

in my arms, I said: "Can you tell me in a few sentences what in the world you Mormons believe in besides polygamy, so that I can write it down and send it to my friends?"

The person addressed handed the poet the "Articles of Faith" over the name of Joseph Smith the Prophet, which are appended to the paper published in the *Independent*.

THE COMMISSION, THE REGISTRATION, THE ELECTION.

THE decision of the Utah Commission in the examination of complaints against the registration officers for this city will be found in another column. We consider it, in the main, a fair and reasonable document.

It was not to be expected that the Commission would take the same view of the situation as that perceived by the Committee and members of the People's Party. The sympathies and feelings of the Commission do not lie in that direction. The officers complained of were of their selection and appointment, and they naturally leaned to some extent toward the point of their support, providing it could be reasonably afforded. Therefore the evidence demanded in substantiation of the complaints was required to be in the nature of absolute proof, which, of course, was difficult to obtain. But every intelligent person who has followed the examination carefully, must have perceived that the deputy registration officers have exhibited great diligence in certain directions and lack of energy in others, and that the People's Party had solid ground for the conviction that they were being discriminated against and obstructed in the exercise of a legal right.

It was demonstrated during the examination that certain individuals were readily registered under circumstances in which others were refused. That the registrars exercised judicial powers in relation to matters in which, as the Third District Court has decided, their authority is only ministerial. That they have taken pains to hunt up some voters and have avoided others. That they have loitered around saloons and at "Liberal" headquarters, when they should have been visiting the homes of voters. That they have registered large numbers of men clustered at certain cheap hotels, and refused to register others at private boarding houses. That they have even registered men at night and not

at their homes, and refused to register others except at their homes whether at night or in the day time. That they were unable to say they had refused registration to any "Liberal," while large numbers of the People's Party were refused. That in cases where "Liberals" and People's voters lived side by side on the same street, the "Liberals" were checked off on the registration lists and the People's left unchecked. And that while it was impossible to bring "Liberal" witnesses forward to technically prove certain facts, it was clear that voters had been discriminated against, and that, in various ways and to a large extent, because they were supposed to be members of the People's Party.

Explanations were asked for, and plausibly given, to account for these differences, and the Commission accepted them, as in good faith, and therefore rendered the decision in the form in which it appears. And it is true that there has been, as the Commission declare, "no final or absolute denial of electoral rights," because there is still one week left in which voters may be registered. But the Central Committee, and large numbers of voters whom the registration officers had been dodging, and putting off, and postponing until December 23rd, had reason to believe that the object of these officers was to crowd away, until the week appointed for office registration, so many of the People's voters that they would be unable to secure registration. Also that by the assumption of judicial powers already exhibited, these officers would still further obstruct registration, and that the office registration would be conducted in a similar manner to the house to house visitation.

All the facts in these matters were not brought out, because the actual proofs required were necessarily difficult to obtain, through the reluctance of men to be badgered as on the witness stand by impertinent attorneys, and to leave their employment during this busy season. But sufficient were elicited to show the points we have made beyond question.

The coming of the Commission has been productive of great good. The registration officers evinced more alacrity at once. We are satisfied that a great many voters were registered, after their arrival, who would not have been if the Commission had not come. The powers of registration officers are now

also more clearly defined. They have no right to exercise discretionary functions except when they have reasons to believe that a person applying for registration is maintaining the polygamous relation, and then only to the extent of making inquiry "in a legitimate mode." As to all other persons, their affidavit as provided by law is sufficient. The registration officer has no power to do anything in their cases but administer the oath. If he refuses to register an applicant, he does so "at his own peril, and is only protected from the penalties of such refusal by being able to show conclusively that such applicant is not entitled to register and vote."

It will be interesting here to see what those penalties are. Section 164 Compiled Laws of Utah, provides that:

"Any person who . . . 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."

In addition to this we call attention to the following provisions of the laws of Congress in relation to the elective franchise. Revised Statutes of the United States pp. 353-4:

SEC. 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.

SEC. 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.

SEC. 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, offer to perform, or act thereon, be deemed and held as a performance in 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