

to office aspirants who expect to succeed by other means than an appeal to the suffrages of the people; it makes every office of any prominence or importance elective. Political jugglers had much rather try their fortunes by bringing influences to bear on the appointing power than hazard their pretensions by coming directly before the people. It should be distinctly understood that one of the avowed objects among the leading opponents of the constitution is to deprive the people of a considerable portion of the elective privilege which the present constitution if adopted would confer.—*Southport Telegraph*.

"AGRICOLA'S" VIEWS ON RIGHTS OF MARRIED WOMEN

[February 27, 1847]

BERIAH BROWN ESQ.,

Editor of the Wisconsin Democrat,

SIR: The constitution recently agreed upon by the convention and to be submitted to the people on the first Tuesday in April next is undergoing an active discussion in the public press and among the people. As one of the citizens of the territory, feeling a deep interest in this question, I am desirous of submitting the following observations to the public through your paper.

I do not propose to go into an examination of the whole constitution; that would be too tedious for my purpose altogether. But in looking over the constitution I have been forcibly impressed with the article securing the "rights of married women" as one of great importance, the benefits of which can hardly be foreseen or anticipated. This article, so far as my experience goes, is new, in this country at least. It is nevertheless so plain and simple in its provisions that it is believed very little if any difficulty will occur in carrying out its objects.

That woman has long been regarded by the common law as a mere slave (so far as civil privileges are concerned) to her husband's will cannot be denied. It is true that the husband is justly recognized as the head of his house. But does it follow that his wife is to be utterly cut off from all privileges and rights, so far as her own property is concerned? I mean that property which was hers at the time of her marriage, or which comes to her by will or descent afterwards. There certainly is neither reason nor justice in taking the property which today belongs to a single woman and appropriating tomorrow, without her consent, and against her own wishes, merely by the will of her husband, simply and only because

she has become his wife. Nay, much less is there any good reason why the property which comes to a married woman by descent or devise from her parents or other relatives or friends should be at once taken by her husband and disposed of, and I may say in too many instances utterly dissipated and lost, not only against her wishes and consent, but very frequently leaving her helpless and destitute.

The above supposed case, sir, is not one drawn from fancy, but it is such as every practicable man sees daily in the ordinary occurrences of life. Now the provision in the constitution is simply this: "All property, real and personal, of the wife, owned by her at the time of her marriage, and also that acquired by her after her marriage by gift, devise, descent, or otherwise than from her husband shall be her separate property."

It would seem that no principle of equity or justice is violated by this provision. If any reasonable man will reflect deliberately upon this article, it is confidently believed that he can come to no other conclusion than that it is just, it is right, and should be adopted. But it is said (and in some high places) that this provision will lead to dissensions between the husband and wife, that "woman is to be transferred from her appropriate domestic sphere, taken away from her children, and cast out rudely into the strifes and turmoil of the world, there to have her finer sensibilities blunted, the ruling motives of her mind changed, and every trait of loveliness blotted out." Is this so? I have carefully looked over this article again and again, and, surely, I am totally unable to conceive any such consequences as likely to flow from it. Is there anything so horrible in the fact that a married woman is in the possession of a few hundred dollars' worth of property, which her husband cannot deprive her of without her consent? What worthy and well-disposed man would feel himself aggrieved or injured by his wife receiving a devise from her relations of any given amount of property even upon the condition that he should not dispose of it without her consent? It is most firmly believed that few, very few husbands would reject a bequest made to their wives upon this condition, even if they could. No, sir, it is my opinion that almost if not quite every married man in the territory would gladly see a bequest made to and received by his wife upon this very condition.

But there is another view of this question much more important. How often is it seen that a young woman at the time of her marriage and for a few years thereafter is situated happily, enjoying the prosperity of her husband for a season, which happiness proves only

illusory, when sooner or later disappointment, calamity, or dissipation overtakes her husband, and all her future prospects are blighted, and nothing but want, misery, and destitution are staring her in the face. How often, aye, indeed, how often are such unfortunate cases met with! And now suppose only for one moment that this provision of the constitution was in operation, and this same wife had had at the time of her marriage a portion of property which had "remained her separate property" and was still hers and under her control, or suppose she should thereafter receive such property by gift, descent, or devise. How different, indeed, would be her prospects! Who that shall witness such a case but will exult and rejoice that the constitution of his state provides this security for the "rights of married women."

On the other hand, if the husband be a prosperous and worthy man, how can the wife's property, being beyond his control, be a source of affliction or trouble to him? Certainly the yearly income from such property will in some way come into the hands of his wife, and if she does not place it in his possession she will use it either for herself or her children, in either of which cases he will be directly benefited by it. But the truth is, in almost every case of this kind the wife will give her husband the whole control of the income from her separate property, since she will have no good reason to withhold it from him.

It is said again in opposition to this article that "such a law exists in France, and that more than one-fourth of the children annually born in Paris are illegitimate." Mr. Editor, if there is any man in this community more deserving of pity than another, it is he who is capable of uttering such a sentiment in opposition to this provision! What, sir, is this but a direct and slanderous imputation against the virtue of all our women! Our mothers, our wives, our sisters, and our daughters are all, all included in this fell denunciation! Such an objection is unworthy any man; it is unfit for public refutation, and as such I shall leave it to rankle in the heart of him only who has had the boldness and effrontery to state it.

In conclusion (for my article is already much longer than I intended) I will only say that so far as I am informed and have understood, this article is one of the most popular provisions in the constitution and will secure many strong friends for its adoption.

Most respectfully yours, etc.,

AGRICOLA