

powers which judges of election have exercised everywhere without question before, and we think your objection to it as "judicial" would be unanimously regarded as puerile. The effort to provide a "judiciary" in the United States, extensive enough to take charge of the elections, is one that we think would strike the world as both novel and useless. Your opinion that the officers appointed by the Utah Commission to exercise the duties prescribed in the statute have not the power is in defiance of the Utah Commission, of our unchallenged practice for eight years, and of a decision of a chief justice directly upon the question in a case instituted by yourselves. We respectfully submit that law-abiding citizens ought not to place themselves in such an attitude. Submission to the law as construed by the lawfully constituted tribunals for the time being is, we submit, the duty of all loyal citizens. This position, which is fundamental in our system of government, your action repudiates.

Second—We have no information that justifies your assertion that the registrars claim that they are supreme and beyond control or revision. "The statute authorizes and directs the officers who exercise the authority to perfect the list to hear the challenge and to overrule or sustain it. It assumes that no voter shall be rejected except on satisfactory proof, and provides that although he may overrule a challenge and retain the name, an appeal may still be had at the polls. If an appeal is not provided when the challenge is sustained, it is the fault of the law, not of the officer." The allegation that these officers refuse to be guided by "judicial precedent" is, in our opinion, incorrect, and in view of the manner with which you defy the decision in the case of Preston, made by the chief justice last week, as to the powers of the registrars, your reverence for "judicial precedent" and the "decisions of competent tribunals," does not strike us with much force either as a reason or an excuse.

As to the imputation that these officers are "partisans," we remark that no election can be conducted where the officers do not belong to some party, and while your committee may not be able to conceive that an officer will do justice to a partisan opponent as well as a party friend, we are impressed that the average American citizen in such a position will do his duty irrespective of such considerations, and we cannot share your "want of confidence" in the integrity of these officials.

So far as we know, no one of them has ever taken any oath or obligation to any party or any authority except the United States, and as they are respectable citizens, selected with care, and commissioned by the Utah Commission, they are entitled to your confidence as fully as they command our own.

Experience proves that an individual who goes before a tribunal with a weak case is apt to challenge the impartial character of the judge, and your suggestion in this regard incites from us the observation that

he proofs which you refer to as being in your possession may have a force on your own minds, which you are conscious they would not reflect upon others.

Third—Your third suggestion that service could not be had on the persons whom you would desire to challenge, because of their non-residence, need hardly be replied to. If the proof which you indicate you have in your possession exists, it would supply the means of purging the list and be equally effective as if the persons would respond in person.

We may state in this connection that the challenges which our committee have caused to be made against persons registered in a single precinct in this city has resulted in developing the fact in about fifty cases that the parties so challenged had given their residences upon vacant lots, and at other times at points where such persons were utterly unknown to the parties who did reside there. This proves that persons have registered who have no residence in the city to a considerable extent, who are not of the Liberal party, and that such registration needs the attention which we have given it and which you so emphatically declined.

In conclusion, and without intending to be disrespectful, we must be permitted to say that the attitude which you have assumed in this important matter is one that is most remarkable. You permit the assertion to go before your people daily through the organs of your party that frauds are contemplated and are being manipulated in the interest of your opponents in a most important election. It is boasted that the most ample and complete proof exists of a conspiracy to carry the election by fraud, and yet with these proofs in your possession and ready for exposure you decline all the means the law provides for their redemption, and, folding your hands before the public, declare that you will do nothing, either in your own party's cause or in the public interest for the laws of vindication or to assist those who are doing so.

We may say in our opinion your attitude is one that is unjust to the public interests. No good citizen has a right to stand idly by and see the laws violated, and refuse to make an effort to prevent it. His doing so must suggest that his allegations are a pretense and that he is conscious that they cannot be supported. If the People's party should be beaten at the February election, it would be, we respectfully urge, much more to its credit that it should have made its greatest effort, than that it should come out of the contest declaring it could have won the victory if it had used the proper means. If it should be defeated by the means which it suggests, its defeat will be a disgrace to itself hardly equalled by a triumph won by its opponents because of its dereliction.

We confess to extreme disappointment that we cannot have your co-operation in our efforts to secure a fair election, but feeling that our duty to our own party and to our

city cannot be discharged except by persevering in our efforts to secure it, and again regretting that this labor is left to us alone, we are, my very dear sir, yours respectfully,

O. W. POWERS, Chairman.

LOUIS HAMMS, Secretary.

No wonder the recipients of the letter scrutinized the signatures to be sure that such a document had emanated from the "Liberal" committee. It might have passed as a joke, but even those acquainted with the "gall" of a party that would run a special train over the R. G. W. to get names fraudulently on the registration lists, were surprised that it was meant in earnest. The arrogant assumptions and dictatorial expressions in the paper were intended as sober expressions. So ordinary courtesy called for a reply, and the People's committee made one that is eminently suitable to the occasion. Here it is:

HEADQUARTERS PEOPLE'S MUNICIPAL CENTRAL COMMITTEE,
SALT LAKE CITY,

February 4, 1890.

Hon. Orlando W. Powers, Chairman Salt Lake City Liberal Committee:

Dear Sir—We are directed by the People's Municipal Central Committee to say:

We are not surprised at the regret expressed in your campaign document of the 3rd inst. In fact we rather expected and even desired that your party should be disappointed by our response to your former communication. Nor are we surprised at the reasons alleged by your committee for your regret. We expected these reasons to be, as they are, marked less by candor than by cunning. Since you consume so much space to construe our motives, permit us, with all due respect, to briefly elucidate your own. It was your manifest desire to learn the nature of the proofs held by us against your party. That we refused your modest request is sufficient reason for the melancholy air assumed in your second letter. Nor are we now to be drawn into an exchange of campaign secrets, discovery and policy—despite the affectation of cordial unreserve visible in your lengthy communication of yesterday. Such an exchange would be unfair; for we have no perjury to protect and no fraud to palliate. Your party seeks to deny us much; do not, we beg, deny us our right to act as the guardian of our own information, nor the right to proclaim that information at the hour and place in which the cause of justice will be best served. It is a vaulting ambition which seeks to run both sides of a political campaign.

Your adroit assumption of solicitude concerning the result to us of our refusal to "co-operate" with you, if it were real sympathy, would be misplaced sympathy. Charity begins at home; in some cases it would better stop there. All your anxiety should be for the persons who have committed perjury at wholesale and the persons who have counseled and permitted it. If it were all bestowed there we could