

and to supply the legislation provided for in the acts of that body.

It is intended to cover the whole subject of registration, qualification of voters and the conduct of elections, and both these acts embrace many common subjects, but they differ in details relating to the same subjects, and it is difficult to understand both can be the legislative will, expressed at nearly the same time.

I am, very respectfully,
ARTHUR L. THOMAS,
Governor.

C. F. NO. 51.

A BILL FOR AN ACT PRESCRIBING THE QUALIFICATIONS FOR ELECTORS AND OFFICE HOLDERS; PROVIDING FOR REGISTRATION OF VOTERS, AND REGULATING THE MANNER OF CONDUCTING ELECTIONS.

Section 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:* That annually on Tuesday next after the first Monday in November there shall be a general election held in each precinct in the several counties of this Territory, for choosing all officers not otherwise provided for, and the terms of office of all officers elected shall be as now provided by law; and in the year 1890, and every second year thereafter, for choosing a Delegate to the Congress of the United States; and in the year 1891, and every second year thereafter, for choosing members to the Legislative Assembly of this Territory.

Sec. 2. In case of the death, resignation or other disability of the Delegate to Congress or any member-elect to the Legislative Assembly, the clerk of the probate court of the county where the person who held the office becoming vacant shall reside, shall immediately notify the Governor of the vacancy; and it shall be the duty of the Governor within ten days after receiving such notice to call a special election in the Territory, or the district where the vacancy has occurred, for the purpose of filling such vacancy.

Sec. 3. In case of a vacancy by the death, resignation or other disability of any county or precinct officer, made elective in any county in this Territory, it shall be the duty of the county court in such county to fill such vacancy by appointment for the unexpired portion of the term, *provided*, that each person elected or appointed to any county or precinct office shall be commissioned by the Governor and shall qualify, as by law required, within twenty days after receiving notice of his election or appointment, and all persons re-elected to any office, thereby becoming their own successors, shall when so elected be commissioned by the Governor and qualify as required by law.

Sec. 4. All officers elected or appointed to fill vacancies, as provided in this Act, shall, before entering upon the duties of their office, qualify in the same manner as if

they had been elected at any general election, and shall hold office until the ensuing general election, and until their successors are elected and qualified.

Sec. 5. No person shall be eligible to be elected a Delegate to the Congress of the United States from this Territory who has not attained the age of twenty-five years, and has not been seven years a citizen of the United States, and has not been a resident of this Territory during one year next preceding the day of election, and is not qualified to register as a voter therein.

Sec. 6. No person shall be eligible to a seat in either branch of the Legislative Assembly, unless he has been a resident of the district from which he is elected during at least one year next preceding the day of election.

Sec. 7. No person shall be eligible to be elected or appointed to any Territorial, district, county or precinct office, unless he is a property taxpayer in this Territory, nor shall he hold any office of public trust, honor or emolument, unless he is a voter, registered or eligible to registration, and shall have been a resident in this Territory during at least one year next preceding such election or appointment.

Sec. 8. No officer or soldier of the United States army, or other person subject to military authority, shall be eligible to hold any office, or serve on any jury, or vote at any election in this Territory, unless his home or place of residence was herein at the time of engaging in such service.

Sec. 9. Every male citizen of the United States over the age of twenty-one years, who has resided in this Territory six months and in the election precinct where his vote is to be registered or in the precinct out of which said precinct may have been created one month, both immediately preceding the time of his registration, who is not idiotic or insane, who has not been convicted of treason, felony or bribery, who is not disqualified as a voter by any law of the United States or of this Territory, and who has been duly registered as hereinafter provided, shall be a qualified elector and entitled to vote at any Territorial, district, county, precinct or municipal election.

Sec. 10. Electors shall, in all cases except treason, felony, bribery, illegal voting or breach of the peace, be privileged from arrest during their attendance at elections and in going to and returning from the polls.

Sec. 11. All elections, except school elections, shall be held, conducted and returns thereof made as in this act provided.

Sec. 12. Each precinct shall constitute an election precinct for county and territorial general elections, and the boundaries of no election precinct shall be changed within seventy days prior to any such general election, unless it shall appear to the county court of the county in which such election precinct is situated that there are more than five hundred legal voters residing therein, in which case the county court shall proceed to create within and

for such precinct two or more election precincts as hereinafter provided. There shall be but one polling place in any election precinct, and only one ballot box used therein. Each voter shall vote only in the election precinct where he resides.

Sec. 13. The county court of each county shall, on or before the first Monday of August in each year, appoint a registration officer for each election precinct in the county. Before entering upon the discharge of his duties each of said officers shall take and subscribe an oath to faithfully perform the duties of his office, and enter into a bond to the Territory of Utah, with two or more good and sufficient sureties, to be approved by, and with said oath filed with the clerk of the probate court of the county in which his official acts are to be performed. The bond of each precinct registrar shall be in the sum of one thousand dollars, conditioned for the faithful performance of his official duties.

Sec. 14. It shall be the duty of the registration officer for each election precinct, except as provided in Section 17 of this Act, to revise the transcript of the next preceding registration list of his precinct, which shall be delivered to him by the clerk of the probate court of the proper county on or before the second Monday in August, and for this purpose he shall visit every dwelling house in said precinct on or before the second Monday of September in the year 1890 and in each year thereafter and make careful inquiry if any other person whose name is on the list has died, or removed from the precinct, or is otherwise disqualified as a voter of said precinct. He shall make a list of all such disqualified persons, a copy of which he shall cause to be posted up in the election precinct in three public places, best calculated to give public notice, not later than the third Monday of September, together with a notice that unless such persons appear before said precinct registrar at his office (naming the place where such office will be) during the week commencing on the fourth Monday of September in said year, and show cause why their names should be continued on the registry list, the same will be stricken off; and in case any such person shall fail to so appear and show cause, the precinct registrar shall strike his name from the list. He shall also ascertain while visiting each dwelling house whether any qualified voter resides therein whose name is not on the registration list, and if so, he shall require the unregistered voter to take and subscribe the following oath or affirmation:

TERRITORY OF UTAH,
County of ————
Precinct. }

I ———, being duly sworn (or affirmed) depose and say that I am over twenty-one years of age; that I have resided in the Territory of Utah for six months last past, and in this election precinct, or in the precinct from which this election precinct was created, as the case may be, for one month immediately preceding the date hereof; and that I am a native born (or naturalized, as the case may be) citizen of the United States; that my