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LAWLESS OBSTRUCTION AT THE POLLS.

THE obstructions interposed to prevent a free expression of the popular will at the polls in Brigham City on Monday, ought to be promptly treated as the law directs. There can be no question that the intent of the persons who interrupted voters on that occasion was to prevent the polling of as many People's votes as possible, and to establish a precedent as to the kind of challenges that might be allowed. And there can be no doubt that challenges were permitted that were unlawful, and that amounted to a disturbance of the election and an interference with the free exercise of the elective franchise.

We pass by consideration of the character of the creature who acted as tool for the Leaguers in that unlawful work of obstruction; that will keep for a future occasion. Let us look at the nature of the challenges. The Utah Commissioners who sent instructions to the Judges of Election at Brigham City, called their attention to the provisions of the Utah statutes allowing challenges at the polls, and gave as their opinion that:

"The judges of election, on a challenge being made at the polls, may interrogate the voter, under oath, to be administered by the presiding judge, and may propound to him, orally, such pertinent questions as are reasonably calculated to determine whether or not he is a qualified voter under the laws of Utah and the laws of the United States fixing the qualification of voters in this Territory."

This is, as they must admit, a stretch of authority which cannot be justified by the language of any law either of the Territory or of the United States. The challenges permitted by the Territorial laws are to be allowed to any qualified voter and decided by the judges. There is nothing in the law that authorizes oral catechization by the election judges in that capacity or the administration of any oath as to such challenges. The only oath that is now lawful as a qualification for voters is that provided in the Act of Congress just passed. We are aware that the Utah Commissioners have tried their hands at manufacturing illegal oaths for elections, and we are also aware, as they must be, though they do not seem to be abashed at the knowledge, that the Supreme Court of the United States sat down upon them with emphasis for their illegal and presumptions doings.

The Utah Statutes relied on for the right to challenge are these:

"Challenges shall be allowed at the polls, for cause, by any qualified voter, and the judge of election shall hear and immediately decide upon any challenge that may be made."—Compiled Laws p. 87.

We will not raise the question as to the repeal of this provision, but treat it as existing. The election law of 1878, which is undoubtedly in force, provides in section thirteen that the ballot offered by a voter shall be placed in the box,

"On the name of the proposed voter being found on the Registry List, and on all challenges to such vote being decided in favor of such voter."

There is no provision for catechizing the voter, nor administering any oath in regard to the challenge that may be offered by a qualified voter, and ordinary sense will see that it is improper that the judge should be at once the challenger and objector and the official to decide the questions in dispute. The Act of Congress provides the oath, no other can be lawfully administered as a condition to voting. Any other is an imposition and an obstruction, unless it be interposed for alleged bribery.

But suppose that the judge of election is authorized to challenge a voter as well as sit as judge of his own challenge, what must be the ground of challenge, no matter by whom interposed? The law says it must be "for cause." What cause? Why for legal cause of course. What then are the legal disqualifications that may be alleged asigrounds for challenge? The new law says:

"No person shall be entitled to vote in any election in said Territory, or be capable of jury service, or hold any office of trust or emolument in said Territory who shall not have taken the oath or affirmation aforesaid. No person who shall have been convicted of any crime under this act, or under the act of Congress aforesaid approved March 22, 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, or be capable of jury service, or to hold any office of trust or emolument in said Territory."

The only lawful challenge, then, must be in reference to the foregoing. A voter may be challenged who has not taken the oath provided, or who is a polygamist or who associates or cohabits polygamously with persons of the other sex, or who has been convicted of any crime under the Edmunds act or the latest amendment to it, or who is guilty of giving or taking a bribe affecting the election. But here are some of the challenges presented and allowed by the judges of election at Brigham City, for refusing to answer which, under oath, voters who had subscribed to the oath prescribed by law were denied the exercise of the elective franchise:

1—You have just taken an oath to support the Constitution of the United States and obey the laws thereof.

2—You mean to say you will obey the Constitution and laws as interpreted by the legally constituted courts of the government? Or, in other words, where the decisions of the courts come in conflict as regards these crimes, with the instructions or laws of your organization, which would you obey?

3—Are you a member of any organization whose laws, revelations, or instructions you would obey before you would the laws of the United States as against the crimes of bigamy and polygamy?

4—Do you now regard as binding upon your honor or conscience any oath that you have formerly taken that is in conflict with the one to which you have just sworn and subscribed?

5—Are you a member of any society or organization whose pretended revelations from God would influence you to commit the crimes of bigamy or polygamy as against the laws of the United States?

The whole of this catechization, with the oath required to be taken in relation to it, was unlawful and designed to disturb the election. Members of the People's Party had as much right to challenge the chief disturber on that occasion as to his violations of law and decency in Davis County, or to his membership in the Half-dollar League, or to his connection with secret societies pledged to work for the destruction of a religious organization. The law has provisions for the protection of the legal voters and they should be enforced in this instance. Section 28 of the election law of 1878 provides:

"Any person who shall *disturb* or be guilty of any riotous conduct at any election in this Territory, or who shall disturb or interfere with the canvassing of the votes, or interfere with the making of the returns, or who shall *interfere with any voter in the free exercise of the elective franchise*, shall be deemed guilty of a misdemeanor."

The words we have put in italics emphasize the breach of the law committed by those who interposed and permitted the unlawful challenging on Monday. The judges of election are required to take an oath:

"That they will studiously endeavor to prevent any fraud, deceit or abuse at any election over which they may preside."—Election law of 1878, section 9.

The same law provides in section 26, that

"Any person * * who having entered upon any of the offices or duties provided for in this act, shall wilfully fail or neglect to perform any of the duties required of such officer or person, shall be deemed guilty of a felony and on conviction thereof shall be punished by a fine not exceeding the sum of one thousand dollars, or be imprisoned in the penitentiary not exceeding two years."

That the judges of election at Brigham City who permitted the "abuse" in that disturbance and interference with the free exercise of the elective franchise on Monday, rendered themselves liable to the penalties of the law, must be evident to every impartial person who considers the matter.

We now ask the Utah Commissioners who went to Brigham City, as is stated "to supervise the election," which they had no more right to do than a couple of strangers, whether they think it is proper and prudent for them to connive at such proceedings as obstructed a full and free vote on Monday? Is not the law severe enough to suit them? If Congress would not permit in the test oath for voters such provisions as would trench on a voter's belief or membership in a Church, why should the Utah Commission aid and countenance the interposition of such tests, in addition to and outside of the law?

This matter can soon be settled by their influence without a resort to litigation that may not reflect any great credit on their course. Although they have no legal authority to sit in judgment on such matters, yet they have assumed to instruct the judges of election whom they are authorized to appoint, in relation to their duties. And a word from them will be received by their appointees and prevent a repetition of the improper and unlawful proceedings which obstructed the Brigham City election. Will they speak that word, or must the whole matter be ventilated and complaints be forwarded to the highest executive authority, as well as suits be planted in defence of the rights of citizens, who are willing to comply with the law but not to submit to lawless interference with their legal rights?

We think the leading men of the People's Party should take immediate steps to determine this question. The rights of voters must be maintained. If the Utah Commissioners intend to stand up for fair and free and lawful elections and throw their influence on the side of law and order, and against obstruction and undue interference, it should be known. If they purpose aiding and abetting such proceedings as those of Monday that occurred under their own notice, it is time that this should be understood and necessary measures be taken at once to correct the evil. Anyhow, it is the duty and should be the purpose of every true and active member of the People's Party to unite for the vindication of the rights of citizens, against the lawless and impudent obstruction which is part of the programme of their enemies. Take time by the forelock, and move in the right direction without delay.

HENRY WARD BEECHER AT REST.

AFTER a long life, in which triumphs and tempests, temptations and trials, hopes and disappointments, calms and storms have alternated, but rounded at last with the full fruition of an experience given up to study, research, calculation and investigation, Henry Ward Beecher has surrendered back to Earth the body which she gave him, while his superior and more glowing part has gone to the infinite beyond.

Henry Ward Beecher was born at Litchfield, Connecticut, in the year 1813, and was therefore about 74 years of age. He graduated at Amherst College, Massachusetts, and at an early age was promoted to a pastorship in Indiana; his brilliant rhetoric and magnetic presence soon earned for him wide distinction, and after two years' service he was called to the pulpit of Plymouth Church, Brooklyn, a position which he held without pretermission to this, the day of his death.

As a divine, he was noted for a greater breadth of view and liberality of sentiment than a strict construction of the code of his church (Presbyterian Congregationalist) would permit; in fact, it is pretty well understood that but for the fact that through his innate genius and his great attainments he led his flock instead of their leading him, he would have been subjected to at least examinations on the charge of heresy. Of late years he became so extremely liberal that it was a serious question whether or not he had ripened into actual heterodoxy; certainly he became an open and avowed universalist, some of his infidel admirers even claiming him as one of their own and showing what they considered proof of materialistic views as well. He was very acquisitive, quite combative, and not by any means an anchorite; he loved society, particularly the female portion of it, and his freedom of conduct and unrestrained expressions and acts in the presence of his lady parishioners and others often led him into troublous controversies, once into a serious difficulty, which required the powerful influence of Plymouth Church and the strongest array of legal talent obtainable in the United States to extricate him from.

When the war of the rebellion broke out, he placed himself unequivocally on the side of the Union and remained there throughout. In politics he was a devout Republican until the candidacy of Grover Cleveland, when he shuffled off the political coil that bound him and became a Democrat, at least he took the most advanced "Mugwump" or middle ground, and died a staunch supporter of the President and his party.

As a professed Christian, Beecher was one of the most tolerant of men, finding no fault with anyone because of differences of opinion and willing to give to every doctrine and every principle the most indulgent consideration, making due allowance for the weakness of others, because fully conscious of the fact that he had some of his own. Except as to some points of discipline and routine, his doctrine might be briefly summed up as "the universal fatherhood of God and the universal brotherhood of man." Still, he was not so indulgent in relation to the practical and material affairs of men as in the mere matter of abstract faith; his idea was that we occupy grades and conditions by nature, just as all animals do; that some were born to be hewers of wood and drawers of water, while it was the destiny of others to roam in the verdant pastures of plenty and luxury with authority in their mien and power in their action; that this was an unending state of things while life lasted, and that the laborer, while worthy of his hire, should be satisfied with it and make no complaint.

It was as an orator that Beecher was pre-eminent. He was as vivid as Grattan, as logical as Burke, as patriotic as Emmett, as emotional as Patrick Henry, as scathing as Walpole, and as methodical as our great Webster. He could depict a circumstance or an incident with the life-like impressiveness of an artist, and, after presenting its varied phases, would select some especially beautiful or particularly obnoxious feature in it to apostrophize in order that the lights and shades of the remainder might be darker or lighter as the occasion demanded; for example, he would picture the utter depravity of the seducer, the man who tramples upon the most sacred instincts of our nature to gratify the most depraved appetite, and after impaling him upon the lance of his inimitable denunciation and holding him forth for the execration of mankind, would conclude like a veritable judge pronouncing judgment: "When I read of such things, I thank God that there is a judgment and that there is a hell!" Beecher made use of this very language many years ago, but as an evidence that he either progressed or retrograded in the scale of orthodoxy, it is only necessary to refer to his more recent convictions, or at least utterances, in which he discards the idea of a physical hell altogether, substituting therefor a state of temporary mental anxiety.

For the year following the Tilton episode, Beecher received one of the largest, if not the largest, salaries ever paid to any clergyman for his services as such alone in modern times, being $100,000, with a long summer vacation. He lately paid a visit to England and was everywhere received with the greatest distinction; while his presence was not the cause of such grand ovations as characterized the visit of his sister (Mrs. Harriet Beecher Stowe) a quarter of a century ago, he was fully as profoundly greeted and by greater and more thinking people, his reception being a great compliment to himself and the country he represented.

He has gone at last with his weight of honors and his span of years accomplished. Let us hope that after life's fitful fever he sleeps well.

A NORTHERN LIGHT.

THE case of P. N. Peterson, examined before C. C. Goodwin, a United States Commissioner for the First Judicial District located in Cache County, exhibits a delectable piece of judicial wisdom on the part of that functionary. It will be observed by the statement of the proceedings, as reproduced from the Utah *Journal*, that the only witnesses examined were the defendant himself and his legal wife. The evidence showed that the accused and his plural wife had not associated in the marriage relation for eight years. The illustrious magistrate, however, asserted that the district courts had held that the mere acknowledgment of the existence of the relationship, independent of conduct, was sufficient to constitute the offense of unlawful cohabitation. While those courts have sailed as close as possible to that theory, they have not quite adopted it. This leaves us to the choice of two conclusions—that United States Commissioner Goodwin's skull is of such unusual thickness as to render it impossible for what little brain he may possess to be reached by a correct comprehension of the practice of the courts, or he is determined to keep up the industry of fee manufacture. Otherwise he may be inspired with a desire to give his former brethren as much annoyance as possible, as is not infrequently the case with men who formerly bore strong and vehement testimony to the truth of "Mormonism," to latterly seek to tear down what they had been exerting themselves to build up.

As a writer of Latter-day Saint hymns to such titles as "Our Prophet Brigham Young," Goodwin was not without some element of success, but as a U. S. Commissioner he is a very notorious and conspicuous failure.

TO THE "DOWN TRODDEN WOMEN OF UTAH."

THE "down trodden women of Utah" should duly appreciate the efforts of their pretended redeemers from an "oppression" which they did not feel, and from a bondage of which they were unaware. The first active measure in their behalf was the endeavor, nearly twenty years ago, to induce Congress to give them the elective franchise. It was agreed that this would be the most effectual means of rescuing them from the thraldom in which it was alleged they were bound. It would be a weapon placed in their own hands by which they could sever the bonds of polygamy and escape from the toils of "Mormonism."

The franchise was bestowed upon them; not by Congress, however, but by the Legislative Assembly of Utah, many of the members of which were practical supporters of plural marriage and among those who were said to have kept the women in subjection. Almost as soon as the women began to vote, a howl was raised against their holding the ballot from the very people who at first advised it. For it was discovered that the women voters of Utah usually cast their ballots on the same side as their husbands and fathers and brothers. Nothing was gained by the enemies of "Mormonism" and nothing lost by its friends, through woman suffrage in this Territory.

Then it was claimed that the reason why the "Mormon" women voted with the "Mormon" men, and why all of them usually voted one way, was because they were in bondage to the Priesthood, and by the system of marked ballots their votes could be discovered and dissenters intimidated. That system was adopted from some of the States because it was the best and most direct way of preventing frauds at the polls. But in consequence of the outcry against it, the marked ballot system was abolished, root and branch, and a registration law was enacted providing for a strictly secret ballot enclosed in an envelope unmarked and impossible of identification. But the objectors did not want a registration law that effectually prevented election corruptions, and so that soon became as much an object of denunciation as the marked ballot.

Then the woman vote of Utah appeared to be just the same as before. If the women were in bondage they seemed to glory in their chains. They appeared to prefer the supposed thraldom of polygamy to the monogamic "liberty" of the world with its license and corruptions. Still the cry was raised, by those who knew of its impossibility, that the women were coerced into voting as they were commanded. But this becoming too transparent and absurd, the women were declared to be worse than the men, and some means, it was claimed, must be adopted to save the "Mormon" women from their self-inflicted degradation. And this salvation was to be the deprivation of their right to vote! To give them liberty their liberties were to be taken away from them. To elevate them in society they were to be placed on a political level with paupers, idiots and felons. To advance them as citizens they were to be thrust back into political nonentity. They were to be helped by robbing them. To make them realize their alleged bondage, they were to be summarily disfranchised without a trial and relegated to the position of political serfdom.

This has been done to the women of Utah by the philanthropists and statesmen of this republic, who hadn't any more sense than to make a set of fools of themselves, and to vindicate the cause of freedom for "Mormon" women by smiting from their hands a free and secret ballot, the very sign and token of liberty the world over! The disfranchised women of Utah ought to be very proud of their deliverers, and should return a vote of thanks to every doughheaded Congressman who has been fooled by the adventurers in this Territory, who hated woman suffrage because the women would not vote them into office.

The restoration of the dower, too, which ostensibly looks in the direction of woman's benefit, was designed to work injury and degradation to a large number of the women of this Territory. Its object is to prevent that provision for plural wives and their children which every true man would desire to make who had incurred those responsibilities. To raise the "down-trodden" plural wives of Utah, a law is enacted by which their husbands will be hampered and hindered in the just division of property for the benefit of all, and the plural wives and children, at his decease, be left out in the cold. This, with the section in the new law in relation to illegitimate children, is designed to rescue plural wives and their families by making paupers of them! What admiration and esteem all plural wives and their offspring must feel or their benevolent "regenerators!"

Another proof of the tender regard that the highly polished and "Christian" deliverers of "Mormon" women feel for the objects of their charity, is the ultimatum offered to their husbands by the courts and others as a condition of freedom from prison and spoliation. No "Mormon" convicted under the Edmunds law need go to jail, or be mulcted in money for fines and fees, if he will cast off the plural families that are bound to him by as sacred ties as can be made by mortals. Shun the plural wives that have been faithful under every circumstance of trial and hardship, through adversity and in prosperity; avoid them as if they were vipers; never recognize them in public or in private; keep away from them in sickness and in sorrow; treat them worse than the most loathsome stranger and outcast; or pains and penalties will be inflicted upon you while life shall last, as often as you can be caught in acts that have even the appearance of the slightest casual association. Such, in effect, is the ruling of the courts. Plural wives, and all ladies who have human sympathy, get down on your knees and worship these doughty deliverers of the down trodden women of Utah!

To force us into their narrow, contracted and ungodly social customs, with all the corruptions and vices that are their concomitants, the astounding hypocrites in official and religious circles would disrupt peaceful homes, ruin quiet families, plant discord and strife where harmony prevails, rend fond hearts asunder, dishonor as noble women as ever God made and gave to be companions to man, cast lonely children into destitution, create selfishness in hearts that now desire fairness and justice toward sisters of the same household, tempt weak men to escape personal affliction by practising the most devilish cruelty to dependent women, and, to crown all, rob all women of a whole Territory of a vested right, in order to establish freedom, and force