

REFORM IS WHERE YOU FIND IT: ***The Roots of Woman Suffrage in Wyoming***

by Michael A. Massie



W. H. Jackson photographed South Pass City in 1870.

Casting a ballot on election day is an important responsibility for any citizen living in our democratic society. Yet, restrictions based upon race, age, and gender have restricted this fundamental right to only certain segments of the population for most of this country's history. In particular, women could not vote in most places in the United States until the Nineteenth Amendment was adopted in 1920, 144 years after the country was founded.

Wyoming has been dubbed the "Equality State" because of its perceived role in helping remove this political barrier for women, beginning with the passage of its woman suffrage bill in 1869, the first such law in the nation. The territory later insisted upon retaining its woman suffrage law even if it jeopardized its application for statehood. In 1890, Wyoming became the country's first state to allow women the right to vote.

Over the past 120 years, numerous people have written hundreds of articles and books attempting to explain why woman suffrage first took root in Wyoming. A vast majority of these works cite the contributions of two South Pass City residents, William H. Bright and Esther H. Morris, and imply that a grassroots, community effort led by the six foot, 180-pound Morris and culminating in a tea party, resulted in the introduction of the woman suffrage bill in the 1869 legislature. After the passage of the legislation, Mrs. Morris continued her work on behalf of woman suffrage by becoming the town's and the nation's first female justice of the peace.

Despite T. A. Larson's more thorough examination of these activities and his subsequent articles and books which challenged many of these views, the popular theories have persisted. Recently, one author wrote that thousands of people throughout the nation sent Esther Morris congratulatory telegrams after the passage of the suffrage bill. Until two years ago, a large, wooden historical marker next to a major state highway, just two miles from South Pass City, labeled the town as the "birthplace of woman suffrage."¹

The roles of Bright, Morris, and South Pass City in Wyoming's early experiences in woman suffrage remain shrouded in myths and half-truths. If the sign is accurate and the tea party occurred, then South Pass City was the only town in Wyoming that actively lobbied for a woman suffrage reform before the first legislature met. If not, then

several questions begged to be addressed. What prompted the 1869 woman suffrage bill, and why was it passed? Was the introduction of the bill and Morris' appointment as justice of the peace the result of an organized community campaign in South Pass City led by women? Or, were these events the distinct result of individual actions instigated by personal beliefs? What were Bright's and Morris' roles? Answers to these questions would provide important clues to solving the larger riddle of whether Wyoming's extension of suffrage to women was the deliberate result of an organized effort or whether previously unrelated forces unexpectedly converged to spawn this reform in this Western territory.

Situated at the southern tip of the Wind River Mountains in western Wyoming, South Pass is a long, wide, gently-sloped pass that crosses the continental divide between the mountains and the Great Divide Basin. For the past ten thousand years, various peoples have used this corridor to travel west from the Sweetwater River to the Green River basin and then through the Rocky Mountains. In more recent times, fur traders, Oregon Trail emigrants, Pony Express riders, freighters, and stage coach passengers rode through the pass to reach settlements elsewhere in the West.

The peak of the Western migration, and traffic through South Pass, occurred from 1849-1851, as thousands of Easterners rushed to the California gold fields. The end of the boom encouraged many prospectors to widen their search for new deposits throughout the Rocky Mountains. From 1859-1870, hundreds of Western gold and silver strikes transpired, particularly in Colorado, Nevada, Idaho, and Montana. The ensuing rush to the discovery followed a general pattern. Prospectors quickly built a small camp in the wilderness, formed a mining district, and started several placer mining operations. Because the miners were not self-sufficient, merchants and businessmen arrived to supply the necessary goods and services, often transforming the temporary camps into more substantial towns. If the boom persisted beyond the first few years, then the economy diversified, increasing the settlement's chances of surviving the inevitable gold or silver bust. However, many towns died or faded to a shadow of their former selves.²

1. T. A. Larson, *History of Wyoming*, 2nd ed., rev. (Lincoln: University of Nebraska Press, 1978), pp. 78-94; T. A. Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 74-78; Joyce Spita, *A Quick History of South Pass City, Atlantic City: Wyoming Ghost Towns* (Colorado Springs: Little London Press, 1980), p. 33.

2. For an overview on Western migration and mining, refer to: John Unruh, *The Plains Across: The Overland Emigrants and the Trans-Mississippi West, 1840-1860* (Urbana: University of Illinois Press, 1978); Duane Smith, *Rocky Mountain Mining Camps: The Urban Frontier* (Bloomington: Indiana University Press, 1967).

Throughout the early 1860s, several prospectors from Colorado and Montana and soldiers protecting the nearby telegraph line stopped briefly to pan for gold in the South Pass streams, but only uncovered small deposits. However, their luck soon changed. With the goal of inducing Whites to settle in South Pass, Major Baldwin, commander of Fort Bridger, permitted his troops to hunt for gold while scouting in the Sweetwater River area. In 1865, he outfitted a civilian party that discovered a rich lode, formed a short-lived mining district, and spent the winter mining the Miners Delight lode. Just ten miles to the west, Tom Ryan, leading a small troop of soldiers from the fort, found a sizable lode on Willow Creek, built a cabin, and started placer mining, before returning to Fort Bridger later in the year. For whatever reasons, Ryan did not return in 1866, and the small camp of miners departed South Pass in the early spring.³

Hearing about Ryan's discovery, approximately a dozen miners from Salt Lake City rode to South Pass in 1867, relocated Ryan's previous work, and named their claim the Cariso lode. When they uncovered a large deposit of gold in June, some of the men carried several thousand dollars in gold dust and news of the strike back to the Utah city. Soon, newspapers throughout the region, and eventually the country, announced the gold strike at South Pass. Within days, another party of men from Salt Lake City rushed north to Willow Creek and hundreds of prospectors from other Western areas arrived at the foot of the Wind River Mountains by the late summer.⁴

Land speculation, as much as mining, characterized the first months of the South Pass gold boom. In fact, most of the early boomers practiced both trades in an effort to claim as much of the perceived gold-bearing areas as possible before more newcomers arrived. By mid-July, the founders of the original lode and another large group of miners filed claims on every sizable gulch and large rock outcropping within several miles of the Cariso. Objecting to this practice, later prospectors eventually forced the mining district to elect new officers, changed some of the mining laws, and reopened many areas for new claims.⁵

This speculation exacerbated the confusion which typifies the early months of a mining boom. In the zeal to strike it rich quickly and leave, miners crudely and quickly constructed cabins on any convenient location in Altorus Gulch, just south of the Cariso lode. Within the first few months, several hundred men, mostly miners, initiated work on more than one hundred placer and hard rock claims, built an arrastra, dug several ditches to divert water, constructed a sawmill, and started several ranches and timber operations. By July 3, 1867, several days before Cheyenne was founded, Altorus City had been built, only to merge a few months later with a nearby camp and renamed South Pass City.⁶

The boom rapidly spread over the ten-mile mineral belt. In September a small party of miners near the Miners Delight lode reported another large gold strike, further fueling the rush. By the end of the month, Miners Delight (at times, referred to as Hamilton City) had been started and was soon connected to Altorus City by a toll road.⁷

South Pass' winter soon cooled the gold fever. Because the winters at eight thousand foot South Pass are long and often severe, most settlers left the mining camps for a few months, seeking the milder climates of Salt Lake City, Cheyenne, or another Western gold mining camp. After a winter respite of only sporadic mining activity, spring weather renewed the South Pass gold rush.⁸

Over the next two years, miners developed hundreds of placer claims and hard rock mines, with gulch mining usually providing the most lucrative results. Businessmen erected several stamp mills and arrastras to process approximately two million dollars in gold ore, mostly from the Cariso (Carissa today) and Miners Delight mines, although several smaller mines occasionally struck pockets of the precious metal. After most of the surface gold had been removed, a mining slump briefly occurred in early 1869, only to be followed by a final resurgence when over a quarter million dollars in capital arrived from investors in Chicago, Denver, and Salt Lake City.

During the peak of the boom, more than three thousand people inhabited the South Pass area, primarily living in South Pass City, Miners Delight, and Atlantic City, founded in April, 1868, and soon the district's second largest town. Because prospectors were not self-sufficient, businessmen quickly arrived in the Sweetwater mining district to "mine the miners" by supplying them with goods and services. Since men comprised a vast majority

3. C. C. Coutant, *History of Wyoming* (Laramie, Wyoming: Chaplin, Spafford, and Martin Printers, 1899), pp. 637-647.

4. *Ibid.*, pp. 647-648; James Chisholm, *South Pass, 1868: James Chisholm's Journal of the Wyoming Gold Rush*, ed. Lola M. Homsher (Lincoln: University of Nebraska Press, 1960), pp. 3-4; Mining Records of the Shoshone District, Book 1, pp. 1-9, Carter County Records Collection, Acc. #271, American Heritage Center (AHC), University of Wyoming, Laramie.

5. Mining Records of the Shoshone District, Book 1, pp. 1-40, 145-146, AHC.

6. Mining Records of the Shoshone District, Book 1, pp. 1-145, AHC.

7. Mining Records of the Shoshone District, Book 1, pp. 51-72, AHC.

8. *Sweetwater Mines*, March 21; April 1, 1868.

of the population during the early months of the boom, saloons dominated the business community. Within a few months, other merchants appeared and built mercantiles, butcher shops, hotels, restaurants, and other enterprises that served a population which was becoming increasingly diversified with the coming of families and ethnic groups. A bank, a newspaper, and a post office were also established. Freighters and stage companies hauled supplies and passengers along two trails originating from the Union Pacific Railroad to the south. By 1869, a building or a tent occupied all but a few lots along South Pass City's one-half mile long main street.⁹

Initially, the Sweetwater camps were located in Carter County, Dakota Territory, with South Pass City as the county seat. Due to the rapid growth of these towns and the larger communities along the Union Pacific Railroad, Dakota was persuaded to cede its Western lands in 1868 to form the Wyoming Territory. South Pass City remained the seat for the county that would be renamed Sweetwater several months later.¹⁰

Due to the independent, transient nature of the prospectors, political and social stability was difficult, at best, to achieve in the Sweetwater mining camps. Within a three year period, county commissioners, county attorneys, several justices of the peace, and town constables abruptly quit for numerous reasons, but primarily to depart to a more promising gold strike. On one occasion the county sheriff vacated the area with several thousand dollars in tax receipts, and South Pass City's postmaster left with a rather large payroll.¹¹

Social order was not much better. Since most of the early miners hoped to strike it rich and quickly leave, they had little interest in paying for community services such as street repairs, indigent care, and government offices. Attempts to erect a jail in South Pass City were defeated twice in special elections. The arrival of businessmen and the first families in 1868 brought some stability, for these residents wanted to transform the South Pass gold camps into permanent towns. Their economic success depended upon the long-term survival of the communities. Eventually, streets were smoothed and straightened, county

offices rented, and a jail built with territorial and county tax funds.¹²

By 1870, several women and ethnic minorities inhabited the mining towns, particularly South Pass City, but White males still dominated the population base. For example, 24 percent of South Pass City's citizens were females, 2 percent of Mexican descent, 2 percent Chinese, and 3 percent Black. More residents originated from the Upper Midwest than any other section of the country. Politically, Sweetwater residents were generally conservative Democrats adamantly opposed to the Radical Republicans and intolerant of minorities. The *Sweetwater Mines* and the *South Pass News*, the town's newspapers, often printed derogatory and racist articles concerning Chinese and Blacks.¹³

In May, 1868, county Democrats held their party's meeting in South Pass City to select a delegate to the national presidential convention. An article in the *Sweetwater Mines* clearly warned that only those Democrats who "repudiated the Reconstruction policy of Congress, negro suffrage, and the principles espoused by the Radical Republican party . . ." should attend. Party members passed several resolutions at this meeting, including one that condemned the "Radicals" in Congress for forcing Black suffrage on the Southern states. Justice of the Peace James Stillman was one of several prominent citizens to deliver speeches in support of this proclamation. Chairing the meeting was a Southern Democrat from Virginia—William Bright.¹⁴

Raised in a poor family that could not afford to provide much schooling for him, Bright served in the Union army throughout the Civil War. After the war, he and his wife Julia, 21 years his junior, moved to Salt Lake City where he worked at a federal job. Hearing news of the South Pass gold strike, Bright joined a group of miners traveling to Altorus City, arriving in July, 1867. Competing with the original group that had discovered the Cariso lode, his outfit initially spent as much time staking claims as mining them, as they attempted to control as much of the mineral belt as possible before the inevitable arrival of more miners.¹⁵

9. *Sweetwater Mines*, April 15, 1868; Robert Morris to Frankie, November 17, 1869, Morris Collection, H84-45, Historical Research and Publications Division, Wyoming State Archives, Museums and Historical Department (AMH), Cheyenne.

10. Folder, no number, Carter County Records Collection, AHC.

11. Minutes of the Board of County Commissioners of Carter County, Book 3, pp. 1-83, AHC.

12. Minutes of the Board of County Commissioners of Carter County, Book 3, pp. 6, 47, 80, 86, AHC; Minutes of the Board of County Commissioners of Sweetwater County, p. 18, Archives and Records Management Division, AMH; *Sweetwater Mines*, April 7; June 19, 1869.

13. 1870 Wyoming Census, pp. 499-505; *Sweetwater Mines*, May 30, 1868; *South Pass News*, September 20, 1870; April 5, 1871.

14. *Sweetwater Mines*, May 30; June 6, 1868.

15. Larson, *History of Wyoming*, p. 89; Mining Records of the Shoshone District, p. 9, AHC.

Within a couple of days of his arrival, he owned shares in numerous lode claims, such as the Rockwell, Willow, Globe, Almira, and Cariso Extension lode, most of which were near the original strike at the Cariso mine. This work proved profitable, for he sold his share in the Cariso Extension for sixteen hundred dollars, one of the highest prices paid for a mineral claim in 1867 South Pass. He soon built a cabin on Willow Creek and staked a $\frac{1}{4}$ by $\frac{1}{2}$ mile area along the creek. Although he insisted that he was just starting a ranch, this stretch of the creek had excellent potential for placer mining. He probably never intended to purchase cattle and sheep, and future gold miners ignored his claim, but not before he sold one-half of it for five hundred dollars to a partner in Salt Lake City. He also purchased lot 101 in the heart of the recently platted town of South Pass City. The lot was at the intersection of the camp's two most heavily-used streets. Bright remained in the camp long enough to attend the November 3 meeting that would settle several mining disputes created by the previous summer's fervor in speculation.¹⁶

Escaping South Pass' harsh winter, Bright rode back to Salt Lake City where Julia gave birth to their son, William Jr. After returning to South Pass City in May to purchase more town lots, Bright briefly moved his family to the mining camp in July before settling at Miners Delight, where he occasionally speculated in mining properties while working some of his mines. In December the Board of County Commissioners appointed him as the camp's justice of the peace. Resigning his position six months later, he and his family returned to South Pass City where he opened a saloon on his lot in the center of the

town. Bright's business joined at least twenty other saloons and wholesale liquor distributors in the town's business district, including his neighbor to the east, the El Dorado, which housed a bar as well as prostitution. He also purchased lot 30 on Dakota St., where his family lived in a log cabin perched on the west side of the hill overlooking the northern end of South Pass City.¹⁷

Why Bright opened a saloon is puzzling. He still owned mining property and considered himself a miner, as he declared to the 1870 census worker.¹⁸ However, many prospectors had started businesses, hoping the enterprise would generate funds for additional mining ventures. If this was Bright's reasoning, then his timing was poor. Purchasing one of South Pass City's few failing saloons, erecting a large structure, and entering this cut-throat competition during a mining slump do not appear to be the prudent actions of a man who had proven to be a shrewd businessman during the first two years of the boom. On the other hand, Bright's political ambitions may have been as important as economic considerations in his decision to become a saloonkeeper.

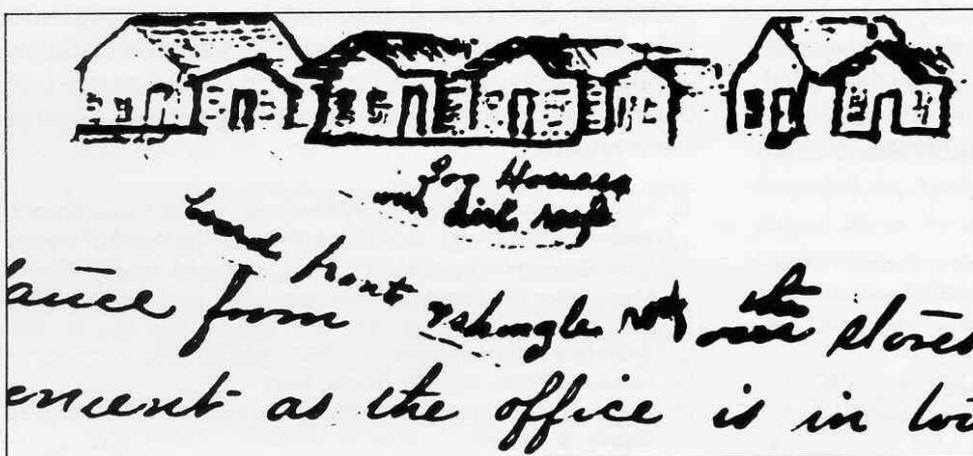
Since its founding, the Wyoming Territory slowly organized its governmental systems. With the arrival of Governor John A. Campbell, Secretary Edward M. Lee, and the subsequent formation of judicial districts, electing a legislature was the final task. After conducting a territorial census, the governor divided the thirteen House seats and nine Council seats among the counties, with Carter County receiving three vacancies in each chamber.¹⁹

17. 1870 Wyoming Census, p. 504; *Sweetwater Mines*, July 11, 1868; Book of Deeds, Book 11, pp. 29-30, 188-189, 192-194, Book 21, pp. 385-386, AHC; Minutes of the Commissioners of Carter County, pp. 22, 63, AHC.

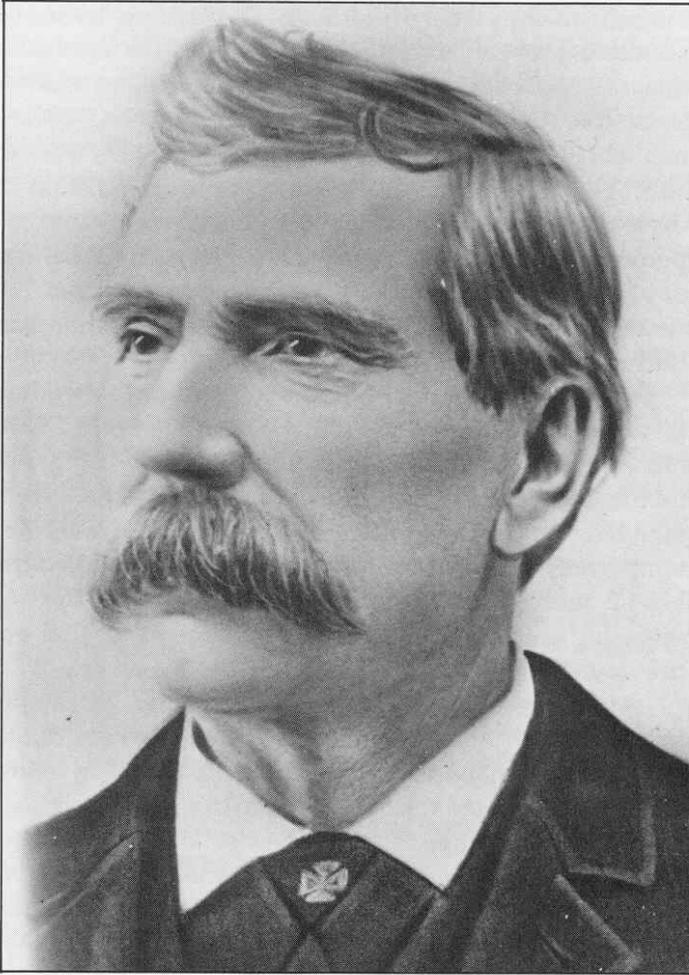
18. 1870 Wyoming Census, p. 504.

19. Larson, *History of Wyoming*, pp. 69-71.

16. Mining Records of the Shoshone District, pp. 9-11, 91, 99, AHC; Book of Deeds, Book 9, pp. 56-58, Book 20, pp. 186-187, Carter County Records Collection, AHC.



Robert Morris sketched his South Pass City neighborhood in his November 17, 1869, letter to his cousin, Frances McQuigg.



William H. Bright introduced the suffrage bill which granted the women of the Territory of Wyoming the right to vote and hold office.

By opening a business in the county's largest town, Bright enhanced his public visibility, increasing his chances of being elected to the territory's first legislature. A competitive campaign waged among nine candidates for the Council and seven for the House culminated in the September 2 legislative election for Carter County. Drunk and armed with revolvers, several South Pass City residents, gathered near the precinct polls at Noyes Baldwin's store, added further excitement to the election by vowing to prevent the town's Blacks from voting. Expecting trouble, United States Marshal Church Howe traveled to South Pass City and led several Blacks to the polls, where they cast ballots in relative peace.²⁰

As in the rest of Wyoming, the Carter County Democrats swept the legislative races, electing William Bright, George Wardman, and William Rockwell to the Council, and Benjamin Sheeks, James Menefee, and John Holbrook to the House. All the delegates except Menefee

and Holbrook lived in South Pass City. None of the documents from that period indicate what the campaign issues may have been, let alone that woman suffrage was discussed publicly before the election. As a result, none of South Pass' legislators offered any public hint about introducing a bill that would permit women to vote in Wyoming.²¹

Closely linked initially with the anti-slavery movement, the national woman suffrage effort organized with the 1848 convention at Seneca Falls and slowly developed during the next two decades, permanently breaking with the abolitionists after the Civil War. Attempts to pass woman suffrage legislation in a few states and in Congress failed, leading many advocates to believe the first woman suffrage bill would probably be adopted in a territory, where a majority vote of the legislature and the governor's signature were the only requirements for passage. Conversely, amending a state's constitution required a $\frac{2}{3}$ vote of both houses, the governor's acceptance, and the approval of the people in a special election. Hoping to encourage increased migration to the remote Western region of the country, Senator Pomeroy introduced a Congressional bill which extended the vote to women living in territories. The bill died.²²

Before the Wyoming delegates assembled in Cheyenne in October, 1869, woman suffrage bills in three Western legislatures had been narrowly defeated—Washington in 1854, Nebraska in 1856, and Dakota in 1869—and the Utah and Colorado lawmakers would soon be considering the issue. Wyoming legislators were aware of the discussion over woman suffrage, for many of them had moved from Midwestern states where the reform had been debated for several years. In addition, two women had recently delivered speeches in Cheyenne in support of woman suffrage, Anna Dickinson at the courthouse in the fall, and Redelia Bates to the legislators in November. Nevertheless, neither of the national woman suffrage organizations nor

20. 1869 Carter County Election Returns, "Elections" File, South Pass City State Historic Site (SPC), South Pass City, Wyoming; Larson, *History of Wyoming*, p. 72.

21. 1869 Carter County Election Returns, SPC; *Council Journal of the Legislative Assembly of the Territory of Wyoming, First Session* (Cheyenne: Tribune Office, 1870), pp. 3, 31; *House Journal of the Legislative Assembly of the Territory of Wyoming, First Session, 1869* (Cheyenne: Tribune Office, 1870), pp. 4, 102.

22. Miriam Gantz Chapman, "The Story of Woman Suffrage in Wyoming, 1869-1890" (Masters Thesis, University of Wyoming, 1952), pp. 3-5; Beverly Benton, "Woman Suffrage in the American West: 1869-1896" (Ph.D. Dissertation, University of Utah, 1976), pp. 1-2.

any grassroots movement in Wyoming lobbied for the passage of woman suffrage in the territory.²³

Wyoming's first legislative session commenced on October 12, with the Council unanimously electing Bright as its president. After Campbell's introductory speech, representatives began to introduce dozens of laws to organize the territory, with South Pass City's Rockwell and Wardman being two of the most active councilmen in sponsoring legislation. A few of these bills involved women. Rockwell offered a bill that enabled married women to protect their property during a divorce. In addition to reserving a location in the House to seat women, the legislature adopted an act that mandated equal pay for male and female teachers with equal qualifications.²⁴

In performing the duties of president, Bright was not expected to be active in sponsoring bills. However, on November 12, he temporarily gave his duties to Councilman Poole of Laramie County and announced his intentions of introducing a woman suffrage bill, which he did fifteen days later. Several factors encouraged Bright to relinquish his position briefly to propose a measure that had not been adopted by any government in the United States.²⁵

First, and most importantly, he personally believed in woman suffrage. Since the nation would not repeal Black suffrage, which he adamantly opposed, then he reasoned that White women should also vote since they were socially and intellectually superior to the former slaves. If Blacks vote, then his mother and wife should be permitted to cast ballots.²⁶

Nevertheless, Bright did not introduce his woman suffrage bill until the final few weeks of the session, indicating that he probably did not intend initially to author the measure when the legislature convened. However, certain factors made the introduction of a woman suffrage bill timely and logical by mid-November. Bates' speech reminded the Wyoming lawmakers that other territorial legislatures had already considered the reform. Also, as a devoted suffragette, Julia, his wife, may have used the opportunity presented by this speech to encourage her

husband to write a bill. In addition, Edward Lee, territorial secretary, probably urged Bright to sponsor the legislation or at least offered to support his efforts by talking to other legislators. Before arriving in Wyoming, Lee had been a member of the Connecticut legislature, where his woman suffrage bill had been defeated. All or a combination of these elements provided Bright with the desire and the opportunity to introduce the legislation. His personal beliefs, or perhaps a desire to make a significant impact during the session, prompted him to sponsor the measure rather than find another legislator to do it.²⁷

Council Bill #70, ". . . an act to grant to the women of Wyoming Territory the right of suffrage and to hold office," was read a first and second time before being sent to the committee of the whole, which quickly recommended "do pass" with only minor word changes. After temporarily postponing action, the Council approved the bill 6-2, with one abstention. Rockwell cast one of the two opposing votes, while Wardman was absent for that entire day.²⁸

After passing the Council on November 30, the bill received much more debate in the House, where South Pass City's Benjamin Sheeks, one of the chamber's most active members, led the opposition to the woman suffrage measure. After a special committee's "do pass" recommendation on December 4, Sheeks and Representative Strong, an "at-large" member representing the entire territory, introduced motions for adjournment. While they were defeated, their attempts to delay consideration of the bill were temporarily successful since their objections and actions consumed enough time that the delegates agreed to postpone further discussion on woman suffrage in order to process other pressing legislation, especially since the session would end in approximately one week. When CB70 was again considered two days later, Acting Chair Sebree (Laramie County) sent for the delegates who were absent to allow as many representatives as possible to debate the bill. Speaker Curran of Carbon County, who opposed the bill, appointed Sebree as temporary chair in order to participate in the ensuing discussion. He and Sheeks then offered several amendments to defer consideration of the legislation, to add "all colored women and squaws" to

23. Larson, *History of Wyoming*, pp. 81-84; Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 74.

24. *Council Journal, First Session*, pp. 3-20, 54; Chapman, "The Story of Woman Suffrage," pp. 55-56.

25. *Council Journal, First Session*, pp. 66, 110.

26. Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 75; Unsigned Essay, File 5, Woman Suffrage Files, W842SU, AHC.

27. Interview with Janet Sherlock by Grace R. Hebard, July 6, 1920, SPC; Benjamin Sheeks to Grace R. Hebard, August 20, 1920, SPC; Mary Lee Stark, "One of the First Wyoming Women Voters Tells How Franchise Was Granted," no author or publisher, Woman Suffrage Vertical File #3, Historical Research and Publications Division, AMH.

28. *Council Journal, First Session*, pp. 112-122.

it, and to replace the word "women" with the term "ladies." All of their motions failed or were tabled, until Sheeks successfully amended the bill in changing the age women were permitted to vote from 18 to 21. The House eventually approved the act 7-4, with one abstention. Holbrook joined Sheeks in opposition while Menefee voted for approval. Representative Wilson (Laramie County) immediately moved to reconsider the vote, but was rebuffed.²⁹

Later that same day, the Council approved Sheeks' amendment 6-3. Wardman, who was absent from the earlier vote, supported the bill but Councilman Brady of Albany County changed his mind and opposed CB70 this time. At 8:20 p.m. on this busy day, the following bill was sent to Governor Campbell, who signed it into law on December 10:³⁰

Be it enacted by the Council and House of Representatives of the Territory of Wyoming:

Sec. 1. That every woman of the age of twenty-one years, residing in this territory, may at every election to be holden under the laws thereof, cast her vote. And her rights to the elective franchise and to hold office shall be the same under the election laws of the territory, as those of electors.

Sec. 2. This act shall take effect and be in force from and after its passage.³¹

Ironically, Bright received the least support from his fellow Carter County delegates. Only half of the county's representatives supported his effort, constituting the most significant opposition from a county delegation in the territory. Also, of the four delegates who lived in South Pass City, two of them opposed the suffrage act, the only Wyoming town to claim this distinction.

For more than a century, numerous researchers have offered several explanations for the legislators' motives in passing a woman suffrage act. Many authors have claimed that the representatives approved the bill as a joke or as a way to embarrass the governor, only to be tricked when the speaker of the house quickly sent the bill to the chief executive before the delegates could reverse their decision. Even though later correspondence by Lee and Sheeks indicates that at least some lawmakers were kidding, other evidence implies that most legislators were serious in adopting the reform. Not only was the debate over Council Bill #70 prolonged and the opposition vociferous in the

House, but the acting speaker found the imminent vote serious enough to send for all of the absent delegates. In addition, each legislator had the opportunity to reverse his previous vote if he had cast it in jest. Yet, the motion to reconsider the vote in the House was defeated, and the Council once again voted to accept the legislation, six days after its first approval. The only delegates who appeared to contradict their previous votes were Representative Wilson of Laramie County, who supported the bill and then immediately asked for reconsideration of the question, and Councilman Brady, whose later vote of "NAY" may have denoted his opposition to Sheeks' amendment to raise the voting age to 21 as much as a change in attitude toward woman suffrage.³²

Other facts suggest that the passage of CB70 was not the result of jocularity. Considering that Curran opposed the act strongly enough to relinquish his position as speaker during the debate, it is doubtful that he would then sign the bill that same day if any chance existed that the vote could be reversed. After passing the House, the Council approved the bill with Sheeks' amendment and sent it to the governor the same day, not because supporters feared that most lawmakers acted in jest and would later reverse their decisions, but because the session was drawing to a close, and all legislation was being processed quickly. In fact, three other bills accompanied CB70 to the governor's office. It did not receive special consideration. Two years later, Governor Campbell noted that the legislature had properly considered and thoughtfully passed the bill.³³

Passing CB70 was not a joke gone awry. Instead, a genuine belief in woman suffrage, a way to promote the territory, and the notion of a temporary experiment with this reform influenced the Wyoming legislators. Some researchers have asserted that the delegates who voted for approval did so more out of a desire to advertise Wyoming than in embracing the ideal that women deserved to vote. With the departure of the Union Pacific Railroad's work crews and a decrease in mining activity in the Sweetwater mines, the territory was beginning to experience its first bust at a time that Wyoming needed to compete with other newly-created territories for population. Being the first government to pass a woman suffrage bill would invite

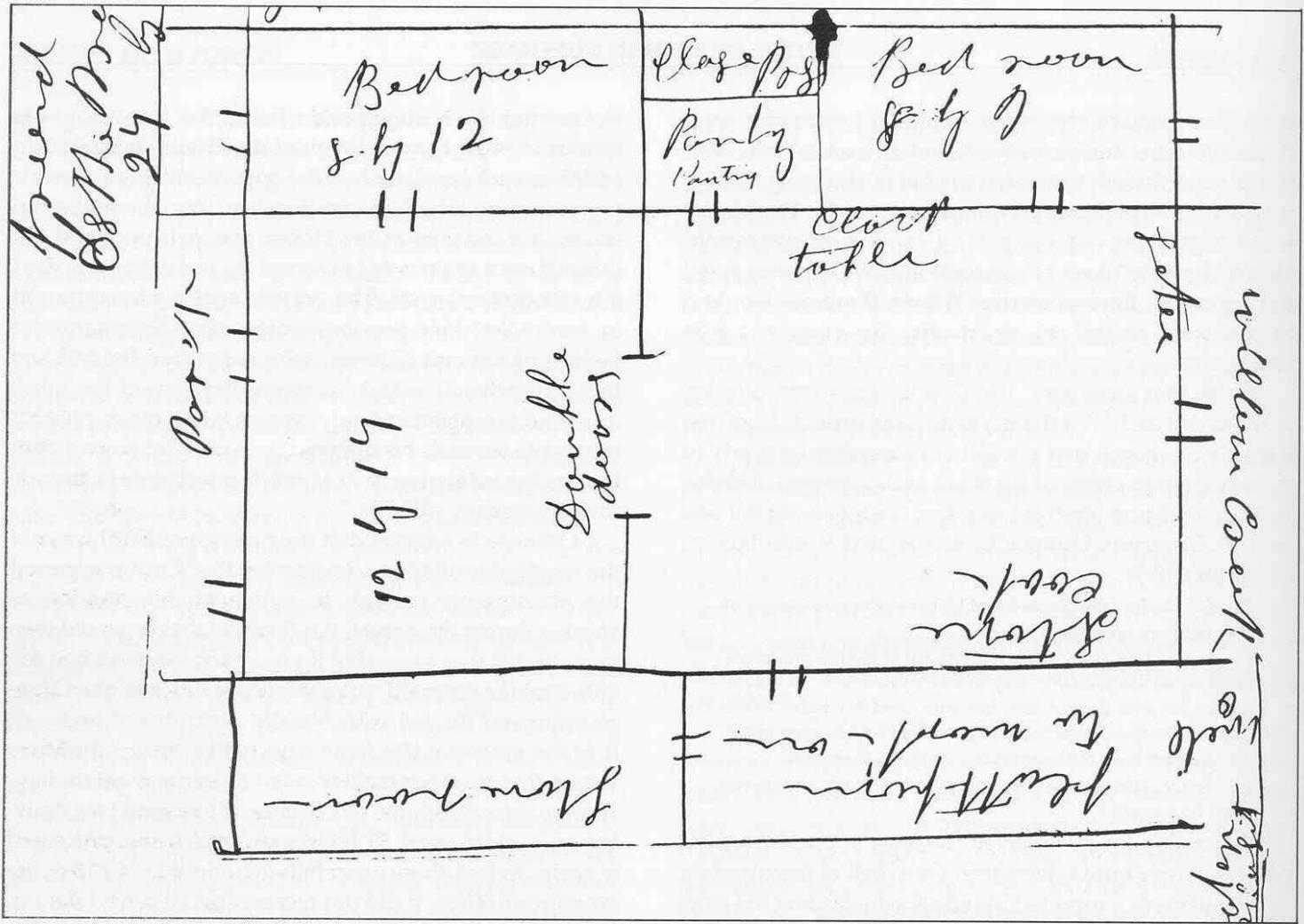
29. *House Journal*, 1869, pp. 158-159, 189-207.

30. *Council Journal, First Session*, pp. 158, 188.

31. *General Laws, Memorials and Resolutions of the Territory of Wyoming Passed at the First Session of the Legislative Assembly, 1869* (Cheyenne: Tribune Office, 1870), p. 371.

32. Benjamin Sheeks to Grace R. Hebard, August 20, 1920, SPC; Edward M. Lee, "The Woman Movement in Wyoming," *Galaxy* 13 (January-June 1872): 755.

33. *Council Journal of the Legislative Assembly of the Territory of Wyoming, Second Session* (Cheyenne: Evening Leader Office, 1872), p. 82.



Esther Hobart Morris included a sketch of her South Pass City home in her October 13, 1869, letter to her niece Frances McQuigg.

national publicity and create a positive, progressive image which would induce more settlement. Knowing that other territories had narrowly defeated woman suffrage bills, many lawmakers probably believed that it was only a matter of time before some legislature would pass the reform. Thus, Wyoming needed to act quickly if it wanted the distinction and publicity of being the first. In an 1872 article in *Galaxy*, Secretary Lee noted that many legislators supported CB70 in order to publicize Wyoming and to increase immigration and capital to the territory.³⁴

The belief that women should possess the same political rights as men probably influenced as many supporters of the bill as the idea of promoting the territory. The legislature had debated measures concerning women's rights with regard to equal pay, guardianship, and property. To consider passing a woman suffrage bill would not have been a radical notion.

In addition to recognizing that women possessed certain rights, many of the legislators may have agreed with Bright's view that White women should be permitted to vote since Blacks were enfranchised. Just two days before

Campbell signed the woman suffrage act, the legislature overrode the governor's veto of a miscegenation bill that outlawed interracial marriages in Wyoming, particularly between Whites and Blacks.³⁵

In sending the woman suffrage act to the governor, most of the legislators believed that Campbell would veto it, particularly since the two branches were engaging in a battle over several other bills. The lobbying efforts of Secretary Lee, Chief Justice Howe, Mrs. Amalia Post, Mrs. M. B. Arnold, and Judge Kingman, who presided over the third judicial district and lived in South Pass City, convinced the chief executive to sign the legislation. Besides citing the country's tradition of fairness and equality, Campbell later noted that women were as capable as men in exercising the good judgment required to vote. He also

34. Lee, "The Woman Movement in Wyoming," p. 755; Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 76; *Cheyenne Daily Leader*, January 7; March 12, 1870.

35. *Council Journal, First Session*, p. 167.

commented that women who own property must be taxed, making woman suffrage necessary to ensure fair representation in the creation of tax laws.³⁶

As the news spread throughout the nation that Wyoming had become "the first place on God's green earth which could consistently claim to be the land of the free,"³⁷ the legislature adjourned and the representatives rode home. Soon after the Brights returned to their log cabin in South Pass City, two local residents, Esther and Robert Morris, visited them.

Born on Aug. 8, 1814, near Spencer, New York, Esther Hobart McQuigg was the eighth of eleven children. Orphaned at age eleven, she worked as an apprentice to a seamstress before marrying Artemus Slack in 1841. Her first son, Edward Archibald Slack, was born one year later. As a civil engineer, Artemus traveled throughout the Upper Midwest until he was accidentally killed in Illinois. Esther and her son then moved to Peru, Illinois, to claim the property that her late husband had left her. Marrying John Morris, a Polish immigrant and a prosperous merchant, Esther later gave birth to three sons, John, who died in infancy, and to twins, Robert and Edward, in 1851.³⁸

Reading about the South Pass gold rush in a newspaper, John and Archibald moved to South Pass City in the spring of 1868 to mine gold. Like many of the other fortune hunters who rushed to the Sweetwater mines at that time, they were initially discouraged in finding that little surface gold existed. Despite their disappointment, they eventually purchased mining and business property, including the Mountain Jack, Grand Turk, Golden State, and Nellie Morgan lodes, hoping to make a profit through mining and speculation, much like William Bright and many other South Pass miners were doing. Even though he had lived in the town less than six months, Archibald was appointed South Pass City's constable in September, which reflects as much upon his energetic and congenial character as upon the significant turnover in South Pass City's population and appointed officers during the first year of the boom.³⁹

In July, 1869, Esther and the twins arrived, moving into the 24' x 26' log cabin that Edward had purchased on lot 38, South Pass Avenue, near the town's eastern edge. Willow Creek flowed along the southern boundary of their lot, and the Cariso Mine sat on the northern rim above their home.⁴⁰

All of the men soon found jobs in the mining town. Contrary to assertions of many researchers, the records do not indicate that John Morris owned or worked in a saloon before 1873, when he purchased his first liquor license. Instead, he continued to mine and to speculate in various properties during his initial years in South Pass City. After resigning as constable, Archibald became the clerk for the territory's third judicial district for eighteen months. In addition to buying several lots in the settlement, he was an agent for the John W. Anthony sawmill company, located four miles from the town, and helped plan South Pass City's July 4th celebration in 1869. Robert also served as an agent for the lumber company and was soon appointed deputy district clerk, while Edward's clerking was confined to a store.⁴¹

Like many of the other families in the district, the Morris clan decided to spend their winters in the frigid mining area rather than quit their jobs to move to a more moderate climate. Thus, on a cold December night, Esther and Robert visited the Brights. In his letter of December 27, 1869, to *The Revolution*, a woman suffrage newspaper, Robert described their meeting:

There have been many representatives of Woman's Suffrage in the Legislatures throughout the United States, but the first successful legislator of the cause is William H. Bright of Wyoming Territory, and a brief sketch of him may interest your readers.

Mr. Bright returned to his home in this place a few days ago, and Mrs. M. and myself, as the only open advocates here of Woman's Suffrage, resolved ourselves into a committee, and called on him to tender our congratulations and thanks for his services in our behalf as well as for all true lovers of Equal Rights.

We found Mr. Bright in a comfortable log cabin with his good wife and little son. We met with a cordial reception, and he expressed himself pleased that there were some persons here who endorsed his views on Woman Suffrage.

36. Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 76; *Council Journal, Second Session*, p. 79.

37. "Susan B. Anthony," *Laramie Daily Sentinal*, June 27, 1871.

38. Gene Gressley, "Morris, Esther Hobart McQuigg Slack," in *Notable American Women*, ed. Edward T. Jones (Cambridge: The Belknap Press of Harvard University, 1971), pp. 583-584.

39. Robert Morris to Mrs. Damon Stewart, June 27, 1868, Morris Collection, AMH; Minutes of the Commissioners of Carter County, p. 16, AHC; Book of Deeds, Book 20, pp. 298-299, Book 21, pp. 117-118, AHC.

40. Book of Deeds, Book 21, p. 479, AHC; Esther H. Morris to Frankie, October 13, 1869, Morris Collection, AMH.

41. 1870 Wyoming Census, p. 499; Minutes of the Commissioners of Carter County, p. 61, AHC; Esther H. Morris to Frankie, August 10, 1870, Morris Collection, AMH; Robert Morris to Frankie, November 17, 1869, Morris Collection, AMH; Robert Morris to his cousin, September 6, 1870, Morris Collection, AMH; *South Pass News*, October 27, 1869; *Sweetwater Mines*, June 19, July 14, 1869.

Mr. Bright is about thirty-five years of age, is a strong man, rather tall, with a frank open countenance which his name describes most fully. He is truly an original man, was born in Virginia, where in his early life he had not the benefits of a free school, and his parents were not in a condition to give him an education, and although he writes and is well-informed he says, "I have never been to school a day in my life, and where I learned to read and write I do not know."

In regard to Woman Suffrage, Mr. Bright says, "I have never thought much about it, nor have I been converted by a woman's lecture or newspaper, for I never heard a woman speak from the rostrum and never read THE REVOLUTION. I knew that it was a new issue, and a live one, and with a strong feeling that it was just, I determined to use all influence in my power to have the bill passed."

The Wyoming Legislature have made many important laws for our Territory, but Woman's Suffrage is looked upon as the most liberal, and will be widely appreciated.

It is a fact that all great reforms take place, not where they are most needed, but in places where opposition is weakest;



Esther Hobart Morris became the country's first woman justice of the peace when she assumed that office during February, 1870.

and then they spread until they take up *all* in one great principle of right and become universal; just so it will be with Woman Suffrage. Wyoming has been first to lead the way and there is probably no state in the Union where women have more freedom and are less deprived of their rights, and certainly there is no territory where there are as few; and I join Horace Greeley in urging the girls to come to this higher plain of Human Rights, as well as to have a home in our high, clear, mountain atmosphere.⁴²

Not only does Robert clearly give Bright credit for the passage of the woman suffrage bill, but he urges women to move to Wyoming, echoing the philosophy that influenced some legislators to support the act. Bright probably welcomed Morris' support, for most residents of the town and mining district opposed his actions and woman suffrage. If woman suffrage had resulted in a mass migration to South Pass City, then most residents would have quickly supported the reform. Despite more than a quarter of a million dollars in investments from Chicago, Denver, and English firms, the gold boom had died by December. When most of the mines closed for the winter, many miners and businessmen left the district permanently. Estimated at more than two thousand in 1868, the population of South Pass City and the immediate area dropped to 487 by June, 1870. While several mines and enterprises continued to operate, the bust had arrived.⁴³

The 1870 bust and the accompanying exodus of many community leaders exacerbated the area's already unstable economic and political systems. This situation particularly plagued the justices of the peace positions in two of the district's three settlements, for the county commissioners were continually appointing justices who only served for a few months. This turnover in office was much less a problem in South Pass City than in Atlantic City and Miners Delight, thanks to James W. Stillman, who was the town's justice of the peace from June, 1868, until December, 1869, when he suddenly resigned. Since he remained in the town with his family and was elected to his old post nine months later, some researchers have speculated that he quit to protest the passage of the woman suffrage bill. Not only do existing documents lend no support to this theory, but it is difficult to believe that Stillman would quit a job he had performed for eighteen months over a law that had no impact on his position. Circumstances surrounding the 1869 legislature suggest a more logical reason for Stillman's departure.

42. *The Revolution*, December 27, 1869.

43. 1870 Wyoming Census, p. 296.

During the initial legislative session, lawmakers passed bills that created each county and legalized the laws and political appointments that had been made between the creation of the territory and the convening of the legislature fifteen months later. A growing dispute over several issues between the Republican governor and the all-Democratic legislature eventually resulted in the veto of the act organizing Sweetwater County (formerly Carter County). In his veto message, Campbell emphasized that the authority to appoint persons to public offices belonged to the governor, and the right to elect individuals to office rested with the people. Not only did he question the legality of how some officers attained their positions in the county, but he objected to the representatives legislating other individuals into county positions. Nevertheless, the Council and the House overrode the veto and the final bill assigned several individuals to specific offices, including Stillman as South Pass City's justice of the peace. The legislature rejected the veto of the Sweetwater County bill the same day that Campbell signed the woman suffrage bill, an irony that would soon have a dramatic impact on woman suffrage.⁴⁴

Despite the legislators' actions, the governor eventually exerted his authority by appointing Sweetwater County's officers, including the Board of County Commissioners. If a vacancy later occurred, then the board could recommend a candidate for Campbell's consideration. This procedure initially created chaos as local citizens and the county commissioners strove to learn who was filling what political position, and when. Stillman, a staunch Democrat who detested "Radical" Republicans, probably resigned in protest over the governor's actions, even though the legislators had named him the justice for South Pass City and Campbell apparently had agreed. Stillman was already upset at the former Board of County Commissioners when it tabled his request for reimbursement of expenses and instead sent it to the county's district attorney for review. One or both of these factors, not the passage of the woman suffrage act, convinced the justice to resign.⁴⁵

The governor's newly-appointed Sweetwater County Board of Commissioners consisted of Chairman John W. Anthony, a lumberman, Nathaniel Daniels, a miner, and John Swingle, the owner of the popular Miners Exchange Saloon in South Pass City. While the commissioners began the search to find Stillman's replacement, they approved

R. S. Barr's application for justice of the peace somewhere near South Pass City. Several decades later, author Grace Hebard claimed in her article, "How Woman Suffrage Came to Wyoming," that Barr resigned in early February so that a woman could be appointed to his job. Not only does a court document prove that Barr was still a justice as late as May 10, 1870, but his justice's position was not the same one vacated by Stillman and later filled by Esther Morris. In addition, the next candidate the commissioners considered for the vacancy created by Stillman was not a woman, but a man—John O'Donnell, the county recorder. However, O'Donnell failed to qualify for the job, either because he wanted to hold two county positions simultaneously, was in Chicago when he was nominated, or for another unspecified reason.⁴⁶

With the encouragement of a few local residents and the influential support of Judge Kingman, Esther Morris submitted her application for this vacancy, which the county commissioners approved at their February 12 meeting, making her the nation's first woman judge. This action immediately created controversy, for Stillman refused to give his docket and remaining records to the board, in protest at being replaced by a woman. Also, he may have still been irritated at the board for not reimbursing his expenses, for he still possessed the docket several weeks after he had quit.⁴⁷

Commissioner Swingle also created some controversy. At the board's next meeting, he claimed he had opposed Esther's application rather than approved it as recorded in the minutes. Since Morris' appointment increased the outspoken opposition to woman suffrage in South Pass City, Swingle probably changed his vote more out of political expediency and public outcry than a desire to correct the record. In any event, her appointment became a split decision.⁴⁸

44. *Council Journal, First Session*, pp. 176-178; *General Laws, 1869*, p. 384.

45. Minutes of the Commissioners of Carter County, pp. 73, 75, AHC; Minutes of the Board of Sweetwater County, p. 23, Archives and Records Management Division, AMH.

46. Minutes of the Commissioners of Carter County, pp. 75, 81, 85-86, AHC; Grace R. Hebard, "How Woman Suffrage Came to Wyoming" (no publisher, 1920); Justice of the Peace Docket, Esther H. Morris, p. 70, Archives and Records Management Division, AMH.

47. Chapman, "The History of Woman Suffrage," p. 41; Minutes of the Commissioners of Carter County, pp. 85-86, AHC. While the minutes of the county commissioners clearly indicate that Esther H. Morris submitted an application to the board for the justice's position on February 12, the minutes of the March 22, 1870, meeting indicated that Morris is a "... justice of the peace under an appointment by the Governor of the Territory. . . ." Since Acting Governor Lee did not write her letter of appointment until February 17, one can assume that the county commissioners approved her application and sent it to Lee for consent and "official" appointment. He sent a letter of appointment to Neil on the same day.

48. Minutes of the Commissioners of Carter County, p. 87, AHC.

With her son Archibald and the postmaster, G.W.B. ("Alphabet") Dixon, underwriting her five hundred dollar bond, the board sent the nomination to Acting Governor Edward Lee, who approved it two days later. Knowing that the entire country, particularly the town's citizens, would be closely watching her actions and decisions, Morris probably hoped for a few routine cases to begin her tenure as justice. Instead, she received the most difficult challenge she would encounter in her job, for the board decided to prosecute Stillman for not relinquishing the docket.⁴⁹

On February 17, 1870, local citizens packed South Pass City's rented courtroom to see the female judge in action. Having been arrested just a few moments before the trial started, Stillman was escorted into the log building. Upon a motion by Stillman's lawyer, Mrs. Morris agreed to postpone proceedings for the remainder of the day in order to allow the defense attorney enough time to prepare his case. When court was reconvened days later, the room was again crowded, and the businesses near the courthouse closed for the day. When the defense attorney correctly noted that the warrant for Stillman's arrest was not completed correctly, Morris sustained his motion to dismiss the case, but then immediately issued a new warrant to begin the proceedings again. Finally, the defense attorney claimed that Esther did not have the jurisdiction to try the case because, as Stillman's successor, she had an interest in the docket's return. She agreed and dismissed the case.⁵⁰

Since Stillman retained the docket to continue his personal protest of a female justice, Morris purchased a new book to record the twenty-seven cases she tried during the next eight months. Most of the complaints consisted of disagreements over debts, although she presided over ten assault cases, including three with the intent to kill.⁵¹ At times, the behavior of the participants added some interest to the routine nature of most of these cases. Attorney Benjamin Sheeks, the ardent opponent of woman suffrage, occasionally practiced in Morris' court. He related the following incident:

I remember one case in particular where the attorney on the other side persisted in pettifogging [fussing over details] until I became exasperated and put him out of the room. I returned and apologized and offered to submit to any punishment she [Justice Morris] thought was justified. She merely remarked that she thought I was justified.⁵²

With national attention focused on Morris and her work, the creation of rumors and myths was inevitable. One story asserted Esther had tried her husband, John, for drunkenness and had him tossed in jail. Denying it, she replied, "A man is not allowed to be the judge of his wife much less a woman of her husband. It would not be a legal proceeding."⁵³ Common sense, more than the knowledge of the law, explains the success of Morris' tenure as justice.

Despite their initial misgivings about a female justice, many citizens of South Pass City became advocates of woman suffrage by the time Morris' term ended in October. With the organization of the territory, residents would now vote for their town's justice of the peace beginning in September. However, Esther declined to seek election to the position. Robert explained his mother's decision by noting she had received "much glory" from holding the job and had demonstrated that women could perform well in elected offices. In other words, she had accomplished her goals. In addition, the stress generated by the national publicity over her appointment and the initial opposition in her town undoubtedly affected her, for she wrote to her cousin two months before her resignation: ". . . the post was given to me but the frightful fact is that no man nor woman can hold it all."⁵⁴ Her husband was also a source of anxiety, not only because his health began to fail him toward the end of her term in office, but because he opposed woman suffrage and probably her job as justice of the peace. Finally, if she had decided to seek election, her opponent would have been James Stillman, who had spent the last few months organizing the county's first public school. Not wanting to create further controversy in her town, which was experiencing the trauma of a mining bust, may have been an additional reason for not retaining her seat. Stillman won the election, and Morris gave her docket to him.⁵⁵

The notoriety surrounding Morris' accomplishments overshadowed the appointment of Caroline Neil, another Sweetwater County resident, as the justice of the peace for Point-of-Rocks. Not wanting to ride seventy miles through the Red Desert to submit an application to the county commissioners in South Pass City, she applied for the justice's position directly to Secretary Lee, who obligingly gave her the job. Perhaps out of irritation at the acting governor's unilateral action and due to the public outcry

53. Esther Morris to her niece, June 16, 1872, Morris Collection, AMH.

54. Esther Morris to Frankie, August 10, 1870, Morris Collection, AMH.

55. Robert Morris to his cousin, September 6; November 1, 1870, Morris Collection, AMH; *South Pass News*, December 28, 1870.

49. Minutes of the Commissioners of Carter County, pp. 85-86, AHC; Minutes of the Commissioners of Sweetwater County, p. 15, AMH.

50. Undated newspaper article, Woman Suffrage File #9, AHC; Justice of the Peace Docket, Esther H. Morris, p. 2, AMH.

51. Justice of the Peace Docket, Esther H. Morris, pp. 2-10, 70-84, AMH.

52. Benjamin Sheeks to Grace R. Hebard, August 20, 1920, SPC.

over their approval of Morris' application, the county commissioners were reluctant to approve Neil's bond, first returning it to her because an officer did not properly notarize it, then indefinitely tabling it before finally accepting it on May 2, one month after it had been submitted. Contrary to his earlier action, Commissioner Swingle not only voted to support the bond but made the motion to pass it. Some historians have questioned whether Neil ever served as a justice, primarily because her docket, if one ever existed, has never been located. However, the acting governor's appointment and the county commissioners' acceptance of her bond indicate that she occupied the office, even if she never tried a case.⁵⁶

As acting governor, Lee designated a third woman justice of the peace in Wyoming before Campbell's return to the territory.⁵⁷ If Campbell would not have made these appointments had he remained, then Lee made the most of an opportunity to exert a tremendous influence on the course of woman suffrage in Wyoming.

Ironically, South Pass City opposed woman suffrage as much as, or more than, any other Wyoming settlement at the same time that Bright's sponsorship of the woman suffrage bill and Morris' tenure as justice were focusing

national attention on the town. The general opposition to woman suffrage included both sexes, for most of the women refused to become involved in politics—voting or otherwise. As a result of this attitude, Esther Morris, a Republican, was the only woman to attend South Pass City's Democratic meeting in September, 1870, and only eight women, 11 percent of the eligible female electorate, voted in the ensuing elections. Only 15 percent of the women over twenty-one years of age voted in Atlantic City. More women cast ballots at the Miners Delight poll than in either of the other two settlements, even though this small mining camp had only 1/6 the population of South Pass City.⁵⁸

With the 1870 election of Judge Jones, a Republican, as the territory's Congressional delegate, woman suffrage developed into a partisan issue. Since the Democrats believed that their party had given Wyoming women the right to vote, they felt betrayed over Jones' narrow victory. Before woman suffrage, the Democratic candidate had won decisively. After women received the vote, a Republican narrowly won. In addition, many saloonkeepers, usually Democrats, were growing concerned over the link at the national level between the woman suffrage and temperance movements. By the 1871 legislative elections, an organized opposition to woman suffrage existed that had not been present at the 1869 legislature.⁵⁹

Unbeknownst to the citizens of the Sweetwater mining district, they would again elect a legislator who would exert a significant impact on woman suffrage. However, this lawmaker would not be William Bright. Due to the economic decline and perhaps because of the town's opposition to woman suffrage, Bright's saloon went bankrupt and was sold at public auction in September, 1870. After an aborted attempt to establish another saloon at Miners Delight, and following a brief stay in the Wind River valley, the Bright family paid a farewell visit to South Pass City in June, 1871, before moving to Denver. They never returned to the mining camp.⁶⁰

Let It be Recorded.

On the 6th inst., this territory had the female suffrage theory put into practice. On Tuesday last eight women voted for Delegate in Congress and county and precinct officers in this city, eight voted in Atlantic and nine in Miner's Delight. We are unable to state how many voted in other towns throughout the territory, but as the Republicans of Laramie county had nominated two women for county offices, and have two others on their county committee, it is safe to presume that a greater number of women voted in that county than in this or any other county of the territory. Women held office in this territory and served as jurors previous to this, but Tuesday the 6th day of Sept., 1870, was the first time the women of this territory exercised the privilege of voting at any general election, so far as our information on this subject goes.

The South Pass News reported the first election in Wyoming in which women voted.

56. Minutes of the Commissioners of Sweetwater County, pp. 18-21, AMH; Larson, *History of Wyoming*, p. 84(f).

57. Larson, *History of Wyoming*, p. 84(f).

58. *South Pass News*, September 13, 1870; 1870 Wyoming Census, pp. 455-515; Robert Morris to his cousin, September 6, 1870, AMH; Robert Morris to Frankie, September 8, 1870, Morris Collection, AMH.

59. Larson, "Petticoats at the Polls: Woman Suffrage in Territorial Wyoming," *Pacific Northwest Quarterly* 44 (April 1953): 78.

60. License Records, Sweetwater County, Sweetwater County Courthouse, County Clerk's Office, Green River, Wyoming; *South Pass News*, August 31, September 13, 1870; June 28, 1871; *Cheyenne Daily Leader*, January 23, 1876.

In the month before the 1871 elections, the exodus of several more of the district's past political leaders, the social upheaval caused by the bust, and unspecified local issues split South Pass' powerful Democratic Party. Eager to dissociate with a national platform that most local residents opposed, several Republicans joined with dissatisfied Democrats to create a third political party. The newly named People Party held their convention in Atlantic City to select several candidates for the territorial legislature and county offices. The Democrats did likewise at their South Pass City gathering, while the Republican Party did not nominate any office seekers becoming temporarily defunct in the Sweetwater district.⁶¹

Even though woman suffrage had been a volatile issue in South Pass for the past two years, it was not a factor in splintering the Democrats and creating the People Party. In fact, the editor of the *South Pass News*, Archibald Slack, chastised the two parties for ignoring the needs of women and urged the females to form their own political organization. By late 1871, most of the remaining citizens in the Sweetwater mining district had gradually accepted woman suffrage, particularly after witnessing Esther Morris' success as a justice of the peace. Thus, the area's antagonism toward woman suffrage was declining while opposition in the territory was increasing.⁶²

Even though the People Party won several local races, the organization captured only two of the five legislative positions. John Fosher, the owner of an Atlantic City billiard hall, won a seat on the Council, and Herman G. Nickerson, miner, former Sweetwater County superintendent of schools, U.S. Commissioner to the Shoshone Reservation, and resident of Miners Delight, became one of the district's three representatives. Both men unsuccessfully ran in the county's 1869 legislative races. Democrats Dr. F. H. Harrison of Atlantic City, Duncan Blair of Green River, and Benjamin Sheeks also were elected. George Wardman lost his bid for a second term.⁶³

As the legislators gathered in Cheyenne in early November to convene the territory's second session, the Democratic lawmakers promised to repeal the woman suffrage act, although some of them personally favored the measure. But, in his opening remarks to the legislators,

Governor Campbell announced his opposition to any attempts to deprive Wyoming women of their right to vote, claiming that women have ". . . conducted themselves in every respect with as much tact, sound judgment, and good sense as men . . ." ⁶⁴ in the past two years. He further implied that it was too early in the woman suffrage experiment to consider eliminating the reform. Given the governor's likely veto of any attempt to eliminate the reform, the Democrats realized that they would need a 2/3 vote in both chambers to repeal the law. Democrats outnumbered Republicans 10-2 in the House but only 5-3 in the Council, with Representative Nickerson and Councilman Fosher aligned with a third party. Therefore, at a time that each party was dictating how its members would vote, Nickerson and Fosher were free to follow their conscience. Nickerson was a professed Republican who had jumped to the People Party in order to get elected. What was Fosher's allegiance on this issue?⁶⁵

On November 16, nine days after the session began, Representative Castle of Uinta County introduced House Bill #4, an act to repeal woman suffrage. Sheeks, who was elected speaker, sent the bill to the engrossment committee, which included Nickerson and two Democrats. Concerned that the committee may delay action on the legislation, Wilson of Carbon County and Kuykendall of Laramie County successfully sponsored a motion that brought the bill to the House floor for immediate consideration. After a lengthy discussion on November 17, the House passed it 9-3, with Nickerson joining the two Republicans in opposing the measure.⁶⁶

After receiving HB4, Council President Nuckolls of Laramie County assigned it to a committee, which recommended "do pass" on November 24. After postponing a vote for several days, the Council approved the bill 5-4, with Fosher aligning with the three Republicans. The action of the Atlantic City legislator must have surprised the Democrats, for they had extended privileges to him usually reserved for other Democrats, such as chairing the committee that organized the Council during the initial days of the session and presiding as acting Council president

61. *South Pass News*, August 31, 1871.

62. *South Pass News*, August 31, 1871; Robert Morris to his cousin, September 6, 1870, Morris Collection, AMH.

63. *South Pass News*, April 26; September 7, 1871; Tax Assessment Roll, 1870, 1871, Sweetwater County, Sweetwater County Museum, Green River, Wyoming; 1869 Carter County Election Returns, SPC; 1870 Wyoming Census, p. 483, *Council Journal, Second Session*, p. 31.

64. *Council Journal, Second Session*, p. 18.

65. *Council Journal, Second Session*, p. 18; *Cheyenne Daily Leader*, November 21, 1871; *Journal and Debates of the Constitutional Convention of the State of Wyoming* (Cheyenne: Daily Sun, Book and Job Printing, 1893), p. 352.

66. *House Journal of the Legislative Assembly of the Territory of Wyoming, Second Session* (Cheyenne: Evening Leader Office, 1872), pp. 37-50.

on a few occasions. Now, Fosher had supported the Republican minority during the only truly partisan vote of this legislature.

As expected, the governor vetoed the bill on December 4. Outlined in a lengthy treatise sent to both chambers, Campbell offered several reasons for his decision, including his doubts that the legislature could constitutionally abrogate the voting privileges of any American citizen, male or female. He concluded his veto message by emphasizing that:

For the first time in the history of our country we have a government to which the noble words of our magna charta of freedom may be applied, not as a mere figure of speech, but as expressing a simple grand truth, for it is a government which derives all just powers from the consent of the governed.

We should pause long and weigh carefully the probable results of our action before consenting to change this government. A regard for the genius of our institutions, for the fundamental principles of American autonomy, and for immutable principles of right and justice, will not permit me to sanction this change.⁶⁷

Nickerson was one of the two absentees on December 9 when the House overrode Campbell's veto, 9-2. Considering that no Democrat or Republican had deviated from the party line, the lawmakers realized that Councilman Fosher would determine the future of woman suffrage in Wyoming. If he reversed his previous vote to support the Democratic majority, then the Council would have enough votes to annul the veto, ending woman suffrage in Wyoming. Maintaining his opposition to HB4 would preserve the women's right to vote. Worried that Fosher may not change his mind, Representative Pease of Uinta County introduced a bill on December 11 that would provide for a special election on woman suffrage. However, the measure died quickly when the House voted not to suspend the rules to allow the bill to pass before the end of the session.⁶⁸

Fosher was initially indecisive. While he personally favored woman suffrage, as owner of a billiard hall that served liquor he was concerned about the growing link between the temperance and woman suffrage movements nationally. While not a Democrat, he lived in a predominantly Democratic part of Sweetwater County where the citizens had initially opposed woman suffrage and Esther Morris' appointment, but now generally accepted both.

In contrast to the first legislative session, women actively lobbied during the 1871 meetings for the preservation of their voting rights. Besides closely following the moves of the chambers from their seats in the bleachers of the legislature, several women visited Campbell to ensure that he still planned to veto HB4. When Republican Councilman Corlett of Laramie County noticed that Fosher was wavering in his opposition to the bill, he arranged for the delegate to dine with Mrs. Amalia Post, a Wyoming suffragette. As a result of the supper or because of his fundamental belief in woman suffrage, Fosher once again sided with the three Republicans in voting against the bill and preventing the override of the veto. Woman suffrage was sustained, and the legislature would never challenge its existence again. For the second time in two years, a South Pass saloonkeeper would strike a blow for woman suffrage.⁶⁹

While woman suffrage continued to thrive, the same could not be said of the South Pass camps. Despite renewed mining activity around Miners Delight, the populations of South Pass City and Atlantic City continued to plummet, with only several hundred people remaining in the area in 1872. The absence of large gold deposits compelled South Pass miners and businessmen to move to other Western mining settlements in their search for precious metals, or a favorable economic climate. Some entrepreneurs stayed in the western region of Wyoming, playing critical roles in the development of communities such as Lander. A few pioneers remained in South Pass, perhaps hoping eventually to strike a rich pocket of gold or because they had discovered a sense of community and place that they had not experienced in their earlier travels. Gold booms in the 1880s, 1890s, and 1930s precipitated another large influx of miners, promoters, and businessmen into the Sweetwater mining towns, but busts always followed. Even though South Pass City and Atlantic City were never deserted, they reverted to shadows of their former selves. After more than seventy years of sporadic activity, Miners Delight became a ghost town in the 1940s.

During the throes of the initial bust, the champions of woman suffrage left the area which they had placed briefly in the national spotlight. While living in Denver, Bright played a prominent role in the unsuccessful attempt

67. *Council Journal, Second Session*, p. 84.

68. *Council Journal, Second Session*, pp. 1-52, 79-84; *House Journal, Second Session*, pp. 111-112, 122.

69. Woman Suffrage File #4, AHC; "Mrs. Amalia B. S. Post," no author or publisher cited, Woman Suffrage Vertical File #3, AMH; Hamilton Wilcox, *Wyoming: The True Cause and Splendid Fruits* (no publisher or date), p. 17; Benton, "Woman Suffrage in the American West," pp. 18-20; *Council Journal, Second Session*, pp. 93-95.

to pass a woman suffrage law in Colorado in 1877. He and Julia eventually moved to Washington D.C., where he died in 1912.⁷⁰

John Fosher continued to work his mining claims and operate his billiard hall/saloon until 1873, when he is no longer listed on any of the area's records. His later activities and residence are a mystery.⁷¹

All of the Morris family members remained in South Pass City until 1871, when a fire destroyed the *South Pass News* newspaper office, forcing Archibald Slack, the owner, and his wife Sarah, whom he had married the previous year, to move to Laramie where he and T. J. Webster created the *Laramie Daily Independent*. In 1876 he settled in Cheyenne to start the *Cheyenne Daily Sun* which eventually merged with the *Cheyenne Leader* in 1895, when Slack retired.⁷²

Because of a deteriorating marriage and after the very harsh winter of 1871-72 in which the snow in South Pass City was still ten to twelve feet deep in June, Esther left South Pass City to live with Archibald in Laramie. After refusing a nomination for territorial representative on a woman's party ticket in 1873, Esther moved to Albany, New York, and then Springfield, Illinois, where she spent her winters. She visited her sons in Wyoming during the summers until she moved back to Cheyenne permanently in the 1880s to live with Robert. In 1895 Esther was elected as a state delegate to a national woman suffrage convention in Cleveland. She died in Cheyenne in 1902.⁷³

After leaving South Pass City with his mother in 1872, Robert Morris held several important jobs, such as state stenographer, clerk of the supreme court, and the secretary for Senator Joseph M. Carey. The two had met in South Pass City when Carey visited the town as U.S. Attorney for the territory and Morris was the assistant district clerk. After his mother passed away, Robert moved to Green River to be near his twin brother, Edward.⁷⁴

Even though most of the family vacated South Pass City, John and Edward Morris remained in the area for several more years. As one of the handful of settlers who

did not leave during the bust, John opened a saloon and billiard hall in 1873. Unfortunately, his health continued to deteriorate, and he died during October, 1877.⁷⁵

Edward performed several odd jobs in the South Pass area until his father's death, when he assumed the management of John's billiard hall. He briefly lived in Atlantic City before moving permanently to Green River in the early 1880s to open a large mercantile business.⁷⁶

While the Bright and Morris families continued with their lives, their activities with regard to woman suffrage would produce debates and controversies that have spanned nearly a century. Beginning with a growing conflict between Archibald and Robert over how much credit their mother deserved in the success of woman suffrage in Wyoming, countless authors have offered dozens of opinions on the evolution of this reform during the initial territorial years. It is beyond the scope of this paper to examine all of the theories and myths that have been created since the 1870s. More than any other researcher, Dr. T. A. Larson, Wyoming's eminent historian, has critically examined and addressed most of these legends in his book, *History of Wyoming*, an essay, "Petticoats at the Polls," and articles and letters in several issues of the 1954 *Laramie Republican Boomerang* and the 1974 *Casper Star-Tribune*. Despite all of the literature on the subject, one controversy continues to thrive—who instigated the 1869 woman suffrage act.

Esther's sons initiated this debate. Beginning in the 1890 editions of his newspaper, the *Cheyenne Sun*, Archibald Slack referred to Esther as the "mother of woman suffrage," even though Robert always insisted that his mother did not deserve the title. In one of its issues in the same year, the *Cheyenne Daily Leader* claimed Mrs. Morris did not ask Bright to introduce the woman suffrage bill and that she did not know that the legislature would consider the issue. Neither Esther nor Archibald wrote letters to challenge this statement even though both lived in Cheyenne at the time. Ironically, some people credit Robert with originating Wyoming's motto, the "Equality State."⁷⁷

70. *Denver Tribune*, January 21, 1876; "Dr. Larson Questions Right to Single Out Esther Morris," *Laramie Republican-Boomerang*, December 20, 1954; Benton, "Woman Suffrage in the American West," p. 33.

71. Tax Assessment Roll, 1871-1873, Sweetwater County.

72. W. E. Chaplin, "Woman Suffrage Pioneer Recalled Here," *Laramie Republican-Boomerang*, July 25, 1937; Douglas C. McMurtrie, "Pioneer Printing in Wyoming," *Annals of Wyoming* 9 (January 1933): 740.

73. Esther H. Morris to her niece, June 16, 1872, Morris Collection, AMH; Gressley, "Morris," p. 584; Robert Morris to his cousin, February 6, 1877, Morris Collection, AMH.

74. Insert Robert Morris file, AMH; Chaplin, "Woman Suffrage Pioneer Recalled Here."

75. Tax Assessment Roll, 1871-1876, Sweetwater County; License Records, 1873-1877, Sweetwater County; *Laramie Daily Sentinel*, October 4, 1877.

76. License Records, 1877-1878, Sweetwater County; Tax Assessment Roll, 1870-1879, Sweetwater County; Chaplin, "Woman Suffrage Pioneer Recalled Here."

77. Howard Lamar, ed., *The Reader's Encyclopedia of the American West* (New York: Thomas Y. Crowell Co., 1977), p. 773; *Cheyenne Daily Leader*, July 23, 1890, Woman Suffrage File #9, AHC; Sadie Bristol Jensen to Miss Burke, November 30, 1936, Woman Suffrage Vertical File #1, AMH.

While Esther Morris' accomplishment as the nation's first female justice of the peace continued to receive acclaim for many years, no one seriously claimed that she, not Bright, deserved credit for the introduction of the woman suffrage bill until Herman Nickerson's letter appeared in the February 14, 1919, edition of Lander's *Wyoming State Journal*. Responding to an article which credited the Democratic Party for initiating woman suffrage in Wyoming, Nickerson made the following assertions:

To Mrs. Esther Morris is due the credit and honor of advocating and originating woman's suffrage in the United States. At the first election held in South Pass, (then in Carter County, Wyoming) on the 2nd day of Sept. 1869, Col. Wm. H. Bright, democrat, and myself, republican, were candidates for the first territorial legislature. A few days before the election, Mrs. Morris gave a tea party at her residence at which there were about forty ladies and gentlemen present. Col. Bright and myself being invited for a purpose, for while sitting at the table Mrs. Morris arose and stated the object of the meeting, she said: "There are present two opposing candidates for the first legislature of our new territory, one of which is sure to be elected, and we desire here and now to receive from them a public pledge that whichever one is elected will introduce and work for the passage of an act conferring upon the women of our new territory the right of suffrage."

Of course we both pledged ourselves as requested, and received the applause of all present. There were no republicans elected at this first election, the legislature was solidly democratic. Col. Bright, true to his promise, introduced the bill and it became law, passed in a jocular manner as an experiment, as Col. Bright informed me on his return home. Mrs. Morris was an ardent republican.

Nickerson continued his letter by summarizing the Democrats' attempt to repeal woman suffrage in 1871, by noting that a few Democrats desired to drop the reform in 1889 to ensure statehood, and by concluding that the Republicans deserve the credit for the success of woman suffrage.

Although politics clearly motivated Nickerson to write this letter, many researchers, primarily Grace Hebard, accepted the story of the tea party at face value. Thanks to Hebard's 1920 article, "How Woman Suffrage Came to Wyoming," Morris' alleged involvement in the introduction of the woman suffrage bill became fact. On the site of the Morris' 1869 log cabin in South Pass City (but not the nearby location of their 1870 home), Nickerson and Hebard erected a stone marker that proclaimed: "Site of Office and Home of Esther Morris, First Woman Justice of the Peace, Author of Female Suffrage in Wyoming." Now they were claiming that Morris not only elicited a promise from Bright to introduce a bill, but she wrote the legislation for him. A similar notation was etched into a

concrete monument that replaced the marker during a 1939 ceremony.⁷⁸

By the 1950s, the legend of the tea party was so widely accepted that the Wyoming legislature considered a measure naming Esther Morris as one of the state's two outstanding citizens and placing a bust of her in the nation's Capitol Rotunda. Despite a series of newspaper articles by Dr. Larson that questioned the tea party theory and Morris' influence on Bright, the legislature passed the bill. The legend is still popular today, for Nickerson's story appears in many recent articles and publications.⁷⁹

Nevertheless, common sense and the historical record cast serious doubt on the claim that William Bright introduced the woman suffrage bill to fulfill a promise to Esther Morris, let alone that she extracted the commitment at a tea party. Considering that most of the residents of South Pass City opposed woman suffrage, it is difficult to believe that Morris could find forty people in the town on the eve of an election to attend a tea party to support the introduction of a suffrage bill. While Nickerson states that he and Bright ". . . pledged ourselves as requested and received the applause of all present . . .,"⁸⁰ Robert Morris noted in his December, 1869, letter to *The Revolution* that he and his mother were the only open advocates of woman suffrage in the settlement and further wrote that Bright was ". . . pleased that there were some persons here who endorsed his views on woman suffrage." If forty people had attended the tea party in September, Robert would never have made these comments in a letter written just three months later.

Furthermore, from a logistical perspective, the Morris' 1869 log cabin was too small to hold forty people. In a letter to her cousin, Esther estimated that her cabin measured 24 feet x 26 feet, which included the storage room, open-air platform, two bedrooms, and a pantry.

If one continues to believe that forty supporters of woman suffrage squeezed into the Morris house or that

78. Hebard, "How Woman Suffrage Came to Wyoming"; untitled article, Woman Suffrage File #1, AHC.

79. Mable Cheney Moudy, "Fame as Equality State Cited as Support for Esther Morris," *Laramie Republican-Boomerang*, January 6, 1955; Ralph E. Conwell, "Dr. Hebard Gave Mrs. Morris Credit for Suffrage," *Laramie Republican-Boomerang*, December 6, 1954; T. A. Larson, "Larson Says Hebard Writing Must Be Examined Carefully," *Laramie Republican-Boomerang*, December 14, 1954; T. A. Larson, "Dr. Larson Questions Right to Single Out Esther Morris," *Laramie Republican-Boomerang*, December 20, 1954; T. A. Larson, "Dr. Larson Offers Mrs. Pence Compromise on Statue Choice," *Laramie Republican-Boomerang*, November 29, 1954.

80. *Wyoming State Journal*, February 14, 1919.

Esther moved the tea party outside, then explaining how Esther could command enough respect to generate such enthusiasm for a controversial issue in an unstable, tumultuous gold mining town is difficult, especially since she had moved to South Pass City less than three months before the September election. The town's leaders, many of whom had resided in the town for more than a year, would find difficulty in locating forty citizens during the peak of the mining season to endorse any issue not related to mining, Indians, or anti-Republican sentiment.

Nickerson's letter contains another erroneous assumption. He indicated that Esther invited Bright and him to the tea party because one of them was ". . . sure to be elected . . ." to the legislature. However, nine candidates competed for the three Council positions, making the odds less than 50 percent that either would be elected. In fact, if Morris was politically astute enough to throw a tea party to lobby Nickerson and Bright on woman suffrage, then she would have invited as many of the contestants as possible, including the seven men vying for the three House seats. After all, more Carter County legislators voted against the suffrage act than any other county's delegation. Besides, Bright would have committed political suicide by promising to support a reform that proved to be so unpopular in South Pass City. If he did and still won, why did he wait until the closing days of the session to introduce the bill and keep a promise he made publicly?

Besides common sense, the historical record does not lend support to the notion of a decisive tea party two days before an election. Other than Nickerson's claim, which he made almost fifty years after the event, no other primary source, including former residents of South Pass City, have even alluded to the event. In fact, in his 1886 article, "Early History of Fremont County," Nickerson failed to mention the tea party. Neither Slack's 1920 letter to Hebard nor her oral interview with Janet Smith, a long-time resident, references the event, although Smith thought that Bright promised Morris to introduce the bill while Slack firmly contends that Julia, not Esther, influenced the colonel.⁸¹

Since Archibald Slack operated a newspaper from 1870-1895 and touted Esther as the "Mother of Woman Suffrage," he possessed every opportunity to publicize the tea party as proof that his mother deserved the title. This

never occurred. In the letter to *The Revolution*, Robert Morris clearly gave Bright credit for writing and introducing the bill on his own volition. If he was simply fulfilling a promise to Mrs. Morris, why would Robert not bestow the credit on his mother? More than likely, she read his letter before he sent it to the newspaper and obviously did not object to its content.

Neither Bright nor Morris ever hinted that the tea party occurred. In an 1876 letter to the *Denver Tribune* and an 1895 interview in Washington D.C., Bright discussed the passage of the woman suffrage bill without any mention of a tea party or a promise to Morris, although he noted that Esther, Mrs. M. E. Post, and Mrs. Seth Paine advocated suffrage.⁸²

Throughout the rest of her life, Esther never claimed she deserved any credit for the woman suffrage bill. At the 1871 Woman Suffrage Association meeting in Washington D.C., Mrs. Post read to the attendees the following letter from Mrs. Morris:

My Dear Mrs. Hooker: After this long delay I would return many thanks for your kind letter, your sensible report, and more than all, for the strong right-hand of fellowship. So far as woman suffrage has progressed in this Territory we are entirely indebted to men. To William H. Bright belongs the honor of presenting the woman suffrage bill, and it was our district judge, Hon. John W. Kingman, who proposed my appointment as a justice of the peace and the trial of women as jurors.

Circumstances have transpired to make my position as justice of the peace a test of woman's ability to hold public office, and I feel that my work has been satisfactory, although I have often regretted I was not better qualified to fill the position. Like all pioneers, I have labored more in faith and hope.

I have assisted in drawing a grand and petit jury, deposited a ballot, and helped canvass the votes after the election, and in performing all these duties I do not know as I have neglected my family any more than ordinary shopping, and I must admit that I have been better paid for the services rendered than for any I have ever performed. In some thirty civil actions, tried before me, there has been but one appeal taken, and the judgment was confirmed in the court above, and in the criminal cases also before me there has been no call for a jury.

My family consist of a husband and three sons, all of whom have been more ready to assist me in the performance of my official duties than in my domestic affairs.

My term of office expired November first, and I sent you a paper with an account of a supper given by the new officers, and notice of my retirement from office.

My idea of the woman question in Wyoming is, that while we enjoy the privelege of the elective franchise, we have not been sufficiently educated up to it. The election here, and agitation of woman's voting, has caused us to think, and has placed

81. H. G. Nickerson, "Early History of Fremont County," *State of Wyoming Historical Department Bulletin 2* (July 15, 1924): 1-16 (reprint of 1886 article); Benjamin Sheeks to Grace Hebard, August 20, 1920, SPC; Interview with Janet Sherlock Smith by Grace Hebard, July 6, 1920, SPC.

82. *Denver Tribune*, January 21, 1876.

us far in advance of what we were, and I now think that we shall be able to sustain the position which has been granted us.⁸³

Since Morris and Bright died before Nickerson's letter appeared in the Lander newspaper, the story of the tea party will never be definitely confirmed or denied. Undoubtedly, the citizens of South Pass City debated woman suffrage at many social gatherings after 1869. Perhaps Nickerson, fifty years later, was recalling a meeting of South Pass City's Literary Association, which was formed in early 1871, met in private homes, and often discussed woman suffrage.⁸⁴

With the exception of Nickerson's claim, the historical record indicates that Bright deserves credit for taking the bold step of introducing the country's first successful woman suffrage bill, with his wife, Julia, and perhaps Edward Lee lending some influence and encouragement. Larson stated as much in *History of Wyoming*. Esther Morris' claim to fame is her appointment as the nation's first woman judge. Considering her courage in accepting this position, opening herself to the ridicule of woman suffrage opponents in her town, and extricating herself from the social and political bonds of her time, she does not need a tea party to reserve her place in history.

Of course, Bright and Morris must share the successes of woman suffrage in Wyoming with the other legislators who supported the 1869 bill and opposed the 1871 attempt at repeal, the women jurors, Governor Campbell, Judge Kingman, Chief Justice Howe, and the score of other men and women who worked to make a temporary experiment permanent. Rather than the emissaries of a grassroots effort in a frontier mining town, personal beliefs motivated Bright and Morris, whose accomplishments are even more remarkable considering that the South Pass mining communities opposed woman suffrage more than any other area of settlement in the territory.

The course of woman suffrage in territorial Wyoming certainly presented some dilemmas to the national suffrage organizations. While they focused their efforts to install woman suffrage laws in Eastern states and in Congress, Wyoming passed its bill without any help or encouragement from these groups. In fact, by 1914, all of the states and territories which had adopted woman suffrage were west of the Rocky Mountains, except for Kansas.

There are other ironies. Even though the suffrage organizations were closely aligned at times with abolitionists, the Republican Party, and temperance, an all-Democratic legislature passed the country's first woman suffrage bill, which was written and introduced by an ex-Southern saloon owner motivated by an anti-Black, racist attitude. In addition, a third-party legislator, who owned a billiard hall and a liquor permit, cast the decisive vote to sustain the territory's woman suffrage bill.

In the debate over the use of public lands, wilderness proponents and oil developers claim that conflict is inevitable because they have no control over where the resources are located. Suffragists must have possessed similar thoughts about the passage of a woman suffrage bill in Wyoming. Reform is where you find it. In other words, the adoption of a reform is not always the result of organized efforts or the general acceptance of a particular philosophy. As some of the events associated with woman suffrage in Wyoming from 1869-71 prove, several unrelated ideas, both ideal and utilitarian, may suddenly create the opportunity for the birth of reform. The fact that Wyoming passed woman suffrage, refused to repeal it, and later insisted that it would never become a state without the reform should make its citizens proud that the reform was first "found" in Wyoming.

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83. The letter is reprinted in: Chapman, "The Story of Woman Suffrage," pp. 41-42.

84. *South Pass News*, April 5, 12, 1871.