Federal Constitution as their self-respecting duty.

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**CHAPTER IV.**

**THE STORY OF THE 1916 REFERENDA**

Constitutional amendments were submitted to the voters of three states in 1916, namely, Iowa, where the vote was taken June 5th on Primary Day; South Dakota and West Virginia, where the vote was taken at the general election in November.  More than one influential newspaper editorially discussed the returns with the comment that “the people” of three states had refused to extend the suffrage to women.  An investigation unveils some ugly facts and raises significant questions.

In 1882 a prohibition constitutional amendment was adopted by a large majority in Iowa and was promptly set aside by the supreme court upon a technicality.  The wet and dry question has been a vexed political issue ever since.  The state now has prohibition by statutory enactment.  A constitutional amendment is pending, having passed the Legislature of 1914, and is due to pass the Legislature of 1916.  The “wets” believing that women would generally support the proposed prohibition amendment were extremely active in opposing the suffrage amendment.  Although the suffragists kept their question distinctly separate from prohibition, the wet and dry issue, it was generally admitted, would prove a determining factor.

Every judge of the Supreme Court, the United States Senators, the Governor, most of the men prominent in Republican and Democratic politics, most of the clergymen, most of the press and every woman’s state organization espoused the suffrage amendment.

Men familiar with Iowa politics advised the suffrage campaigners early and late and all the time between that it was unnecessary to conduct an intensive campaign as “everybody believed in it.”

Yet despite this omnipresent optimism thousands of women gave every possibility of their lives for months before to arouse public sentiment, instruct and acquaint the men and women of the state concerning the question.

The amendment was lost by about 10,000 votes.  Were four of the ninety-nine counties (Dubuque, Clinton, Scott and Des Moines counties) lying along the Mississippi River, not included in the returns, the state would have been carried for woman suffrage.  It is instructive to inquire what kind of population occupied the four counties which defeated it.  The following table gives the answer:

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=
| | | | | Total |
| | | | Total | German, |
| | Total | Total | Foreign |Austrian,|
|Iowa Counties| | Native | and | Russian |
| |Population|Parentage| Foreign | and of |
| | | |Parentage| such |
| | | | |Parentage|
+-------------+----------+---------+---------+---------+
|Dubuque | 57,450 | 24,024 | 33,426 | 14,566 |

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|Clinton | 45,394 | 19,116 | 26,278 | 11,494 |
|Scott | 60,000 | 24,104 | 35,896 | 20,119 |
|Des Moines | 36,145 | 17,769 | 18,376 | 7,828 |
========================================================
e>

The vote on woman suffrage was 162,679 yes and 173,020
no. The “yes vote” of the above four
counties was 8,061; the “no vote” 18,941.
Subtract these totals from the totals of the state
vote and 154,618 “yes” and 154,079 “no”
remains, giving a majority of 539 for woman suffrage.

Once more in the history of suffrage referenda a foreign
and colonized population decided the issue. Was
the election an honest one? That is a question
of interest to Iowa just now. The returns revealed
some suspicious facts. Nearly 30,000 more votes
were cast on the suffrage proposition than in the
primary. Where did they come from? The president
of the W.C.T.U., Mrs. Ida B. Wise Smith, employed a
detective after the election. His investigation
covered forty-four counties and was not confined to
those wherein woman suffrage was lost. The findings
have not been given to the public in their entirety,
but they were conclusive enough to cause an injunction
suit to be filed against the Board of Elections and
the Legislature to restrain them from accepting the
official returns.

Registration was necessary for the amendment, not
for the primary, yet thousands of unregistered votes
apparently were cast upon the amendment. All
good election laws provide that a definite number of
ballots shall be officially issued to each precinct;
that the number of those deposited in the ballot box,
the number spoiled and those unused shall not only
tally with the number received, but the unused ones
must be counted, sealed, labelled and returned with
the certificate recording the count. This is
the law of Iowa; but the report of the investigation,
as given to the press, shows that in thirty-five counties
out of the forty-four investigated no tally list was
used and there was nothing by which to check in order
to determine the correctness of the number on the
certificate. In many cases no unused ballots
were returned. The poll lists did not tally with
the number of votes and even a recount could not reveal
whether fraud or carelessness had led to irregularity.

Despite the fact that the Iowa law provides that a
definite number of ballots and the same number of
each kind is to be distributed to each precinct, the
separate suffrage ballots in a number of cases were
reported by election officials as not having arrived
until the voting had been in progress for some time;
and in others they gave out an hour before the polls
closed.

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Forty-seven varieties of violations of the election
law are alleged to have been committed. Do these
indicate wilful fraud or mere ignorance and carelessness?
Just now no one seems prepared to answer. Meantime
Iowa, one of the most intelligent and progressive states
in the nation, stands at the bar of public opinion
accused of incapacity to conduct an honest election.
How she will defend herself, what reparation she will
make to her women, and what steps she will take to
insure clean elections and better enforcement of her
election law in the future are problems which await
the Legislature. That body cannot refuse to take
action of some kind without inviting the suspicion
that her legislators prefer conditions which lend
themselves to the base uses of election manipulators
whenever they may care to avail themselves of them.

On November 7, 1916, woman suffrage and prohibition
amendments were voted upon in South Dakota. It
was the first time these two questions have gone to
referendum in the same election and the results furnish
interesting data for comparison.

Certain facts tell a story which should make progressive,
patriotic Americans and fair-minded Congressmen reflect.

Prohibition was carried by a majority of 11,469; woman
suffrage was lost by a majority of 4,664. Prohibition
was lost in thirteen counties; in one of these, Lawrence,
which lies in the heart of the mining country, prohibition
was lost by two votes, and woman suffrage was carried.

In all the others a large foreign population was the
dominant power. Had nine of the sixty-eight counties
of the state not been included in the returns woman
suffrage would have been carried.

The total “yes” vote on woman suffrage
was 51,687; the “no” vote 56,351.[A] The
total “yes” vote of these nine counties
was 4,877; the “no” vote was 10,569.
Subtracting these county totals from the state totals
the record would stand 46,810 “yes” votes
and 45,782 “no” votes.

[Footnote A: The figures here used are those
given to the press by the County Boards of Election.
The final returns were not available.]

Who then are the voters of nine counties who kept
the women of an entire state disfranchised? The
following table presents the answer:

=======================================================
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| | | | | Total |
| | | | Total | German, |
| | Total | Total | Foreign and | Austrian, |
| Counties | Population | Native | Foreign | Russian, |
| | | Parentage | Parentage | or of such|
| | | | | Parentage |
|-------------+------------+-----------+-------------+------
-----|
|Bon Homme....| 11,061 | 3,448 | 7,6l3 | 4,759 |
|Brule .......| 6,451 | 3,008 | 3,443 | 1,556 |
|Charles Mix..| 14,899 | 6,387 | 8,512 | 2,757 |
The large “no” vote in several counties
was due to the same character of population.
The total population is 583,888, the population of
foreign birth or foreign parentage is 243,835.
South Dakota is one of the eight remaining states
where foreigners may vote on their “first papers”
and citizenship is not a qualification for a vote.

The returns offer still other food for reflection.
Hutchinson county, for example, carried prohibition
and lost woman suffrage. It gave 584 dry votes;
510 wet votes. It gave 432 “yes” votes
on woman suffrage and 1,583 “no” votes.
Thus 921 more votes were cast on the suffrage proposition
than on the prohibition question. The people in
this county are German-Russians and exceedingly ignorant.
Apparently they were not intelligent enough to be
lined up to vote “no” on both questions.
Is it not likely that these votes were intended to
be “wet” and that they made a mistake
and picked No. 6 instead of No. 7? If not, why
not?

The largest group of the foreign population of these
counties are German-Russians. They migrated from
Germany and found a home in Russia some 230 or more
years ago, in order to escape conscription. When
Russia began to enforce conscription about 1888 the
entire group came to America and settled in colonies
in the Western states which at the time offered free
lands. They were totally illiterate then.
They had not progressed as Germans in their own country
had done but being clannish had remained at the point
of development reached at the date of their migration.
They are still clannish and have not yet escaped from
the mental habits of the Middle Ages. These are
the men who have denied American women the vote in
South Dakota. That the women of South Dakota
in very large numbers wanted the vote no one questions.
During the campaign six women in Sioux Falls published
an appeal to voters not to support the amendment as
they did not wish to vote. Shortly after an appeal
to the voters of the same city was published and was
signed by 3,000 women. In every county of the
state the women manifested their interest by doing
all they knew how to do. West Virginia was the
first Southern state to submit a referendum on woman
suffrage and the vote was taken November 7, 1916.
The amendment was defeated by the largest proportional
majority any suffrage amendment ever received.
Unlike Iowa and South Dakota, where all the educated
classes with notable exceptions believe in woman suffrage,
West Virginia probably has many conscientious doubters.
Arguments and excuses which did service in the West
twenty-five years ago were brought forward as though
just formulated. The illiteracy of the state
is appallingly high and the illiterate is universally
an antiwomen suffragist.

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The ever present prohibition issue again played an
important if not a determining part. A prohibition
law was voted in by an immense majority in 1912, but
the undismayed “wets” propose to secure
a resubmission if possible. They apparently regarded
the woman suffrage amendment as an outer defense to
be taken before the march on the main prohibition
fort could be begun; and every “wet,” high
and low, was on duty. The “drys”
who would do well to study Napoleon’s rule of
strategy, that is, “find out what your enemy
doesn’t want you to do, and then do it,”
were much disturbed as to what St. Paul would think
were he here, and concluded not to be over hasty about
giving the women the vote.

At the Democratic convention an anti woman suffragist
spoke. The applause in the gallery and in the
standing groups filling the outside aisles was uproarious
and clearly represented an organized, carefully planted
claque. The leaders were an ex-brewer, an ex-saloonkeeper
and the chief liquor lobbyist of the state. It
was evident that they were there to intimidate the
party, and they did. The Democrats threw a bouquet
to the women in the form of a plank and then quietly
repudiated it. Practically the same thing happened
in the Republican convention. They, too, endorsed
a plank and “double-crossed.” There
was apparently no difference between the two dominant
parties on that score. Men who had always been
pronounced suffragists weakly confessed themselves
afraid to speak for woman suffrage in the campaign
lest votes be lost for their party. Political
campaigners who went into the state, with the exception
of Senator Borah and Raymond Robins, were told not
to mention suffrage, and they obeyed. The wets
apparently had the state literally by the throat and
in order to save votes the great fundamental principle
of “government by the people” was refused
a public hearing. Election Day came. Women
poll workers reported from many parts of the state
that drunken hoodlums were marched in line into the
precinct, saying boldly that they were going to vote
“agin the ——­ women.”
The women workers testified with remarkable unanimity
that their opposition was chiefly “riffraff and
illiterate negroes and that it was under the direction
of well-known ‘wets.’” Even an excise
commissioner under pay of the National Government worked
against woman suffrage all day in one precinct.

A premonition of what might happen appeared in September,
when Judge John M. Woods of the circuit court instructed
a grand jury to investigate the political situation
in Berkely county. He declared, as reported by
the press, that election conditions had become intolerable
and that in his judgment one-third of the votes in
the county were purchasable. Elections, he said,
had degenerated into “an auction wherein offices
went to the highest bidder.”

It was not surprising, therefore, that the cry of
fraud arose from many localities as soon as the election
was over, and was so insistent that the Governor called
a special session of the Legislature for the announced
purpose of an investigation into the charges.
Colonization, bribery, repeating and every known form
of corruption was alleged to have been employed.
One of the chief newspapers of the state declared
that the election scandals had surpassed all that had
gone before.

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The Legislature met but the Governor did not proceed
with his proposed investigation. No explanation
was given, but to the onlooker it was clear that one
of two reasons, or perhaps both, was the cause of
silence on the part of the chief lawmaking body of
the state—­either the lifted curtain would
reveal “the pot calling the kettle black,”
or so extensive and noxious a mass of corruption was
known to exist that no means were available for correction
of the wrongs perpetrated.

That money was used many women were willing to testify.
For what purpose it was used, who furnished it and
who were the actual bribers were questions not so
readily answered. In one city it was reported
“that warrants were out after the elect of the
city and that this was true in nearly every ward of
the city.” The warrants were based upon
the alleged use of money.

Other women poll workers reported that men boldly
asked whether they would be paid, and if so, how much.
When they found there was no reward for suffrage votes
they scornfully but frankly confessed that they could
do better on the other side. Irregularities were
numerous. The amendment was ordered by the state
officials printed on the main ticket, but one county
so far disobeyed instructions as to print the amendment
on a separate ballot, yet the vote was accepted.
The returns on the amendment were withheld for many
days and in several counties for weeks.

A few straws from the election show the way the wind
blew in West Virginia. In only four counties
is the per cent, of illiteracy among males of voting
age less than 6 per cent. The returns in these
counties are found in the following table:

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==========
| Per Cent. | | For | Against | |
| Illiteracy | County | Suffrage | Suffrage | |
| Voting Age | | Amendment| Amendment| |
| Males | | | | |
|------------+--------+----------+----------+---------------
----|
| 5.5 | Brooke | 1,041 | 907 | Carried |
| 5.8 | Morgan | 443 | 1,098 | 2-1/2 to 1 against|
| 4.7 | Ohio | 4,513 | 6,014 | 1-1/3 to 1 against|
| 5.3 | Wood | 3,260 | 3,960 | 1-1/4 to 1 against|
============================================================
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The returns from the five counties having the highest
per cent. of illiteracy are as follows:

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=========
| Per Cent | | For | Against | |
| Illiteracy | County | Suffrage | Suffrage | |
| Voting Age | | Amendment| Amendment| |
| Males | | | | |
|------------+--------+----------+----------+---------------
---|
| 26.2 |Lincoln | 466 | 3,213 |7 to 1 against |
| 26.4 |Boone | 678 | 1,828 |3 lacking 6 votes |
| | | | | to 1 against |
| 27.7 |Logan | 856 | 2,774 |3-1/4 to 1 against|
| 28.2 |Mingo | 712 | 2,609 |3-2/3 to 1 against|
| 29.7 |McDowell| 1,436 | 4,832 |3-1/3 to 1 against|
============================================================
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In the first group the negro vote is under 5 per cent.
of the whole. In the second this is also true
of Boone and Lincoln counties. The number of
negro males of voting age is nearly 6 per cent. in
Logan county, 11.2 per cent. in Mingo county and 34.1
per cent. in McDowell county.

It is a matter of interest to observe that the counties
giving the largest majority against were Clay, 6 to
1; Grant, 7 to 1; Hardy, 7-2/3 to 1; Lincoln, 7 to
1; Raleigh, 5 to 1, and that in none of these is the
negro male population of voting age in excess of 5
per cent. White illiteracy is high, the lowest
in this group being that found in Grant county, 13.3
per cent.

Had there been an honest election and a fair count
in West Virginia, it is possible, even probable, that
woman suffrage would have been defeated, but the fact
remains that no human being can know that, since the
amendment went down to defeat in an election that can
only be described as “The Shame of West Virginia.”

In all three states the pending amendments were caught
in the toils of the “wet and dry” issue.
The “wets” obsessed by the idea that woman
suffrage is “next door to prohibition”
used their entire machinery to defeat the amendments,
while the “drys” regarded the amendments
as distinctly separate questions. These conditions
may be regarded as the inevitable hazards of a campaign.
It is, however, not at all clear that the amendments
were defeated in any one of the three states by the
honest “will of the majority.” In
none of them were women permitted to serve as watchers
over their amendment. In Iowa well established
proof of wilful or careless violations of laws throws
doubt over the returns, while in West Virginia the
suspicion of fraud rests upon the entire election.
In Iowa four and in South Dakota nine counties colonized
by people of foreign birth or parentage deprived the
women of the state of their vote.

A Federal amendment ratified by the legislatures of
the several states would secure to the women of South
Dakota and Iowa the rights for which American and
Americanized men have voted. The entire western
or most American part of South Dakota has been twice
carried for suffrage, that is, in 1914 and 1916.
One county, Harding, adjacent to Wyoming, has been
carried for woman suffrage in the six referenda on
the question, the first one being held in 1890.

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The only real argument against the Federal amendment
thus far advanced is that one group of states which
want woman suffrage may force it upon another group
which does not want it. That argument works both
ways. *A group of counties* which want woman suffrage
may be deprived of it for years because another group
of un-Americanized, foreign-born citizens do not want
it. The first is said to be the principle of
“American sovereignty,” the second may
fairly be called the principle of “foreign sovereignty.”

**CHAPTER V.**

**FEDERAL ACTION AND STATE RIGHTS**

**HENRY WADE ROGERS**

Judge of the United States Circuit Court of Appeals,
New York City, and Professor in the Yale University
School of Law.

I do not propose to discuss the subject of woman suffrage
in the abstract. I am content with saying as
regards the general question that in a republic which
theoretically is founded upon the principle that government
derives its just powers from the consent of the governed
I think it illogical, unreasonable and an injustice
to deny the vote to adult women who are citizens.
With that statement I shall address myself to the
suggestion of the National American Woman Suffrage
Association that Congress should propose to the States
an amendment to the Constitution which shall in effect
provide that no State shall deny to any person the
right to vote on account of sex. And as respects
that suggestion I shall deal with a single phase of
the matter. It seems to be supposed in some quarters
that if such an amendment were to be adopted it would
involve a breach of faith with the dissenting States,
or violate some unwritten principle of local self-government,
or conflict with the historic doctrine of State Rights.

I have no hesitancy in saying that I have for years
believed and still believe that there is a constitutional
doctrine of State Rights which cannot be safely or
rightfully ignored. Many of the foremost men in
both parties share that belief. It must be admitted,
however, that this doctrine sometimes has been so
perverted, misapplied and carried to such extreme
limits as seriously to prejudice many worthy and intelligent
citizens against its true merit and value. This
fact makes it all the more necessary on the part of
those who would save the doctrine from absolute repudiation
to be careful when and how and to what purpose it
is invoked.

There has recently been published a book entitled
“Woman Suffrage by Constitutional Amendment.”
The author of that book, the Hon. Henry St. George
Tucker of Virginia, was at one time a member of Congress,
and has been president of the American Bar Association.
He was invited to deliver a course of five lectures,
in 1916, before the School of Law of Yale University
on the subject of “Local Self-Government.”
In one of the lectures woman suffrage by Federal Amendment

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was discussed and the theory was advanced that the
attempt to bring about the right of suffrage by an
amendment to the Constitution of the United States
was opposed to the genius of the Constitution and subversive
of the principle of local self-government. In
his opinion, woman suffrage by Federal Amendment is
contrary to the rightful demarcation of the powers
of the Federal and State governments under the Constitution
of the United States.

I may remark in passing that the title of the book
is liable to mislead the public into thinking that
Mr. Tucker was invited to Yale to discuss woman suffrage,
whereas the fact was that that was only an incident
in his discussion of Local Self-Government.

But is woman suffrage by Federal Amendment contrary
to the genius of the Constitution and contrary to
the rightful demarcation of the powers of the Federal
Government?

In considering the question involved it is to be noticed
in the first place that a difference exists between
the Articles of Confederation and the Constitution.
In the Articles of Confederation it was in the Thirteenth
Article expressly provided that no alteration should
be made in any of the Articles “unless such
alteration be agreed to in a Congress of the United
States, and be afterwards confirmed by the legislatures
of every State.” This provision was an element
of weakness and recognized as such by the men who sat
in the Constitutional Convention of 1787. As
the Articles constituted a league between independent
states it was deemed necessary to make it incapable
of alteration except by unanimous consent of the states
in order to preserve to each state all of its rights.

When the convention of 1787 met to agree upon a Constitution
to submit to the States one of the questions they
had to consider was whether it should be made capable
of amendment. They agreed that it was the part
of wisdom to provide that the States might modify the
system of government the Constitution established
when in the progress of time to do so seemed desirable.
Mr. Madison accordingly proposed what with some modifications
became the Fifth Article.

The Congress was given power by that Article to propose
amendments by a vote of two-thirds of both Houses
and amendments so proposed were to become valid to
all intents and purposes as parts of the Constitution
when ratified by three-fourths of the several States.
This is not the only method by which the Constitution
may be amended. For it is provided that the States
may themselves propose amendments through a convention
called by two-thirds of the States, and it is also
provided that proposed amendments may be submitted
for ratification to conventions in the several States
instead of to the Legislatures of the States if Congress
so directs.

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When the Constitution of a State is amended care must
be taken to see to it that the amendment proposed
does not involve a violation of the Constitution of
the United States. For a constitution adopted
by the people of a State in so far as it violates
the Constitution of the United States is void, for
exactly the same reason that an Act passed by a State
Legislature is void if it is contrary to some provision
in the Constitution of the United States. This
is so because the Constitution of the United States
in the Sixth Article directs that “This Constitution
... shall be the supreme law of the land; and the
judges in every State shall be bound thereby, anything
in the Constitution or laws of any State to the contrary
notwithstanding.”

But any amendment with a single exception, which is
proposed by Congress, no matter what it may be, if
it has received the two-thirds vote of both Houses
and has been ratified by the Legislatures of three-fourths
of the States, or of three-fourths of the conventions
in the several States, according as Congress has submitted
it in the one way or the other, is valid irrespective
of any provision that can be found in any State Constitution
or law. The one exception to which reference
has been made is that no change can be made which would
deprive a State of its right to equal representation
in the Senate. As it is, the Senate is composed
of two Senators from each state. New York and
Nevada, the one with a population of 9,113,614, and
the other with a population of 81,875 are entitled
to equal representation in that body, and that equality
of representation cannot be destroyed by any amendment
not assented to by all the States. The reason
is that the Constitution expressly declares in the
Fifth Article—­the one which deals with
amendments—­“that no State, without
its consent, shall be deprived of its equal suffrage
in the Senate.” This provision was incorporated
into the Constitution at the suggestion of Roger Sherman
of Connecticut. Certain other restrictions were
imposed which now have become unimportant, but which
at the time were of the greatest possible importance.
It was provided that no amendment was to be made prior
to the year 1808 which should prohibit the States from
further importation of slaves, and that no capitation
or other direct tax should be laid unless in proportion
to the census or enumeration of the inhabitants of
the states in which three-fifths only of the slaves
were included. So we see that the founders withdrew
from the possibilities of amendment the subjects regarding
which they were unwilling amendments should be made.
The understanding of the States therefore must have
been that as respects all subjects not so withdrawn
the right of amendment might be exercised whenever
the States desired to exercise it. Whenever they
do see fit to exercise it they are not breaking faith
with each other, or doing anything wrongfully.

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The mode of amending the Constitution is in strict
accordance with the doctrine of State Rights.
The amending power is not to be exercised by the collective
people of the United States acting as a majority.
It can only be exercised by three-fourths of the States
acting as States in their sovereign capacity.
If three-fourths of the States desire to amend the
instrument then the one-fourth must submit to the will
of the three-fourths. There is no principle in
the doctrine of State Rights which is violated when
the Constitution is amended by the three-fourths,
for all the states have agreed that the three-fourths
shall possess the power to do so and that the minority
will consent to be bound by action so taken.
The principle that the minority must submit to the
majority is a principle which the States apply to the
government of their local communities and to the people
of their several commonwealths. And it is a principle
which the States as sovereigns have agreed shall be
applied to themselves in their relations to each other
and to the Federal Government. In creating the
amending power the framers of the Constitution were
careful to remove it from the people of the nation
and to lodge it in the State sovereignties. That
is all that the believers in the doctrine of State
Rights asked. They could not wisely ask, and they
did not ask, more. They only asked that in so
important a matter as the amendment of the fundamental
law the minority should not be compelled to submit
to a mere majority, but only to three-fourths of the
whole.

If it be assumed simply for the purpose of this discussion,
that the amendment of the Constitution is not wholly
a political question, no one can seriously contend
that the amendment the National American Woman Suffrage
Association urges violates any principle of law, written
or unwritten. Mr. Tucker makes no such claim.
His argument, as I understand it, is that woman suffrage
by Federal Amendment is a departure from the original
thought of the makers of the Constitution; that they
left the subject of suffrage along with most other
subjects to be regulated by State action and that
their decision upon that question was wise and should
not be disturbed. The same argument exactly was
made against the Thirteenth, Fourteenth and Fifteenth
Amendments and without effect. It can be made
against any amendment which can be proposed which
deprives the States of any power which they now possess.

When the Constitution was adopted it is true it did
not confer the right of suffrage upon any class, but
left the subject to each state to regulate in its
own way. The members of the House of Representatives
were to be chosen by the people of the several States
and it was simply provided that “the electors
in each state shall have the qualifications requisite
for electors of the most numerous branch of the State
Legislature.” Senators were to be chosen
by the State Legislatures. The President and
Vice-President were to be chosen by electors, who

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were to be appointed in each state “in such manner
as the Legislature thereof may direct.”
These were at the time very wise regulations, for
they showed, as James Wilson, a member of the Constitutional
Convention, said, the most friendly disposition toward
the governments of the several States, and they tended
to destroy the seeds of jealousy which might otherwise
spring up with regard to the National Government.
At that time the framers of the Constitution did not
deem it wise to limit in any respect the control of
the States over the subject of suffrage. There
was then no uniformity regarding the suffrage in the
several states. A property qualification was
usually prescribed, but the amount of property it was
necessary to hold varied considerably in different
states. For instance, in Maryland all freemen,
above 21 years of age, having a freehold of fifty
acres of land in the county in which they resided,
and all freemen having property in the state above
the value of thirty pounds current money and who had
resided in the county one year, could vote. In
New Jersey “all inhabitants” of full age
worth “fifty pounds, proclamation money clear
estate within that government,” could vote.
In New York “every male inhabitant of full age”
who had resided within the county for six months immediately
preceding the day of election could vote if he had
been a freeholder possessing a freehold of the value
of twenty pounds within the county or had rented a
tenement therein of the yearly value of forty shillings,
and had been rated and actually paid taxes to the
state. In a number of the States the right to
vote was restricted to taxpayers. In Pennsylvania
every freeman of 21 years who had resided in the state
two years next before the election and within that
time had paid a State or a county tax could vote.

There is today a wide divergence in the qualifications
required in the various states to entitle one to vote.
In a few States there are educational qualifications,
as in California, Connecticut, Massachusetts, Washington
and North Carolina. In some States one cannot
vote unless he has paid certain taxes, almost always
poll taxes. In certain States Indians who are
not members of any tribe can vote. And in a number
of the States every male of foreign birth, 21 years
of age, who has declared his intention to become a
citizen according to the naturalization laws of the
United States can vote.

These differences exist because the Constitution remains,
so far as this subject is concerned, as it was originally
adopted, except that the Fifteenth Amendment provides
that “The right of citizens of the United States
to vote shall not be denied or abridged by the United
States or by any State on account of race, color or
previous condition of servitude.” It is,
however, an anomalous condition that the right of
citizens of the United States to vote remains wholly
dependent on the laws of the States, subject only
to the restriction that in the regulations the States
establish they cannot discriminate against any citizen
on account of race, color or previous condition of
servitude. If woman suffrage is a sound principle
in a republican form of government, and such I believe
it to be, there is in my opinion no reason why the
States should not be permitted to vote upon an Amendment
to the Constitution declaring that no citizen shall
be deprived of the right to vote on account of sex.

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**CHAPTER VI**

**OBJECTIONS TO THE FEDERAL AMENDMENT**
I. *States* *rights*. *This* *objectionis* *urged* *by* *all* *opponentsof* *woman* *suffrage*, *but* *iseither* A *barricade* *to* *defend* *themselvesfrom* *the* *necessity* *of* *exposingthe* *fact* *that* *they* *have* *noreasons*, *or* *is* A *play* *topostpone* *woman* *suffrage* *as* *longas* *possible*. *By* A *few* *itis* *urged* *conscientiously* *and* *withconviction*.

That there are many problems whose treatment belongs
so appropriately to state governments that any infringement
of that right by the Federal Government would be an
act of tyranny, no American will question. But
assuredly woman suffrage is not one of these.
One by one classes of men have been granted the vote
until women are the only remaining unenfranchised
class. States have set up various restrictive
qualifications so that criminality, idiocy, insanity,
pauperism, drunkenness, foreign birth are accepted
as ordinary causes of disfranchisement. Yet not
one of these conditions is common to all the states.
The foreigner votes on his first papers in eight states
and a five years’ residence will usually secure
his naturalization and a consequent vote in any state.
The criminal, idiot and insane are not denied a vote
in several states, and in most a large class of ignorant
un-American men with no comprehension of our problems,
our history, or ideals, are conspicuous voters on
election day. Millions of new voters have entered
our country and without the expenditure of time, money
or service have received the vote since the pending
Federal Amendment was first introduced.

For two generations groups of women have given their
lives and their fortunes to secure the vote for their
sex and hundreds of thousands of other women are now
giving all the time at their command. No class
of men in our own or any other country has made one-tenth
the effort nor sacrificed one-tenth as much for the
vote. The long delay, the double dealing, the
broken faith of political parties, the insult of disfranchisement
of the qualified in a land which freely gives the
vote to the unqualified, combines to produce as insufferable
a tyranny as any modern nation has perpetuated upon
a class of its citizens. The souls of women which
should be warm with patriotic love of their country
are growing bitter over the inexplicable wrong their
country is doing them. Hands and heads that should
be busy with other problems of our nation are withheld
that they may get the tools with which to work.
Purses that should be open to many causes are emptied
into suffrage coffers until this monumental injustice

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shall be wiped away. Woman suffrage is a question
of righting a nation-wide injustice, of establishing
a phase of unquestioned human liberty and of carrying
out a proposition to which our nation is pledged;
it therefore transcends all considerations of states
rights. This objection comes chiefly from Southern
Democrats, who claim that it is a form of oppression
for three-fourths of the states to foist upon one-fourth
measures of which the minority of states do not approve.
Yet the provision for so amending the Constitution
was adopted by the states and has stood unchallenged
in the Constitution for more than a century. If
it be unfair, undemocratic or even unsatisfactory,
it is curious that no movement to change the provision
has ever developed. The Constitution has been
twice amended recently and it is interesting to note
that it happened under a Democratic Administration.
More, the child labor and eight-hour bills, while
not constitutional amendments, are subject to the
same plea that no state shall have laws imposed upon
it without its consent. Both measures were introduced
by Southern Democrats. The pending Federal Prohibition
Amendment was also introduced by a Southern Democrat
and is supported by many others. Upon consideration
of these facts, it would seem that “states rights”
is either a theory to be invoked whenever necessary
to conceal an unreasoning hostility to a measure or
that those who advance it are guilty of extremely
muddy thinking.

The Constitution of the United States as now amended
provides that no male citizen subject to state qualifications
shall be denied the vote by any state. Were all
the state constitutions amended so as to enfranchise
women, the word male would still stand in the National
Constitution. Men and women would still be unequal,
since the National Constitution can impose a penalty
upon a state which denies the vote to men, but none
upon the state which discriminates against women.
A woman comes from Montana to represent that state
in Congress. The State of Montana has done its
utmost to remove her political disabilities, yet should
she cross the border of her state and live in North
Dakota, she loses all that Montana gave her. Not
so the male voter. Enfranchised in one state,
he is enfranchised in all (subject to difference of
qualification only). The women of this nation
will never be content with less protection in their
right to vote than is given to men and there is no
other possible way to secure that protection except
through amendment to the National Constitution.
No single state, nor the forty-eight collectively,
can grant that protection except through the Federal
Constitution.

As granting to half the population of our country
the right of consent to their own government, whose
expenses they help to pay, is a question of fundamental
human liberty, Congress and the legislatures should
be proud to act and to add one more immortal chapter
to America’s history of freedom.

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II. *Southern* *members* *of* *congressvery* *generally* *urge* *that* *theyoppose* *the* *federal* *amendment* *becauseit* *will* *confer* *the* *vote* *uponthe* *negro* *women* *of* *theirrespective* *states*; *and* *that* *thatwill* *interfere* *with* *white* *supremacyin* *the* *south*.

It is difficult to believe this objection to be sincere,
since facts do not support the contention. The
facts are that woman suffrage secured by Federal Amendment
will be subject to whatever restrictions may be imposed
by state constitutions (provided those restrictions
are in accord with the National Constitution) in precisely
the same way as woman suffrage secured by state constitutional
amendment. No larger number of negro women can
be enfranchised by Federal Amendment than will be
enfranchised by State Amendment. If the women
of the South are ever to be enfranchised, it must
be by (1) Federal Constitutional Amendment, or (2)
State Constitutional Amendment. If their franchise
is obtained by the former method, it will come by the
votes of white men in Congress and legislatures; if
by the second, they will be forced to appeal to voting
Negroes to elevate them to their own political status.
One would suppose the first would be the preferable
method from the Southern viewpoint. It is possible
that behind this commonly spoken objection, lies a
hope and belief that Southern women will remain disfranchised
forevermore. A man unfamiliar with political
history, psychology, and the science of evolution might
cherish such a belief in fancied security, but ideas
cannot be shut outside the borders of a state.
There is no Southern state in which women of the highest
families are not giving their all in order to propagate
this cause, and they are doing it with so noble a
spirit and so eloquent an appeal that final surrender
of the citadel of prejudice is only a question of
time. No one has ever questioned the “fighting
ability” of the South. That ability is
not confined to men. Courage, intelligence, conviction
and willingness to sacrifice characterize the suffrage
movement in every state, and the South is no exception.
The women of that section will vote; the question
is how long must they work, how much must they sacrifice
to win that which has so freely been granted to men
of all classes?

White supremacy will be strengthened, not weakened,
by woman suffrage. In the fifteen states south
of the Mason and Dixon line are:

 8,788,901 white women,
 4,316,565 negro women, or
 4,472,336 more white than negro women.

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The total negro population is 8,294,274, and white
women outnumber both negro males and females by nearly
half a million. In two states only, South Carolina
and Mississippi, are there more negro than white women,
and in these states there are more negro men than white
men. In South Carolina, voters must read, own
and pay taxes on $300 worth of property. In Mississippi,
voters must read the Constitution. The other
four states of the “black belt”—­Georgia,
Florida, Alabama and Louisiana—­impose an
educational test. Women voters would be compelled
to submit to the same qualifications. In the other
nine states white women exceed the total negro population.
Woman suffrage in the South would so vastly increase
the white vote that it would guarantee white supremacy
if it otherwise stood in danger of overthrow.
If a sly dread of female supremacy is troubling the
doubter he may find comfort in the rather astonishing
fact that white males over 21 are considerably in
excess of white females over 21 in all except Maryland
and North Carolina; negro females over 21 exceed negro
males in Alabama, Tennessee, Georgia, South Carolina,
North Carolina and Virginia, but the restrictions
in these states of property ownership represented
by tax receipts, education and various other tests,
would fall more heavily upon women than men, and thus
admit fewer women than men to the vote. If the
South really wants White Supremacy, it will urge the
enfranchisement of women. The following table
offers insuperable proof:

=======================================================
=============
| |Per Cent. of| *white* | *negroes*
| | Negroes in | 21 Years and Over | 21 Years and Over
| *states* | Population | |
| | All Ages | Male | Female | Male | Female
+---------------+------------+---------+---------+---------+
--------
|Delaware ......| 15.4 | 52,804 | 50,160 | 9,050 | 8,281
|Maryland ......| 17.9 | 303,561 | 309,897 | 63,963 | 63,899
|Dist. Columbia.| 28.5 | 75,765 | 81,622 | 27,621 | 34,449
|Virginia ......| 32.6 | 363,659 | 353,516 | 159,593 | 164,844
|North Carolina.| 31.6 | 357,611 | 358,583 | 146,752 | 159,236
|South Carolina | 55.2 | 165,769 | 162,623 | 169,155 | 181,264
|Georgia .......| 45.1 | 353,569 | 343,187 | 266,814 | 269,937
|Florida .......| 41.0 | 124,311 | 105,662 | 89,659 | 72,998
|Kentucky ......| 11.4 | 527,661 | 506,299 | 75,694 | 73,413
|Tennessee .....| 21.7 | 433,431 | 419,646 | 119,142 | 122,707
|Alabama .......| 42.5 | 298,943 | 284,116 | 213,923 | 217,676
|Mississippi ...| 56.2 | 192,741 | 180,787 | 233,701 | 231,901
|Arkansas ......| 28.1 | 284,301 | 248,964 | 111,365 | 102,917
|Louisiana .....| 43.1 | 240,001 | 222,473 | 174,211 | 172,711
|Texas .........| 17.7 | 835,962 | 722,063 | 166,393 | 161,959
|Missouri ......| 4.8 | 919,480 | 874,997 | 52,921 | 48,057
|Oklahoma ......| 8.3 | 393,377 | 311,266 | 36,841 | 30,208
|West Virginia .| 5.3 | 315,498 | 270,298 | 22,757 | 14,667
====================================================================

Speaking of the probable enforcement of the National
Constitution against the “Grandfather clause”
in Southern constitutions, Walter E. Clark, Chief
Justice of the Supreme Court of North Carolina, said:

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“In North Carolina such a decision would readmit
to the polls 125,000 negro votes. What preparation
have we made to meet such a possible result?
I know of but one remedy. The census shows that
the white population of North Carolina is seventy
per cent. and the colored population thirty per cent.
It follows that the white adult women of North Carolina
are more in numbers than the negro men and negro women
combined. *The votes of 260,000 white women can be
relied on to stand solid against any measure or any
man who proposes to question Anglo-Saxon supremacy.*
“I am not intimating that the admission of the
white women to the polls will secure democratic supremacy
(they will not impair it), nor that it will prejudice
the republican element. The equal suffrage movement
has never proceeded on party lines and the women would
scorn to be admitted unless they were as free in their
choice of party measures and candidates as the men.
But what I am saying is that if the negroes are readmitted
by a decision of the Federal Court to suffrage, the
260,000 votes of the white women of the State will
be one solid obstacle to any measure that would impair
either for them or their children the continuance
of white supremacy.”

III. WOMEN DO NOT WANT TO VOTE AND HENCE IT IS UNFAIR TO THRUST THE
VOTE UPON THEM BY FEDERAL AMENDMENT.
We have two classes of voters in the United States,
young men who automatically become voters at twenty-one,
and naturalized citizens. No one among them has
ever been asked whether he wishes the vote. It
was “thrust upon them” all as a privilege
which each would use or not as he desired. To
extend the suffrage to those who do not desire it is
no hardship, since only those who wish the privilege
will use it. On the other hand, it becomes an
intolerable oppression to deny it to those who want
it. The vote is permissive, not obligatory.
It imposes no definite responsibility; it extends
a liberty. That there are women who do not want
the vote is true, but the well-known large number of
qualified men who do not use the vote, indicates that
the desire to have someone else assume the responsibility
of public service is not confined to women. It
is an easy excuse to say “wait until all the
women want it,” but it is a poor rule which doesn’t
work both ways. Had it been necessary for members
of Congress to wait until all men wanted the vote
before they had one for themselves, we should be living
in an unconstitutional monarchy. More, had it
been necessary for women to wait until all women approved
of college or even public school education for girls,
property rights, the right of free speech, or any
one of the many liberties now enjoyed by women, but
formerly denied them, the iniquities of the old common
law would still measure the privileges of women, and
high schools and colleges would still close their
doors to women.

A certain way to test whether any class of people
want the vote is to note the numbers of those who
use it when granted.

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As men and women voters do not use separate boxes
and as initials are often employed by both sexes in
registration, election officials invariably reply
to queries as to the number of women actually voting
in their respective states, that positive figures are
not obtainable. Yet the testimony, while lacking
definite statement, is overwhelming that women in
all lands vote in about the same proportion as men.
Women in Illinois, not being possessed of complete
suffrage rights, have voted in separate boxes, and
figures are therefore obtainable. The report
from the City of Chicago for 1916 as submitted by the
Chief Clerk of the Board of Election Commissioners
is as follows:
*Registration*
Men Women Total
504,674 303,801 808,475
 *Votes* *castNov* 7
Men Women Total
487,210—­96.5% 289,444—­95.2%
 776,654—­96%
*Votes* *cast*—­*democratic*
Men Women Total
217,328 133,847 351,175
*Votes* *cast*—­*republican*
Men Women Total
235,328 141,533 377,201
 *Progressive* *andsocialist*
48,278

Although New York City is nearly two and a half times
as large as Chicago, the registration of the latter
exceeded that of New York by 69,307.

The following is quoted from an official statement
issued by the California Civic League on what the
women of California have done with the vote:
“There has been some attempt on the part of those opposed to women voting to make it appear that in San Francisco particularly, women were slow to register and loth to vote.  The fact is always suppressed that there are never less than 132 men to every 100 women in the city and that women therefore should properly be only forty-three per cent. of the total number of voting adults.  At the last mayoralty election the women unquestionably re-elected the incumbent as against Eugene Schmitz of graft-prosecution fame, who tried to ’come back.’  In this election women constituted thirty-seven per cent. of the total registered vote and the women of the best residence districts voted in the proportion of forty-two to forty-four per cent. of the total vote cast in those precincts; while in the downtown, tenderloin and dance-hall districts women constituted only twenty-seven per cent. of the registration and negligible portion of the vote.  These proportions have been substantially maintained in minor elections since, and were slightly increased in the National election of November, 1916, when they comprised thirty-nine per cent. of the registration and voted within two per cent. as heavily as men.”
From no state comes the report that women have not
used their vote. The evidence that they do use
it has been so largely distributed through the press,
that more definite proof seems unnecessary, even were
it possible to secure it. The following bits of
testimony taken from press reports are of interest:

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In *Wyoming*, out of 45,000 registered voters,
20,000 are reported as women. But Wyoming has
219 men to every 100 women of voting age. Therefore
to compare favorably with Wyoming’s 20,000 women
voters there should the 53,800 men.

\* \* \* \*
 \*

In *Montana*, one-third of a registration of 255,000
is made up of women. Montana has 189.6 men to
every 100 women. As there were only 81,741 women
of voting age in Montana in 1910, the present number,
85,000, must mean that nearly every woman in the state
voted in 1916.

\* \* \* \*
 \*

About 40% of *Utah’s* 130,000 registration
is made up of women. Utah has 6 men of voting
age to every 5 women, 20% more men than women.

\* \* \* \*
 \*

In *Idaho*, out of a registration of 95,000, there
are 40,000 women. Idaho has more than half as
many again men as women. Therefore to have a
fifty-fifty representation at the polls, Idaho should
have registered 60,000 men instead of 55,000 to match
its 40,000 women.

**IV.  CONSTITUENCY HAS INSTRUCTED AGAINST SUFFRAGE.**

This objection is urged by members in whose states
there have been referenda on the subject in recent
years with adverse results. Members of Congress
are apportioned among the several states according
to population and are constitutionally obligated to
represent women as well as men. As the electors
of no constituency have voted solidly against woman
suffrage, such objectors are accepting instructions
from less than half their adult constituents and often
from less than one-fourth. Women have had no
opportunity to speak for themselves. As a matter
of very suggestive fact, thirty-five members of Congress,
who upon interview have expressed opposition to the
Federal Amendment, were elected by minorities.
Some of these represent states which have had a referendum
on woman suffrage and were elected by a smaller number
of total votes than their respective districts gave
the suffrage amendment. These are such curious
facts, that it is difficult to believe in the sincerity
of the objection. That men and elements which
have contributed money and work to secure the election
of a member of Congress instruct him how to vote is
more believable. For the sake of the common welfare
of the American people, it is well, that the number
of such members is probably few.

V. *Political* *expediency*. The South
professes to fear the increased Negro vote; the North,
the increased Foreign vote; the rich, the increased
labor vote; the conservative, the increased illiterate
vote. The Republicans since the recent presidential
election fear the increased Democratic vote; the Democrats
fear the woman voters’ support was only temporary.
The “wet” fears the increased dry vote;
the “dry” the increased controlled wet
vote. Certain very numerous elements fear the

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increased Catholic vote and still others the increased
Jewish vote. The Orthodox Protestant and Catholic
fear the increased free-thinking vote and the free-thinkers
are decidedly afraid of the increased church vote.
Labor fears the increased influence of the capitalistic
class, and capitalists, especially of the manufacturing
group, are extremely disturbed at the prospect of
votes being extended to their women employees.
Certain groups fear the increased Socialist vote and
certain Socialists fear the “lady vote.”
Party men fear women voters will have no party consciousness
and prove so independent as to disintegrate the party.
Radical or progressive elements fear that women will
be “stand-pat” partisans. Ballot
reformers fear the increased corrupt vote and corruptionists
fear the increased reform vote. Militarists are
much alarmed lest women increase the peace vote and,
despite the fact that the press of the country has
poured forth increasing evidence that the women of
every belligerent country have borne their full share
of the war burden with such unexpected skill and ability
that the authorities have been lavish in acknowledgment,
seem certain that women of the United States will
prove the exception to the world’s rule and show
the white feather if war threatens.

Ridiculous as this list of objections may appear,
each is supported earnestly by a considerable group,
and collectively they furnish the basis of opposition
to woman suffrage in and out of Congress.

The answer to one is the answer to all.

Government by “the people” is expedient
or it is not. If it is expedient, then obviously
*all* the people must be included. If it
is not expedient, the simplest logic leads to the conclusion
that the classes to be deprived of the franchise should
be determined by their qualities of unfitness for
the vote. If education, intelligence, grasp of
public questions, patriotism, willingness and ability
to give public service, respect of law, are selected
as fair qualifications for those to be entrusted with
the vote and the opposite as the qualities of those
to be denied the vote, it follows that men and women
will be included in the classes adjudged fit to vote,
and also in those adjudged unfit to vote. Meanwhile
the system which admits the unworthy to the vote provided
they are men, and shuts out the worthy provided they
are women, is so unjust and illogical that its perpetuation
is a sad reflection upon American thinking.

The clear thinker will arrive at the conclusion that
women must be included in the electorate if our country
wishes to be consistent with the principles it boasts
as fundamental. The shortest method to secure
this enfranchisement is the quickest method to extricate
our country from the absurdity of its present position.

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VI. *The* *low* *standards* *ofcitizenship* which lead to controlled votes, bribery
and various forms of corruptions, will be accentuated
by woman suffrage with the doubling of every dangerous
element, hence any effort to postpone its coming is
justifiable. Woman suffrage will increase the
proportion of *intelligent voters*. According
to the Commissioners of Education there are now one-third
more girls in the high schools of the country than
boys. In 1914, the latest figures, 64,491 boys
were graduated from the high schools of the United
States and 96,115 girls. In the normal schools
the educational report for 1915 states that 80 per
cent. of the pupils were girls. The Census of
1910 reports a larger number of illiterate men than
illiterate women.

Woman suffrage would increase the *moral* vote.
Only one out of every twenty criminals are women.
Women constitute a minority of drunkards and petty
misdemeanants, and in all the factors that tend to
handicap the progress of society women form a minority;
whereas in churches, schools and all organizations
working for the uplift of humanity, women are a majority.
In all American states and countries that have adopted
equal suffrage the vote of the disreputable woman is
practically negligible, the slum wards of cities invariably
having the lightest woman vote and the respectable
residence wards the heaviest. Woman suffrage
would increase the number of *native born voters*
as for every 100 foreign white women immigrants coming
to this country there are 129 men, while among Asiatic
immigrants the men outnumber the women two to one,
according to the Census of 1910.

Woman suffrage would help to *correct election procedure*.
In all states where women vote, the polling booths
have been moved into homes, church parlors, school
houses or other similar respectable places. Women
serve as election officials and the subduing influence
of woman’s presence elsewhere has had its effect
upon the elections. Women greatly increase the
number of competent persons who can be drawn upon
as election officials. No class of persons in
the nation is so well trained as school teachers for
this work. The presence of women as voters and
officials would in itself eliminate certain types
of irregularity and go a long way toward establishing
a higher standard of election procedure. Woman
suffrage cannot possibly make political conditions
worse, since all the elements which combine to produce
those conditions are less conspicuous among women than
men. On the other hand the introduction of a
new class possessing a very large number of persons
who would unwillingly tolerate some of the conditions
now prevailing offers evidence that a powerful influence
for better things would come with the woman’s
vote.

VII. PROHIBITION HAS OUTSTRIPPED SUFFRAGE, THEREFORE SUFFRAGE
SENTIMENT IS LESS STRONG.

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It should be remembered that prohibition may be obtained
by statutory enactment, a privilege denied woman suffrage;
that it has been largely established by local option,
another privilege denied woman suffrage. These
facts account for the larger success as indicated by
relative territory covered by prohibition and woman
suffrage.

**APPENDIX A**

The Following Statement Shows the Extent of Suffrage
Enjoyed by Women in Other Lands:
 *The* *Australian* *Provinces* granted municipal
suffrage to women as follows: New South Wales,
1867; Victoria, 1869; West Australia, 1871; South
Australia, 1880; Tasmania, 1884; Queensland, 1886.
They granted full suffrage to women as follows:
South Australia, 1897; West Australia, 1899; New South
Wales, 1902; Tasmania, 1903; Queensland, 1905; Victoria,
1908.

\* \* \* \*
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Full suffrage was granted to the women of The Isle
of Man, 1892; New Zealand, 1893; Finland, 1906; Norway,
1907; Denmark, 1915; Iceland, 1916.

\* \* \* \*
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 *Canadian* *Provinces* extended municipal suffrage
to women as follows: Ontario, 1884, to widows
and spinsters assessed for not less than $400, married
women entitled to vote on some propositions; New Brunswick,
1886, to women and spinsters rate payers; Nova Scotia,
1887, to all women rate payers; Manitoba, 1888, to
all woman rate payers; British Columbia, 1888, widows
and spinsters rate payers; Alberta, 1888, widows and
spinsters rate payers; Saskatchewan, 1888, widows
and spinsters rate payers; Prince Edward Island, 1888,
widows and spinsters property holders; Quebec, 1892,
widows and spinsters property holders. The full
suffrage was granted to all women in the Provinces
of Manitoba, Saskatchewan, Alberta and British Columbia
in 1916.

\* \* \* \*
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 *South* *Africa*—­Municipal suffrage
was extended to women as follows: In The Transvaal,
in 1854, to burghers’ wives; in 1903 to white
women on a property qualification; in Cape Colony,
1882, to all women on a property qualification; in
Orange River Colony, 1904, to all women resident householders.

\* \* \* \*
 \*
 *Sweden*—­Municipal suffrage for unmarried
women, School Board and Ecclesiastical Franchise (without
eligibility to office), 1862; School Board and Poor
Law (with eligibility), 1889; eligibility to municipal
and church councils, and extension of suffrage rights
to married women, 1909.

\* \* \* \*
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In *England* and *Wales* the first extension
of suffrage to women was granted in 1834. Since
that time various extensions of suffrage to men and
to women have taken place. The first woman suffrage
was given to widows and spinsters. The disability
of married women was removed in 1900, and English
and Welsh women now enjoy suffrage in all elections
upon the same terms as men with the sole exception
of the right to vote for members of Parliament.

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 *Scotland*—­1872—­First extension
of suffrage to women to elect School Boards (with
eligibility). 1881—­Municipal suffrage for
unmarried women (with eligibility). 1900—­Disability
of married women in municipal elections removed. 1907—­Town
and County Council eligibility for married and unmarried
established.

\* \* \* \*
 \*
 *Ireland*—­1837—­First extension
of suffrage to women to elect Poor Law Guardians.
1887—­Municipal suffrage granted the women
of Belfast. 1894—­Municipal suffrage extended
to other cities. 1911—­Town and County Council
eligibility for married and unmarried women established.

**APPENDIX B**

(In the table below, the 36 male suffrage states are
grouped under classifications which represent, as
far as can be represented in a table, the various
degrees of difficulty met in the amending clauses
of State Constitutions.)

A.—­Amendment passed by the Legislature
or Constitutional Convention:

Delaware: Amendments are not put to the referendum
vote.

They must pass two legislatures by a two-thirds majority
each time. The Legislature sits biennially.
A Constitutional Convention can also pass amendments
without reference to the people.

B.—­Passed by majority one Legislature and
majority vote of people on the referendum or by constitutional
convention with referendum:

Missouri—­Biennial Legislature. Initiative
petition also possible.

South Dakota—­Biennial. Constitutional
Convention hard to call.

**C.—­Large Legislative vote necessary:**

Florida, three-fifths, biennial.

Georgia, two-thirds, annual.

Maine, two-thirds, biennial.

Michigan, two-thirds, biennial. Initiative petition
also possible.

North Carolina, three-fifths, biennial.

Ohio, three-fifths, biennial. Initiative petition
also possible.

West Virginia, two-thirds, biennial.

D.—­Same as C., but no, or infrequent Constitutional
Conventions:

Louisiana, two-thirds, biennial, no Constitutional
Convention.

Texas, two-thirds, biennial, no Constitutional Convention.

Maryland, three-fifths, biennial, 20 years interval
between
Constitutional Conventions.

E.—­Difficult States:

Alabama—­Legislature: three-fifths
vote of one Legislature (quadrennial). People:
Majority of all votes cast at the election.

Iowa—­Legislature: Majority of two
Legislatures (biennial). People:
Majority of all voting for representatives.

Minnesota—­Legislature: Majority vote
of one Legislature (biennial).
People: Majority of votes at the election.

New York—­Legislature: Majority of
two Legislatures (annual). People:
Majority voting on amendment.

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Virginia—­Legislature: Majority of
two Legislatures (biennial).
People: Majority of people voting on amendment.

Oklahoma—­Legislature: Majority vote
of one Legislature (biennial).
Initiative petition possible. People: Majority
voting at election.

North Dakota—­Legislature: Majority
of two Legislatures (biennial). Initiative petition
possible. People: Majority voting on the
amendment. No Constitutional Convention.

South Carolina—­Legislature: Two-thirds
of two Legislatures (annual).—­One before
submission to people; the other after ratification
by them. People: Majority voting for representatives.

Wisconsin—­Legislature: Majority of
two Legislatures (biennial).
People: Majority voting at the election.

F.—­Very Difficult States:

Arkansas—­Legislature: Majority vote
of one Legislature (biennial). People: Majority
of all voting at election. Only three amendments
at once. No Constitutional Convention.

Connecticut—­Legislature: Majority
vote of one Legislature; two-thirds vote a second
Legislature (biennial). People: Majority
votes of the people on the amendment. No Constitutional
Convention.

Kentucky—­Legislature; three-fifths vote
of one Legislature (biennial). People: Majority
of people voting on the amendment. Not more than
two amendments at once.

Massachusetts—­Legislature: Majority
in Senate and two-thirds House in two Legislatures
(annual). People: Majority voting on the
amendment. No Constitutional Convention.

New Jersey—­Legislature: Majority of
two Legislatures (annual). People: Majority
voting on amendment. Same amendment can be submitted
only once in five years. No Constitutional Convention.

Mississippi—­Legislature: Two-thirds
vote of one Legislature; majority of a second, after
the referendum vote (quadrennial). People:
Majority voting at the election. No Constitutional
Convention.

Pennsylvania—­Legislature: Majority
of the two Legislatures (biennial). People:
Majority of people voting at election. Same amendment
can be submitted only once in five years. No Constitutional
Convention.

Rhode Island—­Legislature: Majority
of two Legislatures (annual). People: Three-fifths
of all voting at election. No Constitutional
Convention.

Tennessee—­Legislature: Majority vote
in one Legislature, and a two-thirds vote in a second
(biennial). People: Majority of all voting
for representatives. Same amendment can be submitted
only once in six years.

G.—­Most Difficult States:

Vermont—­Legislature: Majority in House
and two-thirds in Senate in one Legislature; majority
of both houses in a second (biennial). People:
Majority voting on the amendment. No Constitutional
Convention. Constitution can be amended only once
in ten years.

New Hampshire—­Constitutional Convention
alone can propose amendment. This convention
is held once in seven years. People: Two-thirds
majority vote on amendment.

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Illinois—­Legislature: Two-thirds vote
of one Legislature (biennial). People: Majority
voting at the election. Only one amendment at
a time. Same amendment only once in four years.

Indiana—­Legislature: Majority vote
of two Legislatures (biennial). People:
Majority of voters in state. While one amendment
awaits action no other can be proposed. No Constitutional
Convention.

New Mexico—­Legislature Three-fourths vote
of one Legislature (biennial). People: Three-fourths
of those voting at election; two-thirds from each
county.

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|Campbell ....| 5,244 | 600 | 4,644 | 3,491 |
|Douglas .....| 6,400 | 2,017 | 4,383 | 1,644 |
|McCook ......| 9,589 | 4,068 | 5,521 | 1,691 |
|Hutchinson ..| 12,319 | 2,671 | 9,648 | 7,515 |
|McPherson ...| 6,791 | 1,152 | 5,639 | 4,889 |
|Turner ......| 13,840 | 4,206 | 9,634 | 4,432 |
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