they had so conscientiously and assiduously labored to perfect. Three bills, than which none of the session were of more importance, which had cost the Assembly a great amount of labor to perfect, and which had passed both its branches by overwhelming majorities, were destroyed by an autocratic and tyrannical exercise of the one man power.

One of these was a bill amending the election law, where all are agreed that it should be amended, and was, in part, a response to recommendations made by the Utah Commission. It merely sought to guard more perfectly the registration lists and ballot boxes, and was an impartial measure as between the two political parties. It was confidently expected that this bill would receive executive approval, but it was vetoed. Another was a bill providing for an election code. That it should have become law is a proposition easily supported by logic based upon the fundamental principles of the American system of government; but as it would have abolished that imported returning board, the Utah Commission, a place upon which is worth $5000 a year and certain expenses, there was faint hope that a Governor, who had graduated from that same returning board, would destroy his *alma mater* by signing a bill which would render its further existence impossible.

The third bill which the Governor killed was one of urgent importance. It related to the classification and government of cities, and was designed to cure those ambiguities in the present law which have already been the source of so much costly litigation in Ogden and this city, and in consequence of which a cloud hangs over both in respect to the validity of the government each is now under. It was not a political measure in any sense nor degree, and we believe not a party vote occurred respecting any feature of it, in either house. About twenty-four hours after the Legislature should have adjourned, namely, Friday evening, the Governor returned the bill to the Council, his veto being based solely on the plea that he had not had time to duly consider it, and stating that it had been sent to him on the Wednesday previous.

Councilor C. C. Richards called attention to the urgent necessity of having the bill become a law, and to the fact that the Governor had had it since Monday instead of Wednesday, and moved the appointment of a committee to attend upon His Excellency, notify him that the Assembly would wait while he considered the bill, and to urge his approval of it. That committee did its duty and through long hours sat with the Governor considering and advocating the bill. The result was the preparation by the Governor of a substitute bill, containing new matter and some provisions which the Assembly had previously rejected, among which was the veto power of mayors. A joint committee of the two houses had a long sitting upon the substitute, the result being an unfavorable report upon it, which both houses adopted. The legal limit of the session had been exceeded by twenty-four hours before the Governor sent in his substitute, which was virtually a new bill, and it was impracticable to continue the session long enough to properly consider and mature it.

The failure of the city bill is a great misfortune. True the Governor had had it in the exact form in which it passed the Assembly only five days; but he had a printed copy of the bill as introduced, as many weeks, and might easily have made himself familar with it, and the amendments made to it. After the Assembly had long waited his action upon it, a number of amendments offered by him verbally were adopted, and the bill so amended passed both houses and was engrossed and again sent to the Executive. A long wait terminated in his offering the substitute.

The Governor's course is open to the criticism of having been vacillating, dilatory, trifling and autocratic. He held the Legislature fifty-six hours, or thereabouts, pending his use of the absolute veto power, and then dismissed the disappointed members, whose feelings are better imagined than described.

ELECTION BILLS VETOED.

The two documents following are given without comment at this time:

EXECUTIVE OFFICE,
SALT LAKE CITY, Utah,
March 13, 1890.

Hon. F. S. Richards, President of the Council:

Sir—I return disapproved C. F. No. 51, entitled, "An act prescribing the qualifications for electors and office-holders, providing for the registration of voters, and regulating the manner of conducting elections."

The act is intended to go into effect upon the approval by Congress, to supply the legislation referred to in Congressional acts, and supersede the Utah Commission. It purports to cover the subject of the qualifications of voters and office-holders, the registration of voters, the conduct of elections, and the canvass and return of the votes, and to supersede the existing laws of this Territory relating to those subjects. An act of this kind, and covering subjects of such importance, should be carefully drawn and be quite full and specific in its provisions, especially as the special approval of Congress might create a doubt whether it could be amenable without the express approval of that body. The act is not sufficiently clear and full in its provisions to meet such requirements. It provides for a general election in November "for choosing all officers not otherwise provided for." It affirmatively provides for the election of delegates to Congress, and members of the Legislative Assembly, and for some cases of vacancy, and to that extent would supersede any existing law. All officers are "provided for" in existing law and except as named do not come within the category "not otherwise provided for," unless by virtue of the repealing clause which is very careful in its terms. It reads as follows:

"Sec. 48. The provisions of all acts and parts of acts superseded by or in conflict with any of the provisions of this act are hereby repealed." How far existing laws in respect to officers provided for otherwise are superseded, and to what extent laws existing are in conflict with this act is matter of construction; and though the construction may be to give full effect to the act, the act itself should clearly cover the case. The act would not supersede or repeal any provisions of the existing law not embraced in it or covered by its provisions. The incorporated cities and towns of the Territory include a considerable part of the entire population, and they are increasing in population faster than the districts not included within them. Their elections are important, and any general act approved by Congress should include provisions for such elections. The act makes no provision for city elections, unless in section 11, which provides:

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

This either includes city elections, or it does not so include them. If it includes them, the act makes no provision for city registration, for conducting the city election or canvassing or returning the votes.

The registration provided for (though it includes city precincts for the purposes of the general election) is made by and under appointees of the county court and its officers; the appointment of registration officers, boards of review, judges of election, canvassers and the division of precincts, etc., are all the county machinery. This will not do for city elections, yet what would be the construction of Section 11, if approved by Congress? If Section 11 does not reach the case