It is not true that "they have persidently maligned the people of Utah."

The reports of the Commission are public documents, and may be left to speak for themselves upon this point.

It is not true that "they have refused to recognize the formation of National parties," or "that they declines to appoint any judge of election from either the Democratic or Republican parties after being requested so to do."

On the contrary, at the only general election held in Utah since the disbanding of the People's party, and when the Republican and Democratic parties made their first appearance and cast their first votes, a representation was awarded both parties on the boards of election, in the following manner: Two judges were appointed from the Liberal party at each poll (except where none but Mormons resided) and the third judge was chosed alternately, as far as practicable, from the Republican and Democratic parties. In the Mormon precincts all the judges of election were professedly Republican and Democratic.

This rule of selection was adopted because there had theretofore been no Republican or Democratic parties holding elections in Utah. Their birth was in expectancy, and it was concluded not to recognize fully, parties which had not yet cast a vote to give evidence of their existence. The only election of importance held since then, was the municipal election held for Salt Lake City in February last. For that election the Commission notified the chairman of each party organization, Democratic, Republican and Liberal, to furnish it with names of proper persons to act as judges of election at the several polling places, and from lists furnished in response of such notice, appointed a judge of election from each of the three parties for each polling place in the city. The result was, that whenever a question arose at the polls, it was invariably decided by the Democratic and Republican judges combining to decide against the Liberal.

It was also noticeable that there was fully as much, if not more, complaints of

UNFAIR METHODS

in this election as ever before.

Mr. Caine, when he made public the letter quoted from, knew these facts as well as any one living in Utah. When he said in the same speech, that "the polygamists of Utah, after the passage of the Edmunds law, neither attempted to register or vote," he knew that large numbers of them did attempt to register, and were only prevented from so doing by the registration officers appointed by and acting under the instructions of the Commission. He knew that out of that number ten cases were selected as representing all the different phases and characteristics of the questions which might be raised for adjudication; that ten test suits for damages were brought against the members of the Commission for refusing to allow them to register and vote, and that all these cases were appealed by the claimants of the right to register, from the decision of the Territorial courts to the highest judicial tribunal of the Nation, where they were decided against them, and the refusal to register them sustained. See case of Murphy vs. Ramsey et al., U. S. Reports, pp. 15-44.

It is also a fact that at every election held in Utah since the passage of the Edmunds law, numerous persons barred by that law for polygamous and kindred sexual offenses have appeared before the Commission, often bringing attorneys and others to advocate their claims, and demanded the right to register and vote.

The Commission has been constantly subjected to these hostile assaults from its organization to the present time.

The act of Congress known as the

"EDMUNDS LAW,"

which provided for its organization, was passed, not hastily, but when the people of the country were in deadly earnest. The Commission was provided for as one of the instruments of government to carry out a purpose. The purpose was to compel an unwilling people to obey the laws of the land. To the courts and their officers was assigned the duty of administering the penal portions of the law. To the Commission was assigned the duty of administering that portion of the law relating to electoral privileges, and to put an end to the alleged abuse of power as between Mormon and Gentile people of the Territory. Naturally those most affected by those laws, but whose acts had rendered their enactment and enforcement necessary, chafed under their enforcement by the Commission, and they have kept up a constant warfare against it from the beginning until now. Nearly every session of Congress for many years has seen the active partisans of the People's or Mormon party, presenting themselves before the committees on Territories, and there inveighing against the government officials of the Territory, collectively and individually. They have repeated the same story of

ALLEGED WRONGS

with all the variations that ingenious minds could devise, but with wearing iteration and reiteration, until volume upon volume of committee reports have been filled by them with the same kind of charges against all the government officers in Utah, and the Commission has borne in all these years its full share of denunciations, without appearing before any of the committees or being invited so to do. The attacks of last winter are from the same partisan sources, and the same attacking force, aided by a few allies who have lately joined them. The animus of the attacks and the superabundant and conspicuous lack of the element of truth remain as before.

The Commission feels free to assert that whatever cause for complaint in regard to registration and the conduct of elections may exist, arises wholly from the harsh and cumbersome laws enacted by Mormon Legislatures in the past, and not in the acts of the Commission in construing and following them, as it is required by the law of Congress to do. Those laws were passed in 1878, prior to the provision for a Commission, and require the registration officers to make a canvass from house to house, taking the old registration lists as a basis. No authority is given, either to make new registration lists or to purge the old ones, except under the narrow limits of the following section of the statute (Section 240, Revised Statutes, Utah, 1888).

So high an authority as Ex-Judge Judd asserted positively to the Senate committee that the laws "provided for

PURGING THE REGISTRATION LIST,"

and that "it had not been done." As the foregoing is the only law upon the subject, it would seem that lawyers might honestly differ from the learned judge in the opinion so emphatically expressed, and still retain their reputation as lawyers. In fact, the most serious complaints which have been made to the Commission have had their origin in this statute.

In 1889 leading members of the People's or Mormon party, among whom were George Q. Cannon, F. S. Richards and John T. Caine, appeared before the Commission demanding a construction of the statute, and instructions to the registrars of Salt Lake City and county, who, they alleged, were threatening to strike from the lists the names of all persons not found in the "house to house canvass." It was argued strenuously that the law required the registrar to find from "careful inquiry" that the person registered had "died, removed" or was "otherwise disqualified" before they could purge the list of the name. It was represented that great injury would be done their people if the opposite course were to be pursued, as many of their voters were absent on church missions, on ranches temporarily or engaged in temporary work at a distance.

The Commission considered their construction to be the correct one and so instructed the registrars.

A few months later the same persons, accompanied with C. C. Richards of Ogden, came before the Commission, representing that the Ogden lists were loaded down with names of persons who could not be found and who they believed had died or removed, and they feared frauds were intended by the Liberal party in voting men upon their names. They asked instructions to the Ogden registrars to strike off the names of all who could not be found. Their attention was called to the opposite instructions they had asked and obtained for Salt Lake, and the request was refused.

Much was said in the Congressional inquiry last winter in regard to attempts to

STRIKE FROM THE LISTS

the names of Mormons unjustly, and the Commission was blamed for the attempt. Such a thing is only possible under the provision of the law of 1878, which authorized objections to be filed shortly prior to the election and summarily decided.

It several times came to the knowledge of the Commission that an improper use was intended to be made of this provision of the law, but in each case the Commission promptly and summarily suppressed it as soon as its attention was called to it.

The last instance was prior to the election of 1890. The Commission had appointed Judge Heed to hear objections to voters in several precincts of Box Elder county, including Brigham City. It was informed that objections had been filed before him to the names