

conclusive that such a person is not acquainted with legal principles or the judicial decisions settling such questions.

We refer to these points to show that while certain men and women who will stay away from the registration and from the polls this year, submit to the measures that have been thought advisable by the Commissioners, they do not concede the lawfulness of those measures, nor lightly esteem the value of the elective franchise. They know their rights, and it will be found that when wisdom dictates they dare maintain them. The means adopted to strike the names of supposed polygamists from the registry lists will also deprive many monogamists of the right to vote. It does not follow, because a person whose name is now on the registry list does not appear and take the oath prescribed that he is, therefore, a polygamist, bi amist or cohabiter with more than one woman. Many monogamists whose names are now on the list, for various reasons will not appear before the registrar; some because they do not comprehend the necessity, others through temporary absence. But all alike will suffer the penalty inflicted without process of law and indeed without any law valid or invalid to authorize its infliction.

We repeat once more that although we regard the means devised to execute Section 8 of the Edmunds Act as unlawful and void, we desire a general and universal acquiescence in the rules prescribed, so that the November election may be conducted there under without pretence of a taint, or a shadow of excuse for any attempt to violate the returns.

REGISTRARS' DUTIES AND CITIZENS' RIGHTS.

On Monday morning the registration will begin. Although all persons who are prohibited by the Commissioners' rulings and orders, will doubtless stay away from the registry offices, there will in some places be a great rush to take the prescribed oath. The community is waked up. The people who are not debarred are anxious to have their names on the registry lists. In this city and one or two other places some difficulty will doubtless arise because of the large number to be registered and the short time in which the work is to be done. But if the registering officers are competent and are not disposed to obstruct, the qualified voters will have an opportunity to take the oath and secure the right to vote at the November election. From what we know of the officers appointed in this city, we presume that they will attend to the business with fairness and dispatch.

But there is a possibility of some hindrance in a few localities, from incompetence or obstruction. A slow and labored penman, or an unwilling administrator of the oath can make it impossible for all the eligible voters to register in the week appointed. The question is, what can be done about it? Are persons having all the qualifications required by law and none of the disqualifications prescribed by rule, and who are ready and anxious to register, to be debarred from voting through the incapacity or mulishness of a registering officer? Let us see.

This election is for a Delegate to Congress. The laws of the United States have something to say on this question. We here copy the following from the Revised Statutes of the United States in relation to the elective franchise:

Section 2005. When, under the authority of the constitution or laws of any State, or the laws of any Territory, any act is required to be done as a prerequisite or qualification for voting, and by such constitution or laws persons or officers are charged with the duty of furnishing to citizens an opportunity to perform such prerequisite, or to become qualified to vote, every such person and officer shall give to all citizens of the United States the same and equal opportunity to perform such prerequisite, and to become qualified to vote.

Section 2006. Every person or officer charged with the duty specified in the preceding section, who refuses or knowingly omits to give full effect to that section, shall forfeit the sum of five hundred dollars to the party aggrieved by such refusal or omission, to be recovered by

an action on the case, with costs, and such allowance for counsel fees as the court may deem just.

Section 2007. Whenever under the authority of the constitution or laws of any State, or the laws of any Territory, any act is required to be done by a citizen as a prerequisite to qualify or entitle him to vote, the offer of such citizen to perform the act required to be done shall, if it fail to be carried into execution by reason of the wrongful act or omission of the person or officer charged with the duty of receiving or permitting such performance or offer to perform, or acting thereon, be deemed and held as a performance in the law of such act; and the person so offering and failing to vote and being otherwise qualified, shall be entitled to vote in the same manner and to the same extent as if he had in fact performed such act.

Section 2008. Every judge, inspector, or other officer of election whose duty it is to receive, count, certify, register, report, or give effect to the vote of such citizen, who wrongfully refuses or omits to receive, count, certify, register, report, or give effect to the vote of such citizen upon the presentation by him of his affidavit, stating such offer and the time and place thereof, and the name of the officer or person whose duty it was to act thereon, and that he was wrongfully prevented by such person or officer from performing such act, shall forfeit the sum of five hundred dollars to the party aggrieved by such refusal or omission, to be recovered by an action on the case, with costs, and such allowance for counsel fees as the court may deem just.

Section 2009. Every officer or other person having powers or duties of an official character to discharge under any of the provisions of this Title, who by threat, or any unlawful means, hinders, delays, prevents, or obstructs, or confines and confederates with others to hinder, delay, prevent or obstruct any citizen from doing any act required to be done to qualify him to vote, or from voting at any election in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall forfeit the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with costs, and such allowance for counsel fees as the court may deem just.

Under these provisions registration officers are required to give to all citizens of the United States the same and equal opportunity to register. If they refuse, or knowingly omit, to do so, each person aggrieved is entitled to recover damages from the registrar to the amount of five hundred dollars, with an allowance for counsel fees. Also the offer of any eligible citizen to register which is refused or rejected, will stand in law as a bona fide registration, and the citizen will be entitled to vote the same as if he had been registered. And if his vote is rejected, he has the right to recover damages from the officer who refuses to receive or count his vote, the sum of five hundred dollars with an allowance for counsel fees.

The following section is taken from the Registration Act Laws of Utah, of 1878, p. 36, and provides still further penalties:

Sec. 26.—Any person who shall falsely make any return, or falsely make any certificate of election return, or who shall in any manner procure or assist in the making of the same or cause the same to be done, or who shall in any manner do or cause any fraud in any election, or 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 for a term not exceeding two years.

We advise and have advised compliance with the rules prescribed by the Commissioners. Not because we consider them just or even legal; but because we wish to see the election conducted on the principle intended, namely a strictly monogamic vote. But we do not intend to quietly permit the rights of monogamic citizens to be invaded because they are "Mormons." If officers have the disposition to commit such an outrage, and we want our friends to know and stand up for that which is due to them under the law and the rules, and to assure

those who attempt to go beyond them that somebody will be after them with a very sharp stick. We want nothing but what is right and will not submit to that which is wrong as gauged by the law and the rules framed by the Commission.

Let it be understood that the fault of the limited time in which this new registration is to be effected is not chargeable to the laws of this Territory. They make no provision for anything of the kind. The time for changes in the registration under the laws of Utah is at the annual assessment; when the registering officer goes from house to house and ample time is afforded for every person to register. The provision in the law for the second week in September in the year when an election for Delegate takes place, is merely to afford an opportunity to persons whose names have been omitted at the general registration to have their names entered on the lists. Those who try to make it appear that the registration law is responsible for this crowding of the work simply lie, wilfully and with malicious intent.

Now let the registration be done honestly, squarely and with proper dispatch. A registrar is not an inquisitor. He has no authority in law, rule or order to cross-examine, obstruct or hinder any person from taking the prescribed oath. That is binding enough in its form to answer every purpose designed. No one should attempt to take it unless eligible, but no one can be lawfully debarred from taking it who demands to do so. The consequences of taking the oath rest upon the subscriber, not the registrar. The registrar ought to understand their duties and the people should know and maintain their rights.

HOW THE NEW REGISTRATION WORKS.

The registration commenced this morning and at once created a good deal of dissatisfaction and aroused, as we consider, just indignation in many bosoms. In the first place it was discovered that the registry lists had been "revised" previous to this new registration, and any names of persons whom the county registrar chose to consider ineligible had been stricken off. Quite a number of men and women who have never been in polygamic relations in any shape or form were told, on application, that they could not register.

In the second place voters exempt from any disqualifications prescribed by law or rule, who appeared to register as naturalized citizens, were required to produce their certificates of citizenship, which was not required by any law or any rule promulgated by the Commissioners.

In the third place ladies fully qualified who presented themselves to be registered, each as "the wife of a naturalized citizen," were rejected and not allowed to register unless they produced the husband's certificate of citizenship.

In the third place men and women who, being duly qualified, offered to register as the sons or daughters of naturalized citizens, were also rejected and not permitted to register unless they produced the father's certificate of citizenship.

Of course these things caused much murmuring and many inquiries as to the authority for such unheard of requirements. Blame was naturally placed by people aggrieved upon the deputy registrars who refused them the right to register. But we find on investigation that this is unjust and undeserved. The deputies are acting under instructions from their principal, the county registrar. Names have been prematurely stricken from the lists either by him or under his dictation, and the requirement of the production of the naturalization papers was also issued by that officer.

But the county registrars obtain their directions from the Commissioners. Is there anything in the rules published for the guidance of the registrars, authorizing these erasures before the registration? We think not. The instructions in Rule 2 are that "Such registration officer shall, on the second Monday in September next, proceed by himself and his deputies in the manner following:" Then follow the directions as to the requirement of the oath and the adding of the names to the lists of all qualified voters who take and subscribe to the oath, then the regulation to strike from the

lists "the names of said persons who fail or refuse to take said oath, or who have died or removed from the precinct or are disqualified as voters" etc. This previous striking of names from the lists is, then, not authorized by the rule, and is calculated to make much delay in the registration. If it was intended for that purpose it has so far been successful. To illustrate:

A voter's wife in the 5th precinct presented herself for registration and was informed that she could not register, as her name was stricken from the list. Her husband, who is in every way eligible to register, applied to the county registrar to know why his wife's name had been erased. He was asked if he was not a polygamist. The answer was "No, and I never have been." After some further arley the following mandate, or pass, or ticket of admission, whichever you please, was handed to him: Jas. T. Little,

Admit Agnes Child to registration.
E. D. HAGE,
Co. Registrar.

Where is the law or authority for this *ipse dixit*? Who set up this "one-man-power" this autocratic majesty, that by a stroke of the pen shuts out a voter from the rights guaranteed by law, and decrees who shall or shall not be admitted to registration? We know of a number of cases of persons who have never had the reputation of being polygamists, but are known to the community as monogamists in practice, who found this morning that they had been thus tried, condemned and sentenced by the county registrar. We ask, is not this going beyond local law, and also in violation of a congressional statute? It is certain that it obstructs and hinders the registration for which so little time is allowed.

Then by what right are naturalization papers demanded of any citizen? There is no law for it, there is no rule for it. The deputy registrars say they have received instructions from the county registrar to do this. But where did he get his authority to require it? Not from any statute of Utah or of the United States, and the Commissioners say they have made no rule requiring it. The oath is ample. The applicant must swear that he is a citizen of the United States, and also whether he is native-born or naturalized. If he swears falsely there is a remedy by prosecuting him for perjury. The demand for these papers is illegal and unnecessary.

But supposing that in some exceptional cases this demand might properly be made of a male citizen, by what proper regulation can the wife be required to produce the husband's papers? There are instances of men now absent in Europe who have their certificates of naturalization with them, as evidence of their American citizenship; the wives cannot produce the papers and the demand upon them is unjust and unlawful. And if the sons and daughters of citizens are required to produce the father's papers as proof of their citizenship, which son or which daughter is to have them in possession? One son or daughter may live in one county, and another son or daughter in another county. The requirement in their case is not only unlawful, it is simply absurd.

Now let us suppose that this demand for the production of naturalization papers is all right, in law, reason or necessity. Why was not the requirement made known in time, so that citizens might be prepared to carry their papers with them to the registry office? The Commissioners' rules have been published, so that all interested might take notice and be governed accordingly. But this thing has been sprung upon the people in the act of registration and scores have been turned away after partly taking the oath. And during this hindrance and obstruction other citizens have been kept waiting, valuable time has been wasted and the score of the registry for the day will number many less of the *People's Party* than it would if the requirement had been made known. As we have said before, we only ask for a fair registration under the law and the rules. If we can't have this we propose to find out the reason why.

Do You Want
A Machine that never cracks the Grain, wastes none, but saves it all, then buy the Aultman - Taylor or Kingsland - Ferguson Vibrator Thresher.

A PROCLAMATION.

UTAH TERRITORY,
EXECUTIVE OFFICE, } s.s.
Salt Lake City.

To all to whom these presents may come, greeting:

WHEREAS, the time and place of holding the September term of court in and for the Third Judicial District of this Territory, was fixed by proclamation issued on the twenty-seventh day of August, A. D. 1878, and duly recorded; and,

Whereas, a petition signed by leading members of the bar, and endorsed by the Chief Justice, has been filed in this office, asking that the said September term be held on the 11th day of September, instead of the 28th day of September,

Now, therefore, I, Eli H. Murray, Governor of the Territory of Utah, by virtue of the authority in me vested, do hereby order and proclaim that the term of the Third Judicial District, heretofore fixed to be held on the 28th day of September, be held on the 11th day of September, in the City of Salt Lake, and to commence at the hour of 10 a. m.

In testimony whereof, I have hereunto set my hand, and caused the great seal of the Territory to be affixed. Done at Salt Lake City, Utah, this 6th day of September, A. D. 1882.

ELI H. MURRAY,
Governor.
By the Governor.
ARTHUR L. THOMAS,
Secretary of Utah Terr'y.

COUNTY CONVENTION.

HEAD QUARTERS,
People's County Central Committee,
Salt Lake City,
September 9th, 1882.

A People's Convention for Salt County is hereby called to meet at the County Court House, Salt Lake City, on Saturday, the 30th day of September, 1882, at 12 m, for the purpose of appointing sixteen delegates to represent Salt Lake County in the People's Territorial Convention, called to meet in this city on the 9th day of October next, to nominate a candidate for Delegate from Utah to the Forty-eighth Congress. Said County Convention will consist of 65 Delegates, allotted to the several precincts based upon the Census of 1880, to wit:

SALT LAKE CITY.
1st Precinct—Comprising 1, 2, 3, 8, 9 and 10 Wards, 8
2nd Precinct—Comprising 4, 5, 6, 7, 14 and 15 Wards, 11
3rd Precinct—Comprising 16, 17, and 19 Wards, 8
4th Precinct—Comprising 18, 20, and 21 Wards, 6
5th Precinct—Comprising 11, 12 and 13 Wards, 9

COUNTY PRECINCTS.
Mountain Dell and Sugar House Precincts, 2
Farmer's Precinct, 1
Mill Creek Precinct, 3
East Mill Creek Precinct, 1
Big Cottonwood Precinct, 1
South Cottonwood Precinct, 2
Union Precinct, 1
Butler and Silver Precincts, 1
Granite and Little Cottonwood Precincts, 1
Sandy Precinct, 1
Draper Precinct, 1
Herriman and Bingham Precincts, 2
South Jordan and Riverton Precincts, 1
West Jordan Precinct, 2
North Jordan and Granger Precincts, 1
Brighton and North Point Precincts, 1
Pleasant Green and Hunter Precincts, 1
Total, 65

Primary meetings for the election of delegates to the County Convention will be held in the several precincts of the county, at the usual place of holding elections therein, on Monday, September 25, 1882, at p. m. Delegates should receive credentials properly authenticated by the Chairman and Secretary of the meeting electing them.

By order of the People's Central Committee of Salt Lake County
JOHN SHARP,
Chairman.
Theo. McKean, Secretary.

Loss of hair and grayness, which often mar the prettiest face, are prevented by Parker's Hair Balsam.