

evidence thereon, the said registration officers presented their answers to said charges, whereupon the commission proceeded to hear the evidence, continuing said hearing of evidence and the arguments of counsel thereon daily until the 19th day of December, 1889, when the same was concluded and submitted for the final consideration of the commission.

And the said commissioners having duly considered the same do find and say that in their opinion the said charges so made and preferred are not sustained by the evidence and that there has been no final or absolute denial of electoral rights.

The commission do therefore acquit the said registration officers therefrom.

And upon the question of law arising upon the said charges, and the investigation thereof, the commission is of the opinion that the registration officers are required by law to afford equal facilities for the registration of all legal voters.

That after the qualification specified in that portion of the twenty-fourth section of the act of Congress approved March 3, 1887, prescribed what may be shown by affidavit—the affidavit of the person applying for registration is sufficient to entitle him to be registered, and that the registration officer refuses such applicant at his peril, and is only protected from the penalties of such refusal by being able to show conclusively that such applicant is not entitled to register and vote.

But as to the qualification prescribed in the latter part of said section, to wit: "No person who shall have been convicted of any crime under this act, under the act of Congress aforesaid, approved March 22nd, 1882, or who shall be a polygamist, or who shall associate or cohabit polygamously with persons of the other sex, shall be entitled to vote in any election in said Territory," a discretion is permitted, to quote from a late decision of the chief justice of this Territory, which decision is the law, and binding on all within the jurisdiction, and should be obeyed unless reversed by competent authority. With respect to persons maintaining the polygamous relation, the registrar would seem to have the right and the discretion to inquire in any legitimate mode. Of course it is his duty to exercise diligence and to be reasonable. * *

* * I am of the opinion that the registrar, being required in all cases to determine the non-existence of the fact that a man is a polygamist or is cohabiting polygamously with persons of the other sex, or the fact that he has committed any of the crimes mentioned in the act of Congress of 1882, or that of March 3d, 1887, he has a reasonable discretion to make the inquiry. It may be said that in the great mass of cases it is not necessary to make any inquiry, but it is necessary for him to inquire as to all persons that he does not know, that he is not satisfied have not committed any of these crimes and that are not maintaining the polygamous relation. It is his duty to make the inquiry, and the mode of the inquiry is not

specified. He has the right to make it in any legitimate mode."

In all other preliminary questions we consider it the duty of the registration officer to register all voters who qualify themselves by taking the affidavit or affidavits required by law, but if he have such evidence of the falsity of the proffered affidavit as will protect him from the penalties prescribed by law for refusing to register the applicant, he may refuse at his own risk of meeting such penalty. This applies to the close of the registration on the 28th day of December, 1889.

That during the time fixed by law for hearing objections to the qualifications of any person registered as a voter, a different rule applies.

Then the duties of the registration officer cease to be ministerial and become judicial in their nature. He sits as judge in that respect, and in that capacity should give a fair and impartial hearing to all whose cases may come before him during that period. No bias, prejudice, or partisan feeling should be allowed for a moment to influence his decision, because one of the dearest and most favored rights of citizenship is involved, and there is probably redress for the party injured, if the officer should act with partiality or unfairness. He should administer justice with an equal hand to members of either party alike, casting aside all other questions as unworthy of consideration except the one question, is the person objected to a legal voter of the city of Salt Lake.

Equality before the law should be the rule. No honest man, whatever his political affiliations, could ask for more, or should ask for less.

G. L. GODFREY,
Chairman Utah Commission.

KANAB STAKE CONFERENCE.

The quarterly conference of this Stake was held at Orderville on December 8th and 9th. Present on the stand, President E. D. Woolley, Counselor Thomas Chamberlain, and a few representatives from the various wards. The subjects treated upon by the speakers were tithes and offerings, donations for the erection of suitable buildings for worship and educational purposes, the teaching of our children the law of chastity and virtue, and the refraining from vice, profanity and all other immoral conduct, and the necessity for our young men and women learning a trade which will be profitable and useful both to themselves and the community.

The condition of the various wards was reported, and the general Stake authorities were presented and unanimously sustained.

In consequence of the heavy rains the roads in Long Valley were rendered almost impassable, and kept many from the conference.

F. L. PORTER, Stake Clerk.

NOTES FROM PANGUITCH.

In the late effort of the "Liberals" to fix crime upon

the members of the Church of Jesus Christ of Latter-day Saints, the death of Secretary Almon W. Babbitt, at O. Fallen's Bluff, below Laramie, in 1856, was referred to.

I left Independence, Mo., Nov. 7, 1856, with the United States mail. On my arrival at Fort Kearney I learned from Captain Wharton, in command of that post, that he tried to persuade Mr. Babbitt not to proceed with his guard of only two men—Sutherland and Rowland. Captain Wharton had some papers which were found at the place of the massacre, which he entrusted to me. On arriving at the Black Hills our mail party encamped by the tent of a Mr. Rowland, who informed me that he received a letter from his brother, who, as well as Sutherland, was killed at the same time as Mr. Babbitt, stating that he (Rowland) was about to start west with Mr. B. and that he expected to lose his life; that Mr. Babbitt had befriended him and in consequence he would not leave him.

Mr. Rowland told me that he had conversed with Indians who informed him that the massacre was perpetrated by some young Sioux, which tribe had been at war with the United States government; that they were acquainted with Mr. Babbitt, he having frequently crossed the plains, and knew him as a Federal officer.

JOSEPH L. HEYWOOD,
PANGUITCH, Garfield Co., Utah,
Dec. 11, 1889.

PUBLIC OFFICERS ARRESTED.

Dec. 16, another move was made in the political scheme to overthrow the People's Party, in the arrest of public officers, upon indictments found by the grand jury on Saturday, December 14th.

Those arrested are City Marshal Alfred Solomon, License Collector B. Y. Hampton, County Recorder George M. Cannon and ex-Selectman E. M. Weiler.

Against Marshal Solomon there are six indictments, each charging him with misappropriating public funds. His bonds were fixed at \$1000 in each case.

Messrs. Cannon, Weiler and Hampton are accused of conspiracy, and bail was fixed at \$1500 each.

When inquiry was made as to the particulars of the offenses charged, the accused were informed that they would not find out till Saturday morning; when they are ordered to plead.

Bail was given this afternoon, and the accused were released.

Further arrests have been made under indictments found on Saturday last by the recent grand jury, whose political scheming is creating a feeling of disgust among all fair-minded people who learn of the proceedings. All of those indicted have not yet been arrested, but will be notified as soon as the warrants are made out.

Last night Mayor Armstrong and Col. John R. Winder were taken into custody. When Deputy Cannon came for the former he told the