

# The Deseret Weekly.

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## AN IRRESISTIBLE ARGUMENT.

THE argument made by Hon. James O. Broadhead before the House Judiciary Committee against the Edmunds confiscation bill, is given to our readers today in full. It is a clear and cogent defense of the rights of property, the established doctrine of charitable uses, and the power of the courts instead of the legislature to settle the question involved in the "Mormon" Church case.

We do not believe the argument can be answered, unless it be by sophistry, misstatement of facts and complete perverseness of legal principles.

The bill introduced by Senator Edmunds is a bold attempt to take from the judiciary the adjudication of a cause which no other power can lawfully determine, and decide it by legislative act. It is to be hoped and believed that the House will refuse to join the Senate in this attempt to exercise unconstitutional authority.

The pivotal point of the learned gentleman's argument, however, is the right of the unincorporated body of worshipers known as the Church of Jesus Christ of Latter-day Saints, to the use of the personal property donated to it when incorporated, providing that it be devoted to purposes that have not been declared unlawful. This is set forth and maintained in a manner that leaves his conclusions legally indisputable.

And it must be clear to every reasonable mind that if the unincorporated association may hold and use real estate for religious purposes, it may also hold and use the personal property donated for religious and charitable purposes, especially if they are lawful. And as the court has conceded the right of the association to the Temple Block, it cannot consistently deny the right of the Church to its own personal property, no matter on what excuse it may be objected to.

The colloquy between the learned counsel and members of the committee show both the interest they took in the subject and their respect for his legal standing, ability and experience. We look for good results.

## WHO IS THE "BIGGER" MAN?

Is a petty registration officer a "bigger man" than a Chief Justice, the Utah Commission and the Supreme Court of the United States? That is a question which ought to be effectually decided and that speedily. The Utah Commission can solve the problem if it will. Its members can speak with no uncertain voice and its appointees will "come to time."

There are a number of legal voters who have been robbed of their rights at the polls. The wrong has been done, with criminal intent, by creatures of the Commission, who prostituted their official power in the interest and at the behest of "Liberal" managers. This thing has to be stopped. The Commission can stop it. Will they do it?

Under the rulings of the Supreme Court of the United States on general principles, and of the Third District Court of Utah in a specific case, no citizen can be debarred from voting who is now a monogamist or a widower but has been in times past a polygamist. Yet persons appointed by the Utah Commission, who have but a little temporary authority and are subject to removal at any time, have had the impudence to override those judicial decisions, for the purpose of cheating lawful voters out of their ballots and thus aiding their political enemies with whom those impertinent officials are in political sympathy.

The Utah Commission can instruct their appointees in relation to this matter in such a way that respect will be paid to their utterances. Or they can seem to do so with no desire that what they say will be complied with. We shall see what will be done for the November election.

If the Commissioners are really in harmony with Congress in a desire to suppress polygamy, they will not join in or permit this act of injustice to men who are now clear from the polygamic status. Such a policy is clearly antagonistic to the national policy as well as subversive of the rights of citizens. But if they want to promote the "Liberal" cause, whatever may be the moral, social and legal results, they will

continue to wink at the assumption and insubordination of their own appointees and let every petty registrar pose as "a bigger man than Grant."

## OUT OF ITS OWN MOUTH, ETC.

It is claimed by the "Liberals" that the People's Party voted 97 or 98 per cent of their registered strength at the County election, while but 68 or 69 per cent of the "Liberals" went to the polls. Suppose this to be true, what then?

Why, is it not clear that the remaining thirty per cent of "Liberal" names on the list are bogus? That is, the names are there, but the men are not here. There are hundreds of names on the registration lists for which no owners can be found in the city. The "Liberal" manipulators of election affairs took good care not to risk the chance of discovery, by putting down on the lists prepared for the public the alleged addresses of these bogus voters. Not all the purchased toughs and imported personators could make up for a third of the bogus voters named on the registration lists.

It takes some hardihood to carry out the schemes attempted by "Liberal" strikers at the recent election. Quite a number of the personators weakened at the critical moment. Some of them were too timid to take the oath required by the challengers. Others ran away when one of their cronies was detected. Others refused to do the work for the price offered. A few when detected at one polling place went to another, and some tried the game in three different precincts. "Liberal" judges, in one or two instances at least, helped the villains when challenged for non-residence and instead of putting them under oath, required the challenger to prove his point.

But with all the trickery that was accomplished, very far from a sufficient number of tools could be found to do the dirty work intended. And so the discrepancy between the number of "Liberal" voters and the number of "Liberal" names on the registration lists is fully and easily accounted for.

The Rio Grande Western Railroad did not furnish so fine an opportunity for "Liberal" handiwork this time. The special registration car was not in operation. There was no special present inducement in view of the rogues who registered the gangs along the line last winter. The low resorts where toughs hang out, furnished a goodly num-