

does. They may not be able to see the wisdom of His course in the treatment which he allows His people to endure, or what object He has in view in permitting certain events to transpire. He does not reveal to man in every case the purposes which He is seeking to accomplish; but if we go to Him humbly and prayerfully He will strengthen us in the hour of trial and we shall eventually see the triumph of His work upon the earth.

The choir sang the anthem:

"Praise ye the Father."

Benediction by Elder George Gibbs.

THE MANDAMUS CASES.

The mandamus cases were called up before Judge Zane December 17. In these the court is asked to issue an order that the registration officers register certain citizens who are members of the People's Party, and whom the registrars declined to place on the list. The two officers involved are J. R. Morris and E. R. Clute. The Morris case was called first, but on its being stated that Clute had registered the complainant his case was first taken up. Mr. Rawlins appeared for the complainant and Messrs. McBride, Hoge and Merritt for the registrars.

THE CLUTE CASE.

E. R. Clute testified—I am registration officer for the Second Municipal Ward; registered Wm. J. Bachman on Thursday and Friday last, on the street; he had applied twice before then, in the street and in front of my house; I had my registration book with me on those two occasions, and I refused to register him till I reached his house; he did not say he could not come from his work; he was not home when I called; it was the third time that he applied when I registered him.

To Judge McBride—The first time he came there were five others; these had been registered; he had not and I declined to register him till I had been to his house; the next morning was the second time he came, and I refused on the same ground as in the first instance; when I knew a man I would register him on the street, but I did not register those whose residence I did not know. I completed the house to house canvass on Saturday night; I have been instructed to note the residence of persons registered.

To Mr. Rawlins—I knew Wm. J. Bachman's brother; registered him before I visited his house; I have registered some on the street and before visiting their residences, but not many; have registered a good many in hotels and saloons, because it was their residence or place of business; sometimes I registered men after I learned where they lived, and sometimes I told them they would have to wait till after December 23rd; I registered those whom I knew, and those whom I did not know I refused to register; I refused to take evidence, or to ad-

minister the oath where I did not personally know the party; I was instructed that I need not register on the street or at my house unless I wished to; I registered Wm. J. Bachman as a favor to him.

To Mr. Rawlins—I possibly have taken the oath of persons residing in the Third Municipal Ward, and handed the name to the registrar of that precinct.

Judge McBride objected to this line of questioning, and the witness was excused.

The instructions of the Utah Commission relative to obtaining the residence of each one registered were offered in evidence.

This closed the testimony in the case against E. R. Clute, and it was agreed that the arguments be reserved, and be made in both cases at the same time.

THE MORRIS CASE.

In the case of Henry Cumberland vs. J. R. Morris, registrar for the third precinct. Henry Cumberland testified that he lived in the third precinct; have lived in that precinct 27 years; am a married man; 22 years ago I married a second wife; I have only had one wife for the past 11 years; have never been convicted of any offense; married my present wife in December, 1852.

Judge McBride objected to the evidence because it was not given to the officer.

Mr. Rawlins said that as a basis for mandamus, the plaintiff had to show his right to be registered.

The court ruled that the evidence was proper.

Witness Cumberland, continuing, in reply to Mr. Rawlins—I am a naturalized citizen; here are my papers.

These were offered in evidence, which were objected to by Col. Merritt, because the certificate did not show who the witnesses were. The naturalization papers also have the certificate of Clerk H. G. McMillan that they were issued by the Third District Court May 10, 1865. The court admitted the papers as evidence.

Witness, continuing—J. R. Morris, the registrar, came to my house; I am in my 70th year; when Morris came to my residence my wife called me into the house; he asked me if I wanted to register; I said I did; he asked me if I had been registered and I said no; he asked for my papers, and when he saw them he said he had special orders not to register anyone who received papers when Patrick Lynch was clerk; he refused to register me; I afterwards called on him, and he again refused; I called a second time and for the third time he refused to register me.

To McBride—When Morris came to my house I did the talking; my wife may have said something; I told the registrar I had been in polygamy; my wife said I had had three wives, but I had but one now; he did not refuse on that ground, but because of my papers; I went to the People's committee headquarters, and got advice there; they got Mr. McMillan's endorsement, and it was on my papers when

I presented them to Morris on the second occasion; I did not hear my wife say she was a polygamist wife; she was, but I have married her legally since then; I got my papers before I was a polygamist; I did not explain these things to the registrar because he asked me nothing about it; he told me his only objection to me was because Patrick Lynch had signed my papers; I got my certificate of naturalization in court; Mr. Moss and Mr. Bouk were my witnesses; both are dead; Judge Titus was the judge.

The record of the court of Wednesday, May 10, 1865, showing the admission of Mr. Cumberland to citizenship, was offered in evidence.

Judge McBride objected to it as not good evidence. It was accepted by the court.

Mrs. Martha Perkins testified—I was at Mr. Cumberland's house when Registrar Morris called; he said he would not register Mr. Cumberland because the latter's papers were signed by Patrick Lynch; he said he had orders not to register anyone who had those papers.

To McBride—Heard Morris say that Cumberland had been in polygamy; I did not hear all of the conversation.

The portion of the city ordinances relating to elections was offered in evidence.

McBride said it was news to him that the city had any ordinance about the duties of registrars. He thereupon objected to it. The court reserved its decision till this afternoon, when Recorder H. M. Wells testified to the ordinance being an authorized publication. It was admitted in evidence.

J. R. Morris, the registrar, testified—I visited Mr. Cumberland's house; he said he had never registered, but wanted to do so; he stated his case, and I advised him to take legal counsel; I told him he could come to my office after Dec. 23; I saw his papers; Col. Page had instructed me that I was not to register those whose papers were signed by Patrick Lynch, unless there was a further certificate from the clerk of the court; I had heard that many of Patrick Lynch's papers were fraudulent, and Col. Page had called my attention particularly to this; when Mr. Cumberland came to my house I refused to register him, and told him to come to my office after Dec. 23; he came again and I refused him; at first I registered people at my house, but there was so much of it that I refused to take anybody there; I did not refuse to register Cumberland, except till after Dec. 23.

To Rawlins—If I had stopped to register at my house I could not have made the house to house canvass. I only registered one man on the street; I had no instructions on that point; I did not refuse, absolutely, to register Cumberland; I told him I would not register any one with papers like his; I also considered the fact of his having been a polygamist; I presume he understood me to refuse, absolutely, to register him, but as a fact I did