

elections shall be such as shall be prescribed by the Legislative Assembly: Provided, that the right of suffrage and holding office shall be exercised only by citizens of the United States, including those recognized as citizens by the treaty with the Republic of Mexico, concluded February second, eighteen hundred and forty-eight.

SEC. 7. And be it further enacted: That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the Governor and Legislative Assembly of the Territory of Utah. The Governor shall nominate and, by and with the advice and consent of the Legislative Council, appoint all officers not herein otherwise provided for.—*Utah Organic Act.*

#### UTAH TERRITORY LAWS.

SEC. 1. — *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That annually on the first Monday of August there shall be a general election held in each precinct in the several counties, for choosing all officers not otherwise provided for.

SEC. 2.—The County Clerk shall cause a notice of the time and place, and the number and kind of officers to be chosen, to be put up in two public places in each precinct, at least six days before the time of election.

SEC. 3.—The senior Justice of the Peace shall be the Judge of elections in his precinct, and shall appoint one clerk, and furnish the necessary stationery and a ballot box; and, in the absence of a Justice of the Peace, the electors first assembled on the day of election, to the number of six, may appoint some suitable person to act as Judge of that election.

SEC. 4.—The election shall be held from one hour after sunrise until sunset; and no elector shall vote in any precinct excepting where he resides.

SEC. 5.—Each elector shall provide himself with a vote containing the names of the persons he wishes elected and the offices he would have them to fill, and present it neatly folded to the Judge of the election, who shall number and deposit it in the ballot box; the Clerk shall then write the name of the elector, and opposite it the number of his vote.

SEC. 6.—At the close of the election the Judge shall seal up the ballot box and the list of the names of the electors, and transmit the same without delay to the County Clerk.

SEC. 7.—Immediately upon receiving the electoral returns of any precinct, the County Clerk and Probate Judge, or, in his absence, one of the Selectmen shall unseal the list and ballot box, and count and compare the votes with the names on the list, and make a brief abstract of the offices and names voted for, and the number of votes each person received; the ballot box shall then be returned, and the votes and list preserved for reference in case the election of any person shall be contested.

SEC. 8.—When all the returns and abstracts are made the Clerk shall forthwith make a general abstract and post it up in his office, and forward to the Secretary of the Territory a certified copy of the names of the persons voted for, and the number of votes each has received for Territorial offices and furnish each person having the highest number of votes for county and precinct offices a certificate of his election.

SEC. 9.—So soon as all the returns are received, the Secretary, in the presence of the Governor, shall unseal and examine them, and furnish to each person having the highest number of votes for any Territorial office a certificate of his election.

SEC. 10.—If the returns are not made within a reasonable time, the Secretary or County Clerk, as the case may be, shall institute inquiry, which must be promptly responded to, and a new abstract furnished if necessary.

SEC. 11.—Any person designing to contest an election shall make his intentions specifically known in writing to the County Clerk, within ten days after the result of the election is known; in which case the Clerk shall retain the votes and lists until the contest is decided; otherwise he shall destroy them.

SEC. 12.—When ties occur, if for a Territorial officer, the Secretary shall determine the election by lot in the presence of the Governor;

and if for a county or precinct officer it shall in like manner be determined by the County Clerk in the presence of the Probate Judge.

SEC. 13.—Any person contesting the election of a county or precinct officer shall proceed therein before the County Court, who shall determine the question; all of which shall be done without delay.

SEC. 14.—When a vacancy occurs in Territorial elective offices, the Governor shall order a special election to fill such vacancy; and should a vacancy occur in a county or precinct office, necessary to be filled previous to the general election, the County Court shall fill such vacancy by appointment.

SEC. 15.—All officers acting in elections shall be allowed a reasonable compensation for their services, and shall be punished with a reasonable preventive amount of fine for fraud or negligence, by any court having jurisdiction.

Approved Jan. 3, 1853.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That no person shall be elected a Delegate to the Congress of the United States from this Territory, who has not been a resident therein during one year next preceding the day of election.

SEC. 2. No person shall be eligible to a seat in either branch of the Legislative Assembly, unless he has been a resident in the county or district to be represented, during at least one year next preceding the day of election.

SEC. 3. No person shall be elected or appointed to any Territorial, district, county or precinct office, unless he shall have been a constant resident therein during at least one year next preceding such election or appointment; neither shall any person be entitled to hold any office of trust or profit in the Territory or vote at any election unless he is a free, white male citizen of the United States, over twenty-one years of age, and has been a constant resident in the Territory during the six months next preceding said election or appointment.

SEC. 5. And be it further enacted that no officer or soldier of the United States army or other person subject to their military authority is eligible to hold any office or serve on any jury or vote at any election in this Territory, unless his home and place of residence was therein at the time of engaging in such service.

SEC. 6. No person shall be deemed a resident within the meaning of this act, unless he is a tax payer in this Territory.

Approved Jan. 21, 1859.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That every woman of the age of twenty-one years who has resided in this territory six months next preceding any general or special election, born or naturalized in the United States, or who is the wife, widow, or the daughter of a native born or naturalized citizen of the United States, shall be entitled to vote at any election in this Territory.

SEC. 2. All laws or parts of laws conflicting with this act are hereby repealed.

Approved, Feb. 12, 1860.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That the words "free, white," are hereby stricken out of section three and four of "An Act prescribing certain qualifications necessary to enable a person to be eligible to hold office, vote, or serve as a juror," and said section three is hereby further amended by striking out the word "therein" in the second line and writing in lieu thereof, the words "in this Territory."

SEC. 2. This Act shall be in force from and after its passage.

Approved Feb. 5, 1866.

SEC. 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That in accordance with an act of Congress passed February 2, 1872, an election for Delegate to the Congress of the United States, for the Territory of Utah, shall be held in each precinct on the Tuesday next after the first Monday in November, in the year 1876, and every second year thereafter; said election shall be held and returns made thereof, as provided for in "An act regulating elections," approved January 8th, 1853, and all acts amendatory thereof or supplementary thereto.

SEC. 2. So soon as the returns are

in, the canvassing of votes shall commence, and shall be completed within two days after the reception of said returns, and all candidates voted for at any election may be present, either in person or by representative, to witness said canvass.

SEC. 3. It shall be unlawful for any judge or clerk of election, probate judge, clerk of a county court, selectman, or other person to examine any ballot offered or cast at the polls, or found in any ballot box, for any other purpose than to ascertain what candidate has been elected; and any person violating the provisions of this section, upon conviction thereof, shall be liable to a fine not exceeding two hundred dollars.

SEC. 4. Any person who votes more than once at any one election, or knowingly offers to deposit two or more ballots, or changes any ballot after the same has been deposited in the ballot box, or after the election adds or attempts to add any ballot to those legally polled, shall, on conviction thereof, be fined in any sum not exceeding twenty dollars for each offense, and any person who carries away, or destroys, or attempts to carry away, or destroy any poll list or ballots, or ballot box, for the purpose of breaking up or invalidating such election, or who wilfully detains, mutilates or destroys any election returns, or in any manner so interferes with the officers holding such election, or conducting such canvass, or with the voters lawfully exercising their rights of voting at such election, as to prevent such election or canvass from being fairly held and lawfully conducted, shall on conviction thereof be fined in any sum less than three hundred dollars, or be imprisoned not exceeding six months, or both for each offense.

SEC. 5. If any person shall offer any bribe, threat, or intimidation to any elector, for the purpose of influencing his vote, or any elector shall be guilty of accepting a bribe, he shall, on conviction thereof, be fined in any sum not exceeding fifty dollars.

SEC. 6. 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.

Approved, Feb. 18, 1876.

#### ADDRESS TO VOTERS.

HEADQUARTERS PEOPLE'S TERRITORIAL CENTRAL COMMITTEE,  
SALT LAKE CITY,  
October 28th, 1876.

To the People of Utah:

Tuesday, November 7th, 1876, is the day fixed by law for the qualified voters of this Territory to express their will in the election of a delegate to the Forty-fifth Congress of the United States. It is important that upon that day all voters should repair to the polling places in the precincts where they reside and deposit their ballots for the man whom they desire to fill that position. George Q. Cannon has been nominated as Delegate to Congress by the unanimous vote of the People's Territorial Convention, composed of representatives from every county in the Territory. He is the choice of the people. You know him, and we are therefore relieved from the necessity of enumerating his qualifications for the position. You know that in him we have a representative man who has been thoroughly identified with this country since the first year of its settlement and who has served honorably and faithfully, and with credit to his constituents and himself, as delegate in the Forty-third and Forty-fourth Congresses.

Many voters have felt so secure of the result of our elections in times past that they have been careless about voting. If it did not happen to be perfectly convenient for them to go to the polls at the proper time, they would neglect to vote, feeling quite satisfied that the men of their choice would certainly be elected. The time has now come when indifference should be replaced by active interest, not that there is any danger of the result, but we owe it to ourselves to faithfully exercise the elective franchise and show the nation our political strength. Besides, we have unscrupulous foes to contend with who are constantly plotting to get the control of the affairs of the Territory into their hands. They call themselves "liberals." Their liber-

ality consists of continual assaults upon the rights of the bulk of the people of the Territory, of persistent efforts to strip them of every privilege of citizenship and of the most desperate attempts to get themselves into places of emolument and power. To accomplish these ends they have recourse to every kind of dishonorable means. They fabricate the most atrocious lies; they circulate the most abominable slanders; they aim to destroy the reputation of an entire people; they adopt falsehood as their platform and use misrepresentation as their weapon; they denounce the "Mormons" as either imbeciles or monsters; and the "Gentiles," who do not join them, they stigmatize as traitors and "Jack Mormons;" through their libelous organ they whip every federal official remorselessly into line, or, if he fears their lash and yet has too much self-respect to abase himself, they drive him from the Territory. Professing to be "liberal," they use the most odious tyranny. While protesting hatred of the "rule of priesthood," and constantly crying out against its influence, as restrictive of the free agency of the citizen, they ostracise and place under ban every one who does not bow to their mandates.

For several years this party has sought to gain the ascendancy in Utah. No better illustration of its contempt for the rights of the people need be given than the fact that one of its candidates for Delegate to Congress, who only received 108 votes, contested the election of the delegate elect, who had received over 12,000 votes. The ground of contest was that he was a "liberal" and the votes he had received were "liberal" votes, while the sitting delegate was a "Mormon" and had received "Mormon" votes, and therefore he claimed the seat! Still proceeding upon the same frivolous assumption, its candidates for the same position have since that time entered upon three different contests before Congress for the seats of the delegates elect. And yet this party, with such a record, prates about its respect for law, its regard for the constitution, the sacredness of the rights of American citizens, and the high esteem it entertains for the expression of the people's will through the ballot-box.

We have no fears that any man or woman of sense and experience will be deceived by its pretensions. But its members and candidate would have you believe they are your true friends; that they have your welfare at heart; that if they could control the Territory you and it would prosper; that the civilizing agencies they have introduced into your midst are those which you most need. Their regard for the people of Utah is like that of Joab for Amasa, when he asked him, "Art thou in health, my brother?" and took hold of him as if to kiss him, while he ran his sword into his ribs.

If any single one of the many bills which these "liberals" have framed here and sent to Congress to be introduced there had become law in the form in which it was sent, the citizens of this Territory who are Latter-day Saints would have been placed in a condition more terrible than slavery. To get these bills made into law they have spared neither time nor means. For years they have not allowed a session of Congress to pass without having a delegation at Washington to urge their passage. Their most unscrupulous, adroit and rancorous members have been selected as their representatives. In no single instance, we judge, have these men failed to exhibit the qualities which suggested their selection. Their imaginations were most fruitful and, as we are informed, ghastly tales of robbery, brigandage, outrage and murder, alleged to have been committed by the people of Utah, were "liberally" related. Their principal characteristic (as indeed is that of the party) has been their economy of truth. Who can believe or have confidence in such a party? Its record is one continuous list of outrages upon the rights of the people. There have been pollution in its touch and contagion in its presence. To attain its ends it has trampled upon and defied the law, encouraged and given aid to lawbreakers, fostered and protected vice and stopped at no foulness. If it could secure control of our Territory, what a fate would be ours! This, however, will never be while the people of the Territory are true to themselves and to the principles of true liberty.

In contradistinction to these "liberals," there is a class of people in this Territory, honorable citizens, who, though not "Mormons," have never been in sympathy with this so-called "liberal party" in their attacks upon the majority of the people of Utah. The hatred of that party to them has been as intense, overbearing and arrogant as if they were "Mormons." They have used every means to coerce them to join their ranks, but many of this class, having large interests here, have always ignored their violence and been opposed to the transfer of the government of the Territory into their hands. These people came here to transact business, to make money, not to wage war upon the pioneers; and they have been willing to live and let live. Their independence is most commendable.

Our Territory has grown to be the most populous, prosperous and important one in the republic. It has, in fact, outgrown all the conditions of territorial existence, and possesses in a larger degree than two, if not three, of the States, all the elements necessary for sovereignty. Every citizen of Utah can speak with pleasure of her light taxes, her freedom from every kind of public debt, her low percentage of illiteracy, her cultivated farms and fruitful orchards, her growing manufactures, her railroads and telegraph lines. Under the management of the officers heretofore chosen by the people she has attained a prosperity that is not excelled by any part of our country. The people should not fail to preserve by their votes what they have earned by their industry.

On Tuesday, November 7th, every qualified voter should exercise the right to vote. Do not suffer threats, abuse or trickery to deter you from abiding at the proper polling place on that day. An All-wise Providence led us to this country, has preserved us here, and has helped us to secure our rights; let us take the proper steps to still further maintain them, and always remember that "ETERNAL VIGILANCE IS THE PRICE OF LIBERTY!"

By the People's Territorial Central Committee.

JOHN SHARP, Chairman.  
THEODORE MCKEAN,  
Secretary.

#### "Our Decapitated Land Officers."

The unscrupulous sheet that supported Patton in his outrageous proceedings in regard to the Big Cottonwood timber case, thus rises to an explanation—

"Our press dispatches make no mention of the appointment of a new register and receiver of the Salt Lake Land Office, but we have reliable information that the present incumbents have been removed. Special Agent Kaighn, who has been investigating the books of the Land Office, we understand, has found the business in a very involved condition, and it is most probable that upon his report the change has been made. A number of our citizens run away with the belief that our land officers have been removed through Mormon influence. But this is entirely a mistake. Numerous complaints have been made to the President and the General Land Office of irregularities in our local office, and upon these representations, special agent Kaighn has been sent to this city to investigate. He has performed his disagreeable duty with delicacy and thoroughness, and whatever report he may have made has been prompted by a sole regard for the best interests of the service, and without reference to the wishes of the Mormon priesthood. We regret that the blow should have fallen at this moment, when Register Patton has gained so much credit by his vigorous dealing with the timber pirate; but strict obedience to law and the orders binding upon officials must be observed, and where delinquency is proved the axe will relentlessly fall. This is a world of change, and we are but pilgrims and strangers at the best."

Perhaps the officials suspended and their friends consider official decapitation for official delinquency, default, malversation, or anything of that kind, preferable to such decapitation "through Mormon influence." We have no quarrel on that question. It may be said, however, that official abuse of the "Mormons" and official malversation are not unfrequently in close company.