THE NEW DEAL YEARS IN UTAH: A POLITICAL HISTORY OF UTAH (1932-1940)

by

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A thesis submitted in partial fulfillment of the requirements for the degree of

MASTER OF SCIENCE

in

History

Approved:

UTAH STATE UNIVERSITY
Logan, Utah

1963
ACKNOWLEDGMENTS

In the preparation of this thesis the writer wishes to express appreciation to Dr. Brigham D. Madsen, who rendered valuable service by his constructive suggestions of the study, and by his analysis and assistance in the preparation of the manuscript; to Dr. Leonard J. Arrington, who willingly consented to render constructive analysis of the manuscript; to Dr. S. George Ellsworth and Dr. JeDon A. Emenhiser, who have both added counsel and suggestions and have rendered helpful guidance throughout the preparation of this study. The writer also wishes to express appreciation to Dr. Everett L. Cooley and his staff at the Utah State Historical Society for their co-operation and willing assistance during the research of this project.

Wayne Kendall Hinton
TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACKNOWLEDGMENTS</td>
<td>iif</td>
</tr>
<tr>
<td>INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>THE ELECTORATE RESPONDS AND THE REPRESENTATIVES RESOLVE</td>
<td>3</td>
</tr>
<tr>
<td>The New State Administration</td>
<td>14</td>
</tr>
<tr>
<td>Summary of the Twentieth Legislature</td>
<td>26</td>
</tr>
<tr>
<td>REPEAL AND N.R.A.</td>
<td>30</td>
</tr>
<tr>
<td>N.R.A.</td>
<td>46</td>
</tr>
<tr>
<td>Labor and N.R.A.</td>
<td>49</td>
</tr>
<tr>
<td>N.R.A. in Action</td>
<td>53</td>
</tr>
<tr>
<td>GRIST FOR THE REPUBLICAN MILL</td>
<td>62</td>
</tr>
<tr>
<td>UTAH POLITICS GRAVITATE LEFTWARD</td>
<td>85</td>
</tr>
<tr>
<td>1935 Legislature</td>
<td>101</td>
</tr>
<tr>
<td>Summary</td>
<td>110</td>
</tr>
<tr>
<td>PROGRESSIVES TO THE FORE</td>
<td>113</td>
</tr>
<tr>
<td>1937 Liberal Legislature</td>
<td>137</td>
</tr>
<tr>
<td>Summary</td>
<td>144</td>
</tr>
<tr>
<td>DEMOCRATS RETAIN CONTROL</td>
<td>148</td>
</tr>
<tr>
<td>The 1940 Election</td>
<td>164</td>
</tr>
<tr>
<td>THE MORMON CHURCH IN UTAH POLITICS</td>
<td>182</td>
</tr>
<tr>
<td>UTAH'S ACCEPTANCE OF THE NEW DEAL</td>
<td>196</td>
</tr>
<tr>
<td>New Deal and Labor</td>
<td>216</td>
</tr>
<tr>
<td>Summary of New Deal Acceptance</td>
<td>220</td>
</tr>
<tr>
<td>APPENDIX</td>
<td>224</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>228</td>
</tr>
</tbody>
</table>
INTRODUCTION

The theme of this thesis is a political history of a state during a critical time in the history of a nation and the world. A political history implies an account of what has happened politically within the years and area dealt with. It involves an inquiry into political leaders, governmental institutions, and enactments, but it also involves public opinion formulation.

In the fall of 1932 as the presidential election approached, the nation was nearing the end of the third year of a severe depression and there appeared to be no sign of recovery. The subject of this study is the impact of this great depression of 1929 on the State of Utah and the political behavior of the electorate and elected officials. Utah historically had been considered a rather conservative state politically with heavy Republican leanings. Because of the reputation of conservatism that Utah had built up, the state is of particular interest in this period. For several years the nation had experienced on the whole rather comfortable times and then an economic crash had occurred with no immediate signs of recovery. The President's reassuring public statements failed to help economically and even appeared to carry a hollow tone.

In the nation in 1931 and 1932 there was talk of a social revolution, but the revolution failed to come. At least there was no rioting, no blood running freely, and no violent overthrow of the government. However, any experience that could bring talk of revolution in the United States certainly had a potential influence for good or evil, acted as a turning point in many people's lives, and had a profound influence on the
future. This experience inevitably wrought many changes in society, in politics, in economics, and in cultural and social values. The emphasis of this study is the political affect of the depression and the New Deal on Utah state politics. It will examine the pressures used in the political processes and state political responses to the New Deal.

In 1932 Utah joined the rest of the nation in responding very clearly in disapproving the past performance of a national administration. The electorate's reaction seemed a rejection of the policies of the Hoover Administration rather than a mandate for any future action. In the 1934 Congressional election the results seemed to point to a mass approval of the New Deal, likewise the 1936 presidential election. Spirited leadership and programs of action that deviated markedly from past practice apparently won approval. Those candidates who appeared tainted with the past and who were conservative or appeared to want to reverse the liberal trend in governmental action had rather rough sledding during the New Deal era and in some instances afterwards. These conditions have been demonstrated to have existed in the national pattern by various writers on the New Deal, but they also existed in Utah, a state with a reputation for conservatism, with a comparatively homogeneous population, racially and religiously, with about 65 per cent of the population of the state belonging to the Mormon Church. To what extent did the depression and the New Deal affect Utah's politics? Was the New Deal accepted in broad principle by the lay citizens of a provincial, agricultural, and mining state which had produced the co-author of the Hawley-Smoot tariff? These are points of interest and consideration for this historical narrative on politics in Utah during the New Deal era.
THE ELECTORATE RESPONDS AND THE REPRESENTATIVES RESOLVE

In 1929 business and political leaders spoke of the New Era. An ever-expanding economy, full employment, and the elimination of poverty were felt to be permanent features of the New Era. Everyone could be rich if he but saved his money and invested it in stocks of the industrial corporations that were transforming America and making possible the New Era.¹

Despite some trouble spots in the economy—particularly farmers, coal miners, and textile mill hands failed to share in the prosperity—this core of disproportionate income failed to alter the general spirit of optimism and widespread complacency.²

For many Americans the first real inkling of trouble ahead and the unbalance in the economy seemed to come with the stock market crash of October 1929. The stock market crash was a symptom and not the cause of the depression, but, nevertheless, it brought sudden realization of economic troubles and caused optimism to fade.

The crash in New York had its effect on the Salt Lake Stock Exchange and brought with it worsening conditions in mining, farming, employment, wage drops, and general dislocation.

By 1929 Utah had changed economically from its early activities of agriculture and livestock. Pioneer Utah had maintained an almost self-sufficient economy, but this had been transformed by the introduction of

²Ibid.
mining which soon came to supplement agriculture. The mining interests came to be owned and controlled by non-Mormon, non-Utah groups, and therefore, Utah's major source of wealth was dependent on out-of-state interests.\(^1\) With the depression there was major dislocation in mining and thus Utah's economy was greatly affected.

Because Utah had not developed manufacturing enterprises to keep pace with her population increase\(^2\) (which had been spurred ahead by a high birthrate of 24.3 per thousand population, and a low death rate of 8.8 per thousand placing Utah first in the nation in excess of births over deaths),\(^3\) the state lacked employment possibilities to cushion the blow of the depression to mining and the already existing agricultural problems. These conditions combined to help make Utah a prime candidate for the hardest depression hit state in the Union.

The mining industry which was a major foundation on which much of Utah's economy was based serves to illustrate the depression effect on the state. In 1930 there were approximately 12,000 Utahans employed in mining within the state. In the succeeding years there was a sharp decline in mining personnel, and even by 1940 with partial recovery there were but 10,000 mine employees.\(^4\)

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\(^1\) Thomas C. Donnelly (ed.), Rocky Mountain Politics (Albuquerque: University of New Mexico, 1940), pp. 13, 17.

\(^2\) Leonard J. Arrington, From Wilderness to Empire (Salt Lake City: University of Utah, Monograph 1, 1961), p. 17.


The minerals produced dropped from a value of $115,131,131 in 1929, a production amounting to .96 part of the national production, to a low in mineral output in 1932 of $22,620,230, or only .92 part of the United States total production for 1932.¹

The gross farm income from Utah’s 52,701,440 acres of land² area for 1929 amounted to $68,711,000. By 1932, the gross farm income amounted to $29,541,000, so even with agriculture’s problems prior to the crash, the depression compounded them many times.³

Another indicator of the state’s economic situation was found in her infant manufacturing industry. In the peak year of 1929 the state claimed 651 manufacturing establishments employing 15,601 wage earners who were paid a total wage of $19,698,684 for producing a product value of $214,628,855. At the bottom of the depression, four years later, there were 440 establishments employing 10,213 employees at a wage of $9,298,801 and producing $80,967,695 worth of goods.⁴

Utah’s employment conditions were another indicator of the severity of the depression. Unemployment virtually leaped from 8,712 unemployed in 1930 to 61,500 without work in 1932. The per capita income in Utah fell from $537 in 1929, an income per individual amounting to 79 per cent of the national average of $680, to a low in 1932 of $276 per person in Utah and a national average of $380, or a per capita income in Utah equal to 73 per cent of the national average.⁵

¹Tbid., p. 71.
²Tbid., p. 19.
³Tbid., p. 71.
⁴Tbid., p. 19.
⁵Tbid., p. 23.
Thus we see that Utah as well as the nation was witnessing a great economic crisis as the 1932 presidential election approached. This, coupled with the fact that Utah was generally considered a two-party state, gave Democrats cause for optimism as they contemplated the 1932 election.

From statehood in 1896 to 1932 Utah had generally followed the national returns in presidential elections. There were but two exceptions: 1896, when Utah gave William Jennings Bryan over 80 per cent of the state popular vote at the same time that William McKinley was being elected president and 1912, when Utah again deviated from the national results. In that year, Utah and Vermont were the only states in the Union to give William H. Taft a plurality of votes in the three-way race in which Wilson was elected president. Aside from these two notable exceptions, Utah's returns were similar to the national returns. It must be noted, however, that in the nine elections from 1896 to 1932 Utah had returned a Republican majority seven times and so the state was generally considered Republican before New Deal days.

With the party conventions approaching for 1932, political interest quickened. People continued to hope for deliverance from the depression. The interest of Utahans in the political conventions was heightened with an announcement by Utah's governor for eight years, George Dern, from his sick bed at his home in Salt Lake City, that he would be a candidate for nomination as vice-president on the Democratic ticket.

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2*Deseret News* (Salt Lake City), June 4, 1932.
Governor Dern's announcement also added new interest to state politics as others interested in the nomination for governor began to show activity. Prior to the Governor's announcement other possible Democratic candidates had held back from actively seeking the nomination as the party's standard-bearer in the state.

With quickened interest in the upcoming state nominations there was also a deepening of interest in the national nominating conventions.

The Republican convention met first in the middle of June at the Chicago Stadium. President Hoover and Vice-President Curtis were renominated with Hoover gaining the nomination on the first ballot; Hoover captured all eleven of the Utah votes, but Curtis could manage only two. Perhaps the Utah delegation displayed its lack of enthusiasm for the Hoover administration's handling of the depression through its negative reaction to Vice-President Curtis.

The major items of interest at the convention for many Utahans were how the party platform would commit the party on prohibition and whether the Western delegates could force through a plank sponsored by Utahan W. Mont Ferry calling for an international conference to remonetize silver. In both instances the Utah delegation felt rather successful for they got their silver plank; and the plank for the resubmission on prohibition passes at the expense of outright repeal, which the Utah delegates opposed.

Two weeks later on June 26 the Democratic national delegation met at the same site as the Republican convention. Again, just as in the Republican convention, the Utah delegates urged a silver plank.

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1Tbid., June 16, 1932.
2Tbid., June 27, 1932.
Utah immediately lined up with the Roosevelt forces when the Utah delegates voted unanimously for Senator Thomas J. Walsh of Montana to be permanent chairman as Walsh was put over in what was considered a Roosevelt victory.\(^1\) The Utah delegation also showed their favor for Roosevelt by joining in the demonstration after his name was presented as a candidate for nomination.\(^2\) Then the Utah delegates proceeded to vote solidly for Roosevelt through all four ballots until he emerged victorious as the party's presidential candidate.

Utah's ambitions to nominate Dern as vice-president died early as the Governor announced that he had been asked to second the nomination of Speaker of the House John N. Garner for vice-president. Dern had, prior to his withdrawal, been promised the support of three Western states other than Utah; these were Idaho, Nevada, and Wyoming.\(^3\)

Again prohibition played an important role in the convention with the Utah delegation joining a majority in voting for a repeal plank. Three Utahans, led by Governor Dern, opposed the repeal plank and voted for resubmission.\(^4\)

Following the national conventions the political scene in Utah centered on the state conventions with the Republicans again leading out with their convention at Salt Lake City on August 20. The most bitter contest involved the five-way race for governor. The leading candidates

\(^{1}\text{Ibid.},\ June\ 28,\ 1932.\)
\(^{2}\text{Ibid.},\ June\ 29,\ 1932.\)
\(^{3}\text{Ibid.},\ August\ 20,\ 1932.\)
\(^{4}\text{Ibid.},\ August\ 22,\ 1932.\)
were William W. Seegmiller, a former Speaker of the Utah House and twice before a candidate for gubernatorial nomination, and former party state chairman William Lowe.\(^1\) Seegmiller won the nomination for governor on the fourth ballot.\(^2\)

The district conventions dispensed with their business hurriedly as both Don B. Colton from District One and Fredrick C. Loofbourow were renominated by acclamation for attempted reelection to their posts as members of the House of Representatives.

The joint convention then endorsed the record of Senator Reed Smoot and suspended the rules to renominiate him by acclamation.\(^3\)

On the 3rd of September the Democratic State Convention met at Ogden with the big question being who would be nominated as candidate for governor, and who would oppose Senator Reed Smoot as candidate for Senator? The Second District nominated J. Will Robinson as candidate for Congress on the third ballot. He was furnished strong opposition by Judge C. F. Dalby; Herbert B. Maw, who ran a strong third; and Lawrence E. Nelson, who trailed the field.\(^4\) The First District nominated thirty-nine-year-old Orrice Abe Murdock of Beaver, who had been granted only an outside chance at nomination by pre-convention observers.\(^5\) Murdock led

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\(^1\)Ibid., August 20, 1932.
\(^2\)Salt Lake Tribune (Salt Lake City), September 3, 1932.
\(^3\)Ibid.
\(^4\)Ibid.
\(^5\)Ibid.
the field of Ora Bundy, Joseph Ririe, and John L. Boyden on the first ballot and was nominated with eighteen votes to spare on the second ballot.¹

The most surprising and dramatic event of the convention was the nomination of Dr. Elbert D. Thomas of the University of Utah, a nationally known authority on history and political science, for senatorial candidate. Dr. Thomas was nominated on the second ballot and furnished the real sensation of the convention. Thomas was carried through to victory by the support of youth, as youth in the person of Warwick Lamoreaux spoke and was heard. The speech by Lamoreaux, a former student of Dr. Thomas¹, ignited the spark of enthusiasm which carried the Professor to victory.

Young Lamoreaux, after several unsuccessful attempts to second Thomas¹ nomination, finally got the floor and told the delegates that he had entered the convention hall as a Republican, but during the session had become a Democrat. He told the convention that he represented thousands of young voters who knew and had studied under Dr. Thomas and who would vote for him regardless of party. The speech caught the fancy of the delegation as it broke into a spontaneous and tremendous demonstration. After two or three other speeches by youth in the same vein as the Lamoreaux speech, Thomas was swept to a dramatic landslide victory.²

The opposition for Thomas was furnished by Dan B. Shields and William R. Wallace.

¹Ibid.
²Ibid., September 4, 1932.
The contest for nomination as gubernatorial candidate between Henry H. Blood and Clarence Neslen produced a hard battle, but it was not as close as some observers expected, as Blood got the nomination on the first ballot by a substantial majority with much of his major strength coming from outlying counties. Blood had been rumored to be the state party leaders' candidate.\textsuperscript{1}

On Monday, September 5, the \textit{Salt Lake Tribune}, in an editorial, said that the Democratic convention demonstrated party harmony. This seemed to be one of the rare times between 1932 and 1940 that the Democratic party of Utah showed party harmony as party factions appeared to become the rule rather than the exception.

The campaign was rather vigorous with the economic storm being the outstanding issue and the campaign at times being marked by bitterness. Hoover spent much of his time in vigorous denial of charges against his administration.\textsuperscript{2}

Prohibition and tariff came in for considerable attention in Utah, which is not surprising considering the traditional high tariff outlook in the state and the dominance of the Mormon Church and its belief in abstinence from the use of alcoholic beverages. The mining interests expressed worry about Roosevelt's tariff reduction pledges, but the farmers seemed pleased with his farm tariff views.\textsuperscript{3}

\footnotesize\textbf{\textsuperscript{1}Ibid.}\textsuperscript{, November 6, 1932.}\textsuperscript{3}Ibid.
The Democrats hit hard at the Republican high tariff program and blamed the Smoot-Hawley tariff for the world's economic ills. The Republicans countered with charges that the Roosevelt campaign was based on falsehoods and vague promises. ¹

Within the state Thomas got the backing of labor, though in 1932 the backing of labor did not mean many votes unless by one way or another it affected other citizens' votes. Thomas also got help from Burton K. Wheeler of Montana who let it be known that he felt Senator Smoot had deserted the silver cause, which was so important to Utahans in 1932. ²

Blood made his major campaign program thrift in office and strict economy, while Seegmiller carried on a rather quiet campaign. ³

The three Democratic aspirants to Congress, Thomas and the two House candidates--Robinson and Murdock, hit hard at the depression issue and declared that Roosevelt would be elected and asked for election of congressmen who would support his policies, more specifically, themselves. ⁴

The campaign windup was one of the most colorful finales in Utah's history. ⁵ On the Monday before election morning President Hoover visited Utah where he was accorded a rousing reception and spoke for thirty minutes at the famous Mormon Tabernacle with the building filled to capacity and thousands outside unable to obtain seats. ⁶ Hoover pledged new help for farms and silver and made a plea for the reelection of Senator Smoot. He also defended the Republican high tariff walls. ⁷

¹Ibid.
²Ibid., November 2, 1932.
³Ibid.
⁴Ibid., November 4, 1932.
⁵Ibid., November 8, 1932.
⁶Ibid.
⁷Ibid.
Despite Hoover's visit and declarations of optimism by Republicans, the election returns for the state showed Henry H. Blood being elected Governor and Elbert D. Thomas defeating Reed Smoot in a major upset that many felt was an impossibility.¹ Both Murdock and Robinson were swept into office. For President the Utah vote was similar to the national return as Roosevelt won the majority of the Utah vote with 116,502 votes to Hoover's 84,588.²

Utah, a state that had been found in the Republican nation column every year since 1916, had given its four electoral votes to Governor Franklin D. Roosevelt, the Democratic presidential candidate from New York.

As tabulations were completed it became clear that the Democratic landslide had carried into office practically every Democratic candidate for state office. This turnabout can probably best be explained in terms of the depression. It had economic causes. Hoover had served four years at the helm and during that time the crash had occurred, and he had not assaulted the problem with enough energy and resoluteness to satisfy the people. Many Democrats in the state, as well as the nation, seemed to ride to victory on the electorate's negative reaction toward the Hoover Administration. Many of the Democrats in Utah were helped considerably by the local Republicans who pursued the campaign rather nonchalantly and with a notable lack of vigor. They had demonstrated complacency by first casting all the state's convention votes to renominate Hoover; then the party state convention had renominated by acclamation men for the

¹Milton R. Merrill, Reed Smoot: Utah Politician (Logan: Utah State University Monograph Series, Vol. 1, No. 2, April, 1953), p. 58.
²Jonas and Jones, p. 305.
Congressional posts who had served during the Hoover Administration and had spent a great deal of time in defending Hoover's actions. This, plus the rather leisurely campaign on the part of Republicans in Utah may have helped convince the voters that the Republicans intended to do nothing about the depression, and so the people trooped to the polls in large numbers to "turn the rascals out." The depression also appeared to cause a more direct interest and involvement in politics with the result that the state witnessed an extremely heavy turnout at the polls with a great many of the former non-voters perhaps voting the Democratic ticket.

The New State Administration

With the election safely sealed away, the Democrats looked forward with anticipation to January when Henry Blood would assume the reins as governor. On Monday, January 2, 1933, the new governor-elect, Henry H. Blood, surrounded by justices of the Supreme Court, state officials, and the staff of the 145th Field Artillery Division, took the oath of office as the seventh governor of the State of Utah.\(^1\) The swearing in of the Governor was followed by the administration of the oath of office to other elected state officials: Secretary of State Milton H. Welling, Justice of the Supreme Court David W. Moffit, Treasurer Charles A. Stain, Attorney General Joseph Chez, and Superintendent of Public Instruction Charles H. Skidmore.

In his first Inaugural address, which followed the swearing-in ceremony, the new governor pledged faithful service on the part of all who were installed in office in the state on that day and in return asked for public support.

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\(^1\)Deseret News, January 2, 1933.
He called attention to the great depression and the prosperity which had vanished to be succeeded by unprecedented conditions that the people were unprepared to meet by past experience. Blood also said that "the state, towns, cities, school districts, and other units of government must retrench all along the line." The Governor looked to Washington for federal assistance and elaborated the bright side of the picture voicing the slogan "Utah will come back."¹

The next day the Governor affixed his signature to an official proclamation calling for a special session of the Twentieth Legislature. This action was taken to avoid legal complications over the action of the previous governor, George H. Dern, in sending out a proclamation calling for a special session to meet January 2. Blood's proclamation was identical to Dern's.² With this first administrative act Governor Blood had launched himself into the job of being Chief Executive of the State of Utah.

Both houses of the Legislature met and immediately organized to get down to work. In the afternoon they heard the governor's message setting forth the particular work to be accomplished in the six-day special session before the regular session of January 9.

In the Senate J. Francis Fowles of Ogden was elected President for the special session and the regular session as well, by a straight party vote of thirteen to ten over Republican W. D. Condlund of Sanpete County. In the House I. A. Smoot, a Salt Lake mining man, was elected Speaker by

¹Ibid.
²Ibid., January 3, 1933.
polling fifty Democratic votes to the ten Republican votes for J. Frank Killian. The vote for Smoot was made unanimous.¹

The special session had been called to revise the Utah Code by cutting the more than 6,000 pages to about 1,000 pages, partly by leaving out outdated laws and laws declared unconstitutional by federal or state courts.

On Monday, January 9, the regular session met without the special session having completed its work on the Code. It was generally expressed around the Capitol, however, that the special session was a success and had accomplished everything hoped from it.²

On the first Wednesday of the regular session the Governor delivered a 40-page message to the general session of the Legislature with the dominant note being on economics. More specifically the Governor asked that no unnecessary extensions of governmental functions be undertaken. He specifically told the legislators that they would have to hold the biennial budget down to $4,646,616.³ The Governor also recommended the establishment of a committee to study reorganization of state government to present a report to the Governor not later than January 31. This committee was created and became known as the "Committee of Nine."⁴

Blood also proposed some specific social legislation including a five-day week with six-hour days on all public works projects, wage

¹Ibid.
²Ibid., January 10, 1933.
³Ibid., January 9, 1933.
⁴Ibid., January 11, 1933.
scales in keeping with the American standard of living, scientific unemployment and old-age insurance, minimum wage scale, unemployment relief, protection of women and children in industry, and a state anti-injunction law conforming to the federal law.1

A resolution to approve the proposed amendment to the United States Constitution abolishing the Lame Duck session of Congress and fixing new dates for commencement of terms of President and Congress was introduced on the third day of the general session.

The Legislature continued along at its usual methodical pace with new tax proposals taking up much of the time. Tax laws introduced included a twenty-five cent per telephone tax, and a half cent per kilowatt hour on electricity, as well as an income tax raising rates and lowering exemptions. With all other considerations, it was not until the 20th of January that the new 988-page Code revision reached the floor for consideration.2 The bill was the longest one ever introduced into the Utah Legislature.3

On January 24, Utah became the thirty-eighth state to ratify the Twentieth Amendment, just one day after Missouri became the thirty-sixth to make the amendment officially ratified. The amendment passed unanimously in the House and nineteen to three in the Senate. Senator Condlund, a Republican, attacked the amendment as dangerous and warned against tampering with the "Sacred Constitution of the United States."4

1Ibid.
2Utah, House Journal, Twentieth Legislative Session, 1933, p. 191.
3Deseret News, January 20, 1933.
4Ibid., January 24, 1933.
With the Code finally put out of the way by unanimous passage in the House on January 30,\(^1\) passage in the Senate on February 2,\(^2\) and the Twentieth Amendment disposed of, the Legislature turned its attention to a $2,000,000 bond issue. The issue was deemed necessary to meet the debt of the state and to keep the state's credit sound. The Legislature dilly-dallied and put the Governor in an embarrassing position of having to act on his own to pay off $1,000,000 in tax anticipation notes borrowed to meet the deficit in the general fund in the summer of 1932. The state met the note by selling $1,000,000 of state road bonds from the state sinking fund.\(^3\)

Belatedly, on the 1st of February the Legislature finally acted on the bond issue, but the action came one day after the debt was due and could not prevent the sale of the road bonds from the state sinking fund. To add insult to injury, the Senate passed the bill by a twelve to ten vote, failing to give the bill the two-thirds majority necessary to put the law into effect immediately; hence, the bond could not be issued until sixty days after the close of the legislature.\(^4\)

During the session the Democrats took steps to fulfill their campaign pledges. The first step was the introduction of several bills into the House with the objective of making the office of State Superintendent of Public Instruction appointive. The proposals were to amend the State

\(^1\)House Journal, 1933, p. 269.

\(^2\)Utah, Senate Journal, Twentieth Legislative Session, 1933, p. 272.

\(^3\)Deseret News, January 27, 1933.

\(^4\)Ibid., February 1, 1933.
Constitution by submitting the proposal to a referendum of the people and making the appointment of the Superintendent, if the plan were accepted, by a State Board of Education. The four proposals to achieve this end were passed by the Legislature, but they felt the ax of the Governor's veto.\(^1\)

In further compliance with the Democratic party platform, Representative Darrell T. Lane introduced into the House a bill that would conform, in general, to the Norris-La Guardia anti-injunction bill passed in Congress. This bill was one of Governor Blood's recommendations to the Legislature. The Utah provision prohibited any court or judge from issuing a temporary or permanent injunction in any case growing out of a labor dispute and also prohibited yellow-dog contracts.\(^2\) This was only one of the many bills on behalf of labor to become treated successfully by the Legislature.

One of the other labor bills was sponsored by Mrs. Reva Beck Bosone, a Democrat from Helper, who introduced a bill in the House to enforce a law already on the statute books establishing regular paydays for laborers.\(^3\)

Another labor bill sponsored by Mrs. Bosone proposed that wages and hours of women in the state be regulated by the State Industrial Commission. As finally passed, the bill made it mandatory for employers to report to the State Industrial Commission women employed, wages, hours,

\(^1\)Ibid., March 25, 1933.
\(^2\)Ibid., February 4, 1933.
\(^3\)Ibid., February 7, 1933.
working conditions, and it insured stricter enforcement of the eight-hour law. The bill also amended the Constitution so the Legislature could pass minimum wage laws for women and children. These were measures long sought by labor in the state.¹

The report of the Committee of Nine set up at Governor Blood's suggestion did not submit its report by January 31 as suggested by the Governor, but on February 11 the report was forthcoming. The report was an attempt to point the way out of the state's financial and administrative difficulties and suggested several reorganizations. The report also called for suspension of the junior college program in the state at the Branch Agriculture College, salary reductions of fifteen per cent for appointive offices, and a request that all elective officials take a similar cut. The report also called for suspension of the State Fair for the biennium and for making the Board of Purchase and Supplies custodian of the fair grounds. The final recommendation was to give the Governor the sweeping power to reduce departmental expenditures whenever it appeared state revenues would not be as much as estimated.²

Several of the committee proposals were given consideration by the full legislature and some were put into effect. The first proposal on junior colleges came five days after a bill had been introduced into the House to make Dixie Junior College at St. George a state junior college if and when turned over to the state by the L.D.S. Church without cost.³

¹Ibid., February 28, 1933.
²Ibid., February 11, 1933.
³Ibid., February 14, 1933.
The bill passed authorizing the creation of the college, but the state failed to allow an appropriation in the biennial appropriations bill for the school.\textsuperscript{1} The bill, as finally signed by the Governor, carried the stipulation that no state money be appropriated for the school in the biennium of 1933-35.\textsuperscript{2} Because of the failure of the Legislature to appropriate funds for the school, the Church paid the fire insurance costs on the buildings.\textsuperscript{3}

Other economy proposals for schools included abolition of the Board of Regents of the University of Utah and the Board of Trustees of the Utah State Agricultural College. The administration of the two institutions was to be by a board of eight members. This proposal failed to gain the necessary support to become law.\textsuperscript{4}

Another loss to backers of economy at the expense of higher education, especially the junior college variety, was a setback suffered when the House passed fifty-four to five, and the Senate later concurred, to appropriate money for Branch Agricultural College, Snow, and Weber Colleges.\textsuperscript{5}

In conformance with the Committee of Nine report the House passed, almost without debate, two House bills, later passed by the Senate, which conferred upon the Governor the widest powers ever granted a Utah

\begin{itemize}
\item \textsuperscript{1}Ibid., March 7, 1933.
\item \textsuperscript{2}Ibid., March 21, 1933.
\item \textsuperscript{3}Ibid., July 6, 1933.
\item \textsuperscript{4}Ibid., February 15, 1933.
\item \textsuperscript{5}Ibid., February 25, 1933.
\end{itemize}
executive. The bills made the Governor almost financial dictator with authority to suspend appropriations made by the Legislature to State departments and institutions, or to close any department for ninety days or more should any emergency arise. Under House Bill 198 the Governor was also authorized to provide emergency relief to residents of the state.

One section gave the executive the right to appropriate, for the use of "emergency relief funds," any revenues accruing to any State department or agency except funds required by an "enabling act of the constitution for a special purpose and revenues appropriated for bond interest or sinking fund."  

In further compliance with the committee recommendations the Legislature did not appropriate money for the State Fair other than for fire insurance and upkeep of the grounds.

Because of the late start the Legislature got on general session business, which resulted from the time spent on the Code revision, the Legislature waived a long-standing rule concerning introduction of new legislation, by extending the time limit from the fortieth day to the forty-seventh day.  

The Twentieth Legislature was also the Legislature that passed in record time a bill sponsored by the Utah Federation of Women's Clubs to make the Blue Spruce the state tree. The haste in passing the bill was in response to urgent requests that the bill be sped through before the
Colorado legislature could pass a similar bill making the blue spruce Colorado's state tree. Colorado was undaunted by the move in Utah and also proceeded to make the blue spruce their state tree.¹

With mob riots occurring at sheriff's sales in Salt Lake City, holding up for several hours the sale by their protest—in one instance fire hoses and tear gas had to be used to disperse the crowd—it is not surprising that the Legislature considered a debt moratorium bill to provide a two-year moratorium on foreclosure with the hope of preventing mob violence and dislocation in the population. Strong pressure was exerted against the bill by contractors and building material dealers, home loan groups, real estate interests, and the newspapers. The Deseret News in an editorial condemned the riots and called for the defeat of the moratorium bill on the grounds that it would cause "disorganization and fear." The editorial went so far as to call the leaders of the mob out-and-out Communists.² The Legislature buckled under the adverse pressure and defeated the bill on economic grounds that it would prevent building loans and thus prevent new or additional money from coming into the state. The representatives of the unemployed, farmers, and tax organizations held that the bill was necessary, but to no avail.³

With the approach of the forty-seventh day, and the last day to introduce new legislation, the Democratic majority held a caucus to help speed lagging relief measures through. To facilitate things a joint

¹Ibid., February 20, 1933.
²Ibid., February 24, 1933.
³Ibid.
sitting committee was organized. The first positive result for relief of any kind in the Twentieth Legislature was of a rather temporary nature and was passed as a resolution by a special act of the Legislature. This was an act to extend the legal expiration date of 1932 automobile license plates by sixty days, making the expiration date April 29.¹

This legislation was not of long-range consequence and so with but six days left in the regular sixty-day session, the lawmakers found that their most vital questions remained unsolved. They had not dealt positively with unemployment, appropriations, revenue, and the Senate had not even received the Governor's appointments, let alone approve them.

The slowness of the legislative action aroused latent opinion among the jobless who appeared in mass, several hundred strong at the State Capitol, and demanded drastic means of relief. The Legislature went into joint session to hear their plea set forth in four demands by their spokesman, Mr. M. P. Bales. Their demands included: a debt moratorium, payment in cash for make-work projects, unemployment insurance, and representation on all relief committees.² The most immediate result that the pleas evoked from the lawmakers was condemnation by Representative Darrell T. Lane of the manner in which jobless marchers addressed the State Legislature. His passionate outburst was apparently approved by his colleagues for it was followed by applause.³ When the House finally

¹Ibid., March 6, 1933.
²Ibid., March 3, 1933.
³Ibid., March 4, 1933.
did act to help the unemployed by passing a bill to issue stamp currency to help furnish work for the jobless, the Senate rescinded its action.¹

The sixtieth day found the work of the Legislature uncompleted though legislators had made some important progress by passing an appropriations bill of $4,630,230 with cuts from 30 to 50 per cent from what some institutions had asked.² Then to help raise the revenues to meet the appropriation the Legislature passed, under suspension of the rules, a new sales-tax measure of one-half of one per cent on all retail sales, transactions, services, and utilities. The measure was calculated to yield about $600,000 for the biennium.³

The Legislature covered the clock and went beyond the sixtieth day to close four days later on March 13. The extra days saw the Senate pass on the Governor's appointments, but also kill the unemployment insurance and old-age insurance bills. Both measures had been part of the Democratic party platform in 1932. The bills died when it became apparent that amendments had made them unacceptable to labor; Ira Huggins, Democratic floor leader, moved to strike the enacting clause.⁴ Organised labor in the state immediately served notice that it would resort to initiative to get this legislation, but its threat failed to materialise.

¹ Ibid., March 6, 1933.
² Ibid., March 7, 1933.
³ Ibid., March 9, 1933.
⁴ Ibid., March 11, 1933.
Prior to this action the Governor had been contemplating a special session of the Legislature, but now he virtually forbade the Legislature to adjourn without taking adequate and definite action on unemployment.  

Bills began to be disposed of with great dispatch. In one day the Senate disposed of fifty-eight bills.  

The Legislature adjourned after having passed an unusually large number of tax laws, including three utilities tax bills and a sales tax. They also broke all records for making new laws, and left the Governor just five days to decide to sign or veto eighty-nine bills, some of them highly controversial. 

The Governor saw fit to veto fifteen bills. Those he vetoed included two highly-controversial bills, the "Tobacco Ad Bill" and a bill to make coal a public utility. He also vetoed bills to make the State Superintendent of Public Instruction appointive and vetoed the bill providing for dyking the Great Salt Lake.  

When all was said and done the Legislature was given some notice by President Roosevelt, who wired congratulations from the nation's capitol to Governor Blood on the progressive labor laws passed in the state combating low wages and child labor.  

Summary of the Twentieth Legislature  

The 1933 Legislature in Utah was, for the most part, a pre-New Deal

1 I[bid.  
2 I[bid.  
3 I[bid., March 23, 1933.  
4 I[bid., April 15, 1933.
legislature for the first hundred days had just begun when the Utah Legislature closed. This in part explains the delay in relief measures in the 1933 session of the Utah legislature because, for the most part, the legislators were inexperienced and underpaid and there seemed to be a notable lack of spirited leadership, especially liberal leadership. The legislators clung to the past and thought in terms of tried and true methods, such as balancing the budget by cutting down expenses through eliminating services and cutting payrolls, to combat the emergency of the depression. Budget balancing was such an obsession that the Senate could not bring itself to pass by a two-thirds majority a bond issue that was absolutely needed to keep the state's credit sound.

By the time the 1933 Legislature had adjourned, the New Deal had not laid down sufficient guidelines for the legislators to grasp and follow, and so very little relief legislation emerged. The lawmakers considered unemployment compensation, script to finance state make-work projects, and a debt moratorium. But none of these measures were passed because the state was unwilling and unable to finance an unemployment compensation plan without federal help and by mid-March 1933 no one could be sure if such would be forthcoming. The script make-work plan was squelched by the hard money advocates and the budget balancers, and the debt moratorium was killed in the Senate where business interests had the willing ear of the legislators. A state moratorium for two years on foreclosures of tax delinquent properties was about the only relief measure of any consequence passed in the 1933 session.

The House was more liberal in 1933 than the Senate. Perhaps this was because the urban areas, which some feel are more liberal, were
given more representation in the lower house. Another reason for the 
more liberal House was that all House members were elected in 1932, while 
one-half the Senators were holdovers from 1930. Because of this and with 
the shift toward a more progressive outlook from 1930 to 1932 in the 
general population, the electorate could vote for an entire slate in the 
House with the chances that more progressives would be elected than in 
the Senate.

The 1933 Legislature did consider and pass some legislation that was 
considered liberal, such as the labor laws put on the statue books. 
These bills were successful in a state noted as a non-labor state, because 
with the depression and the unemployment people were more labor conscious 
and the unemployed were joining with union officials in lobbying for 
labor legislation. Labor legislation was able to pass because the Demo-
ocratic majority in both houses was willing and able to carry out some of 
the party campaign platform pledges on labor legislation.

Public utilities taxes came in for considerable consideration in 
1933 partly because it was the politically expedient thing to do. Rates 
had remained comparatively high and had not been adjusted downward as 
much as in some other segments of the economy and the average citizen who 
had to pay the rates objected. The Insull case was still current and 
had brought with it resentment and mistrust of public utilities. Another 
aspect of the utility tax was that it could be made to sound as if it was 
in conformity with President Roosevelt's public power schemes.

The 1933 legislature had been more liberal than many of its immediate 
predecessors, but it lacked new ideas and leadership as well as a knowledge 
of what to expect from the federal government in the way of aid in
combating the depression. Because of these circumstances, new and significant recovery legislation failed to materialize in the 1933 regular session.
In the campaign of 1932 repeal of prohibition became a particularly salient issue. This was especially true in Utah where the L.D.S., or more commonly the Mormon Church, influence has been so dominant. By 1933 considerable pressure had been brought to bear on state officials to bring about repeal of the state prohibition law. In the 1933 session of the legislature several proposals were introduced to amend the state prohibition law in various ways, but all were designed to allow manufacture, sale, and distribution of various alcoholic beverages. Supporters and sponsors of these bills contended they were necessary to keep liquor prices down as a means of defeating bootleggers, and racketeers. Supporters also felt that repeal would increase revenues accruing to the state.¹

In mid-February Congress approved a referendum on repeal of the Eighteenth Amendment. To allow Utah to conform to the national legislation a referendum on the state prohibition law was suggested, but was never adopted.²

On March 3, the day before Roosevelt's inauguration, the Huggins Bill, originating in the State Senate, was passed to legalize the manufacture of beer in Utah for sale in wet states. This action brought to an end a dramatic struggle by wet advocates to get the Twentieth Legislature to pass a state beer bill.³

¹Deseret News (Salt Lake City), February 2, 1933.
²Ibid., February 21, 1933.
³Ibid., March 3, 1933.
Almost immediately following the regular session there began to be talk of the possibility of a special session to consider resubmission of prohibition. When the Governor did not act as quickly as some groups felt desirable, they began to assert great pressure. Notably the Salt Lake Chamber of Commerce applied pressure. They appealed for a special session, and when this did not produce results, they began to circulate a petition for a special session. U.S. Senator Elbert D. Thomas refused to sign the petition for he felt it would not be proper, but other prominent citizens did sign. The Attorney General ruled that it was necessary to have a special session if prohibition was to be taken up, and it was rumored that President Roosevelt had asked the Governor to call a special session.

On the same day that the President of the Church of Jesus Christ of Latter-day Saints, Heber J. Grant, was asking the Mutual Improvement Association of the Church at June Conference to help fight repeal, the Governor announced that a special session of the Legislature would begin July 10 to enact legislation authorizing a levy for the general and school funds, and to consider any other matter which might be brought to the attention of the Legislature by the Governor. This last pronouncement of any other matter the Governor might bring to the legislature's attention left the door open for those who wished to have the question of resubmission considered, and pressure was brought to secure this end.

1Ibid., June 8, 1933.
2Ibid.
3Ibid., June 9, 1933.
A. S. Brown, the president of the Salt Lake Chamber of Commerce who had been in Washington D.C., reported that he had interviewed Senator Thomas, and the Senator had reported that he favored giving the people of Utah an early vote on the repeal question. Because of the predominance of the Mormon Church in Utah, he felt the eyes of the nation would be on the state and she might influence the outcome one way or another by the way she voted.1

With this news from a prominent man with some political authority the Democratic party of the state felt it would be well to hold a party caucus to determine the sentiment of the party members. At the caucus the vote was overwhelmingly in favor of resubmission of the prohibition question.2

By the time the Legislature met on July 10, forty-one Representatives and sixteen Senators had signed a petition asking the Governor to include the question of resubmission of the state's prohibition statutes. This was more than the two-thirds majority necessary to pass an amendment and before another day had passed the number of signatures had increased to fifty in the House and twenty in the Senate.3

In the meantime, to compound the Governor's dilemma, Congress had passed the National Recovery Act and it had become law June 16; therefore, there was a need for the state to immediately set up a coordinating program. This added to the clamor for additional items to be included on

1 Ibid., June 16, 1933.
2 Ibid., July 1, 1933.
3 Ibid., July 10, 1933.
the agenda for the special session. The Governor agreed to submit the
item to the special session, and the Deseret News, in an editorial, praised
the Governor for including an industrial recovery act in the business of
the session for immediate consideration.\(^1\)

Chaos was added to confusion as the unemployed again paid the law-
makers a visit at the State Capitol, and this time they talked so loud in
the halls that the Senate was forced to recess. The songs and shouts of
the marchers became so loud that the Governor asked for peace officers to
clear the Capitol halls of the unemployed.\(^2\) Both houses appointed a com-
mittee to meet with the jobless and hear their grievances.\(^3\)

Even after all the pleas and petitions for resubmission, the march
of the unemployed, and word from General Johnson—the national adminis-
trator of the N.R.A.—that a State Recovery Act was needed in Utah,\(^4\) the
Governor in his message to the special session did not mention the
Industrial Recovery Act or recommend how the state's portion of the public
works program would be financed. Only one paragraph of the Governor's
message dealt with the need for additional revenues to meet the unemploy-
ment emergency. There was no mention of resubmission of prohibition.\(^5\)
However, two days later the executive acted to satisfy those who wanted
resubmission by delivering a message on repeal in which he outlined suc-
cessive steps to be taken to submit the prohibition question to the

\(^1\)Ibid., July 11, 1933.
\(^2\)Ibid.
\(^3\)Ibid.
\(^4\)Ibid., July 14, 1933.
\(^5\)Ibid., July 17, 1933.
people. In the message he urged a referendum for November 7.¹ There is
evidence that the Governor was prepared to hold a special session on
repeal as early as March 24, when the editors of Cosmopolitan magazine
asked Blood to answer several questions on prohibition. One was, "Will
the state call a special session of the Legislature?" Blood wired back,
"Machinery ready."²

In response to the message by Governor Blood three Senate bills on
repeal appeared the next day.³ The Legislature commenced to pass the
necessary measures for resubmission and repeal.

Prohibition, which had been a major item in the party conventions
and the campaign of 1932, remained large on the political horizon in 1933.
By the time the State Legislature met in Utah it was apparent that lines
were being drawn for and against the repeal amendment. As the state
repeal law was being discussed in the Legislature, the Deseret News
editorially opposed repeal and declared that prohibition had worked.⁴
Before the Legislature could give full consideration to a beer bill a
women's dry organization was formed.⁵

To add to the emotion of the repeal fight, it happened that the year
1933 was the one hundredth anniversary of the Word of Wisdom of the Latter-
day Saint Church. This admonished church members to refrain from use of
alcoholic beverages.⁶

¹Ibid., July 19, 1933.
²Telegram, March 24, 1933, Blood to Cosmopolitan Magazine. In Blood Papers (Utah Historical Society, Salt Lake City, Utah).
³Deseret News, July 20, 1933.
⁴Ibid., January 21, 1933.
⁵Ibid., January 30, 1933.
After the Legislature's action in legalizing manufacture and sale of beer, the L.D.S. Church really got on the dry bandwagon. In its April church conference, the Relief Society pleaded for dry-law preservation, and the M.I.A., a church youth organization, pledged to fight against repeal. As if this were not enough opposition for the wet advocates to try to buck, the Church President, Heber J. Grant, in his frequent addresses made eloquent appeals for the church members to obey the commandments and vote for prohibition retention.

In July the special session of the Legislature had passed all bills necessary to set up machinery for a vote on repeal in November of 1933. While the Legislature was still in session, Senator King foresaw the repeal of prohibition, possibly by December of 1933, and asked for preparedness on the part of the Utah Legislature to control the dispersion of liquor in Utah. But the lawmakers were not foresighted enough to heed this advice.

As the referendum drew closer the dry advocates of the state met and pledged themselves to a united effort to defend the Constitution and its dry laws against the onslaught of the wet forces. The dry forces chose the appropriate name "defender" for use in their state campaign against repeal.

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1 Desert News, April 6, 1933.
2 Ibid., April 10, 1933.
3 Ibid., May 29, 1933.
4 Ibid., August 1, 1933.
5 Ibid., September 6, 1933.
On the wet side, Delbert M. Stapley, state Democratic party chairman, advised all Utah Democrats to follow President Roosevelt and vote for repeal of the Eighteenth Amendment. To augment Stapley's course of action, Senator Thomas and Representatives Murdock and Robinson were doing their part to help put repeal through. Their efforts were mainly speeches within the State of Utah.

The campaign in Utah was of a rather vigorous nature with billboards pro and con appearing rather early in the contest. The reason for the vigor of the campaign was partly because of the nominal, solid Mormon Church and auxiliary organizations' backing of the dry advocates which caused the wets to put on a campaign in Utah that was said not to have been equaled anywhere else in the nation.

There was some suggestion that, because of the doubtfulness of the results in Utah and the Church opposition, the public works officials were stalling around putting Utah off until after the election of November 7. At that very time, Governor Blood was in Washington trying to get public works projects for Utah, and he did not seem to be making as much headway as his constituents desired.

Prior to the vote, the outcome was doubtful enough that Governor Blood was fearful of sticking his political neck out by either opposing

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1Ibid., October 10, 1933.
2Ibid., October 19, 1933.
3Ibid., October 20, 1933.
4Ibid., November 2, 1933.
5Letter of George Sutherland to Governor Blood, October 27, 1933, in Governor Blood papers.
or supporting the repeal amendment. He wired his secretary, George Sutherland, to interview such Democratic party leaders in the state as Robert H. Hinkley, Hugh B. Brown, Henry D. Moyle, Dan Shields, and Delbert Draper to determine whether they thought anything should be said for or against repeal. Blood wanted the opinions without his name being implicated if possible.\(^1\) Apparently Sutherland phoned the information on the reactions to Blood for he had replies penciled on the back of the telegram from Blood, and Blood in a later telegram thanked him for the call.\(^2\) The consensus was to issue no statement. Sutherland also telegraphed Blood that John F. Fitzpatrick, publisher of the *Salt Lake Tribune*, assured him that his paper, which favored repeal, would not indulge in adverse editorial criticism if Blood did not issue a statement on repeal.\(^3\)

Finally, after a hard fought campaign, election day arrived. The Utah electorate voted wet by a three to two majority ratio and repealed the state prohibition law by a two to one majority. The results gave Utah the dubious distinction of becoming the thirty-sixth state to ratify the Twenty-first Amendment, thus making the amendment officially ratified.\(^4\) The final results indicated that for the most part the small towns of the state voted dry.\(^5\)

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\(^1\)Telegram of Blood to Sutherland, October 29, 1933, Blood papers.  
\(^2\)Telegram of Blood to Sutherland, October 30, 1933, Blood papers.  
\(^3\)Telegram of Sutherland to Blood, October 31, 1933, Blood papers.  
\(^4\)Deseret News, November 8, 1933.  
\(^5\)Ibid., November 9, 1933.
Right on the heels of repeal, Representative Abe Murdock urged that Governor Blood waste no time in calling a special session of the State Legislature to enact legislation to control liquor traffic in Utah. The Governor, however, rejected this advice for a plan of his own. He appointed a committee of forty-nine citizens from the state to study the liquor control problem. In calling the committee the Governor asked for a program that would represent the wishes of the public as expressed in the repeal election. He attempted to choose people of every shade of opinion, from all walks of life, and from all parts of the state to study the problem in order to secure a comprehensive outlook. Their main calling and concern was to recommend a system of state control. After study of the problem, the committee finally voted twenty-nine to five in favor of a plan by which the state would be authorized to sell liquor and take over revenue. The advisory committee made its report finally on December 24, 1934. The plan they outlined called for taking the liquor control traffic completely out of the realm of profit. They urged a state liquor control plan calling for liquor licenses and sale in state-owned stores.

In the interim, while the committee was making its study, the Salt Lake Chamber of Commerce and other wets were urging a special session of the Legislature. The militant drys declared that a special session was not necessary.

1Ibid., November 10, 1933.  
2Ibid., January 23, 1934.  
3Ibid., February 19, 1934.  
4Ibid., December 24, 1934.  
5Ibid., February 6, 1934.
The committee plan met with considerable opposition as some groups who had campaigned hard in behalf of repeal now came out for a private license system of liquor control as opposed to the state liquor store.\(^1\) This was the way things stood as the 1935 Legislature opened.

In his speech to the Twenty-first Legislature the Governor opposed any legislation to permit the return of the saloon in any guise.\(^2\)

A real battle was shaping up in the State Legislature over control of liquor as George M. Miller, Democrat of Carbon County, introduced a bill backed by the Salt Lake Chamber of Commerce calling for the private license system of control where the state would license privately operated establishments to handle hard liquors in opposition to the state control plan recommended by Governor Blood and the investigating committee of forty-nine.\(^3\) The state control plan would give the state a monopoly in the sale and distribution of liquors.

In a second message to the Legislature concerning liquor the Governor made very clear that the liquor bill prepared by the committee of forty-nine was the administration's liquor bill. Blood made clear his stand in his message in which he said the plan must contain three parts: repeal, no saloons, and state liquor stores. The details he left up to the Legislature.\(^4\)

A decision of any kind on liquor was impeded by a coalition of forty-five Representatives who formed a farm-labor bloc to push through social

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\(^1\)Ibid., January 7, 1934.
\(^2\)Ibid., January 15, 1934.
\(^3\)Ibid., January 18, 1935.
\(^4\)Ibid., January 22, 1935.
security legislation before consideration of liquor control. They felt that they could force a special session on liquor control if an acceptable plan had not been worked out by adjournment, but they did not feel they could force a special session to consider social legislation.¹

This bloc threat caused the Governor to call a meeting of Democratic leaders in an effort to enact into law his recommendation made on liquor to the Legislature.² After the party-leader meeting, Speaker of the House Walter K. Granger announced the Legislature would handle all bills, including liquor, at its regular session.³

As the Legislature delayed final action, rumors circulated that large sums of money were being raised and would be available to finance lobbyist's activities, which it was hoped would result in passage of a liquor plan to satisfy those who would make a profit from the handling of liquor.⁴

In the House, action progressed toward a settlement of the liquor problem as the lower chamber appeared to favor the state-liquor-store plan and the proponents of that plan in the House held the line against a barrage of amendments offered to the bill.⁵

The House finally passed the state liquor control bill by a ratio of two to one.⁶ Four days later the liquor control question passed from

¹Ibid., January 23, 1935.
²Ibid., January 24, 1935.
³Ibid., January 25, 1935.
⁴Ibid., January 31, 1935.
⁶Ibid., p. 347.
the House as two bills to provide for private sale of liquor were tabled, and the person who had voted for the state control bill and then served notice he might ask for reconsideration of that bill, indicated he would let his notice to reconsider go by default.¹

In the Senate consideration of the House passed bill, Senators restored sale by drink in clubs, hotels, and restaurants.² The Senate at last passed by a vote of twenty-one to two the House liquor bill with only the one major change of allowing sale by the drink in clubs, hotels, and restaurants.³ The House refused to concur with the Senate on the liquor sale by the drink with meals. They refused without a dissenting vote.⁴ In order to have "legal liquor" in the state a compromise was necessary.

In one of the most bitter legislative hassles in the state's history, the House still held the trump card. They had yet to pass the appropriations bill upon which all state agencies depended for the next biennium.⁵ With the House refusing to give in, the joint conference committee of the State Legislature reached an agreement on the liquor control issue and then held the report secret until the following day.⁶ The weary Senate capitulated Sunday evening and gave in to the liquor control

¹Ibid., p. 355.
²Salt Lake Tribune, March 1, 1935.
⁵Salt Lake Tribune, March 16, 1935.
⁶Ibid., March 17, 1935.
system advocated by the House. The Senate vote was sixteen aye, seven absent.\(^1\) The House vote was forty aye, ten nay, and ten absent.\(^2\)

The House, feasting on its victory over liquor, now refused to pass a bill without which the state could not affect any tangible property taxes for the biennium. The reason behind this move was to force the Senate to pass the industrial compensation bill which the Senate had defeated. With this new turn it was speculated that the Senate might kick over the traces and reconsider the liquor bill and then square off for a battle to the finish with the House. The Senate was standing adamant on the compensation measure and refused to even consider minor amendments. Senator Bamberger had urged the Senate to hold up action on the appropriations bill until the House had cleared House Bill 231 to insure against just such action. The Senate had not heeded and so found itself in a difficult situation.\(^3\)

The House did finally give in and passed House Bill 231, so the Senate did not reconsider the liquor bill. Thus the Legislature ended prohibition after eighteen years.\(^4\)

Even after the hassle in the Legislature over liquor control, there was still some agitation for a special session to reconsider and revamp the new liquor law.\(^5\) The special session was not called, and early in

\(^1\) *Senate Journal*, 1935, p. 658.


\(^3\) *Salt Lake Tribune*, March 18, 1935.


May the liquor commission started purchasing liquor.\(^1\) On Saturday, June 1, 1935 state liquor stores were opened and for the first time since 1918 liquor was sold legally in Utah.

This still did not settle the liquor question. In September 1935 the constitutionality of the liquor law was tested in the State Supreme Court. The plaintiffs in the case were fourteen residents of various towns of the state who had their establishments padlocked by the State Liquor Commission for selling liquor by the drink. The plaintiffs contended the act was unconstitutional under the Fourteenth Amendment to the U.S. Constitution because it confiscated property without due process of law. They also attacked the state's power to set up a monopoly in liquor.\(^2\) The liquor law was upheld as being constitutional in the form it was passed by the 1935 Legislature by a unanimous Supreme Court ruling.\(^3\)

Soon it was not the law, but the Commission that was under attack. Hugh B. Brown blamed the attack on activities of bootleggers. He also declared that the public was welcome to all the Commission records.\(^4\)

Because of persistent rumors about the activities of the Commission, three prominent lawyers were hired by the state to launch an investigation into alleged irregularities in the administration of the state liquor control act. Appointed to do the investigation were Samuel C. Powell, E. M. Bagley, and Henry D. Moyle.\(^5\) Despite invitations for any

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\(^1\)Deseret News, May 4, 1935.
\(^2\)Ibid., September 5, 1935.
\(^3\)Ibid., November 20, 1935.
\(^4\)Ibid., April 25, 1936.
\(^5\)Ibid., April 27, 1936.
person who had any facts concerning the Liquor Commission to appear and
tell what they knew or suspected, under oath, concerning supposedly wide-
spread rumors of irregularities in the Commission's activities; all the
witnesses that appeared on the first day of inquiry did so under subpoena. ¹
By the end of the investigation six witnesses of the thirty-two heard had
volunteered. ²

The report made by the investigators vindicated the Liquor Commis-
sion, although it did make recommendations that would aid in administration
and enforcement of the law. The probe, however, found no basis for the
varied rumors connecting the control commission with graft and irregular-
ities. ³

Following two unsuccessful attempts to change the liquor law and to
put it in bad light, the controversy cooled down and people rapidly
adjusted to the new situation and came to accept repeal of prohibition
and the state control of liquor.

Because of fairly solid Democratic party support, the repeal amend-
ment was able to carry in 1933 despite Mormon Church opposition. The
Democratic Party for the most part favored repeal as did many independents
and Republicans, who favored repeal because they felt liquor should be
controlled and the prohibition law was failing in controlling liquor
traffic. The Chambers of Commerce throughout the state generally favored
repeal as did the mining areas of the state which were not made up of a
predominately Mormon population. These miners liked their liquor. Many

¹Ibid., April 28, 1936.
²Ibid., May 4, 1936.
³Ibid., May 4, 1936.
favored repeal for economic reasons for they felt that repeal would open closed distilleries and thus put some unemployed back to work as well as increase revenues accruing to the state and local governments. There were probably some who voted for repeal because thirty-five states had already ratified the amendment to abolish prohibition and they felt that it was inevitable that repeal would come no matter how Utah voted. This line of thought perhaps caused some who would have opposed repeal to stay at home on election day 1933. Additional support was won for the Twenty-first Amendment in Utah through the support President Roosevelt had given it. This obviously had some influence, for by November 1933 the New Deal and the Roosevelt Administration appeared to be held in high esteem by the overwhelming majority of the Utah electorate.1

In general, the rural counties, especially the farming areas that were predominately Mormon and which had been traditionally Republican, voted against repeal. But they were unable to overcome the combined support of the Chambers of Commerce, labor organizations and mining areas, fairly solid Democrat support, plus some support from Republicans and independents, and the appeal that Roosevelt's approval of repeal had for those who favored the President's program. The urban areas of the state also seemed to give overwhelming support to the Twenty-first Amendment and helped put it over. In view of this combined diversified support, it is not surprising that Utah voted for repeal in 1933.

The Utah legislature passed the state control plan of liquor regulation over the private license system partly because of the religious sentiment in the state and partly for economic reasons.

1See Chapter 8.
Many Utahans voted for repeal because they seemed to feel that liquor should be controlled and prohibition had not been doing the job. With the demise of prohibition they wanted an alternate system of control. To most who wanted liquor controlled, the state-control plan seemed the best method. The rural areas and the Mormon population generally favored the state-control plan and backed it strongly. State control also had the backing of the Governor and he was very adamant in his support.

Another very important reason for acceptance of the state control was the potential revenue that would accrue to the state to replenish the treasury coffers. This was a very important consideration, especially in view of the depression situation and the condition of the state’s finances in 1935. Another factor in the defeat of the private license system plan was that those who favored such a plan were vulnerable to attacks from the opposition that they were bootleggers or were merely interested in personal gain.

N.R.A.

The special session which met in July of 1933 readily passed measures necessary to effect a repeal vote in Utah, but ran into trouble on reaching an agreement between the House and the Senate on a revenue plan for a state recovery program which the Governor had presented to the Legislature. The breach became so great that it began to appear as if a second special session would be needed. By July 22 the $10,000 that had been appropriated for the expenses of the special session had been used up and an adjournment appeared likely.¹

¹Deseret News, July 21, 1933.
The situation became so bogged down that the public became disenchanted and began to suggest measures to solve the problem. Letters to the editors in both the Salt Lake Tribune and the Deseret News carried suggestions for a solution to the problem.

In the meantime, while the Legislature was unable to reach an agreement on a program to finance a state recovery program, the state, business, industrial, and labor leaders were showing enthusiasm toward the National Recovery Act and supporting President Roosevelt. Following the President's N.I.R.A. message of July 24, the Salt Lake City and Salt Lake County Commissions announced support of the program, and editorially the Deseret News praised Roosevelt and his speech and asked for the hearty and full co-operation of business.¹ By the next day, twenty state-wide groups had pledged themselves to adopt the N.R.A.²

That same day, the Governor delivered his fourth message to the special session asking for speed and decision and charging the legislators to complete their work without delay. He took the lawmakers to task for delay and told them that the $10,000 appropriation for the session had been used up for several days and that each additional day cost the state nearly $800.³

The major difference of opinion within the Legislature occurred on means of financing the recovery program. The Senate passed and stood firm on a 2 per cent sales tax bill, while the House voted this bill down and

¹Ibid., July 25, 1933.
²Ibid.
³Ibid., July 26, 1933.
passed a bill to tax public utilities. The Senate refused to accept the utility bill, so an impasse resulted. The impasse was finally broken when the House reluctantly gave in and voted thirty-three to twenty-six to accept the 2 per cent sales tax.\textsuperscript{1} The House capitulated because the members were worn out by the three-week battle against the sales tax as the sole instrument of financing relief in the state.\textsuperscript{2}

There was quite a bit of editorial and public criticism of the special session of the Legislature. Especially was criticism leveled at the Senate which was labeled as conservative. There was some disillusionment among the progressive elements of the state because forty-five Representatives let ten Republican Senators force them into accepting the 2 per cent sales tax which was considered a regressive tax.

The session did make some definite contributions, though. In a session that had met originally to consider the general fund levy, thirty-two bills were passed dealing with repeal, recovery, and other problems of importance. The Legislature had also for the second time in eight years refused to ratify the constitutional amendment on child labor when the Senate, which considered the amendment first, returned a count of ten nays, eight ayes, and five absent.\textsuperscript{3} The House was undaunted by the Senate action and proceeded to pass the amendment by a vote of thirty-five to eighteen.\textsuperscript{4}

\textsuperscript{1}House Journal, Second Special Session, 1933, p. 272.

\textsuperscript{2}Deseret News, August 2, 1933.

\textsuperscript{3}Senate Journal, Second Special Session, 1933, p. 159.

\textsuperscript{4}House Journal, Second Special Session, 1933, p. 236.
The legislators, despite wide criticism, had managed to dispose of the child labor amendment even though their defeat of it was a disappointment to many. They had set up machinery to clear up a vacancy in the office of treasury and enacted legislation on prohibition and relief legislation, including setting up of U.I.R.A., as well as revenue measures and other miscellaneous matters.

With the setting up of the U.I.R.A., the state now had a coordinating program with the Federal N.I.R.A. The U.I.R.A. was to control intrastate activities and the N.R.A. the interstate. Both program met with favor and considerable enthusiasm. While the special session of the Legislature was still underway, the L.D.S. Church announced the adoption of the N.R.A. codes for workers in Church offices.\(^1\) By August 1 about 700 Utah firms had accepted N.R.A. and announced willingness to comply.\(^2\) Five days later, Salt Lake City had exhausted its supply of N.R.A. emblems.\(^3\)

**Labor and N.R.A.**

Labor was quick to see the possibilities that section 7a of N.R.A. held out to them. The mining industry reaped the full impact of this revelation as 267 miners at the Spring Canyon Coal Mine Company in Carbon County left work and a shutdown occurred when workers demanded that the company recognize the National Miners' Union and provide shorter working hours. The mining officials refused and immediately shut down the mines to avoid trouble. Picketing began almost at once.\(^4\)

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\(^1\)Deseret News, August 2, 1933.
\(^2\)Ibid., August 1, 1933.
\(^3\)Ibid., August 5, 1933.
\(^4\)Ibid., August 18, 1933.
The strike spread rapidly and soon caused the Carbon County Sheriff S. Marion Bliss to ask for the assistance of the National Guard to prevent trouble from developing over the strike. Perhaps the sheriff had in mind the 1903 and 1922 strikes in the county when the Guard had to be called out to restore order. Governor Blood attempted to avoid in "every way" sending the National Guard. He felt the immediate publication of the federal bituminous coal code would probably save necessity of martial law.

The coal mine officials contended that the strike was caused by Communist agitators. They reported that of the 700 miners actually on strike only 100 were actual miners, the others were said to be Communists who were not permanent residents, but had come into the area to agitate, and were being sustained largely by relief funds. At meetings of labor during the strike, the Communist paper, Youth Worker, was being circulated. The Carbon County Miner called for a general strike, and the National Miners' Union meetings also were said to show evidence of Communist propaganda. There may have been some Communist activity, but on the whole the strike appears to have been a result of the desire of miners to be granted collective bargaining rights and recognition of unions by mine management.

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1Ibid.

2Telegram of Blood to Senator King, August 24, 1933, in Blood papers.

3Deseret News, August 19, 1933.

4Letters to Blood on Carbon Strike, August 31, September 1, 4, 1933, in Blood papers.
The miners refused to resume operations until the N.R.A. coal mine codes had been signed. Later, those affiliated with United Mine Workers of America capitulated and returned to work, but only after Sheriff Bliss had deputized 200 men to keep the situation under control.

The Sheriff's plea for Guard aid was finally answered in part with arms and gas bombs from the Utah National Guard. These weapons were sent for the volunteer deputies to use. With the aid of the new armaments the sheriff with his deputies surprised and arrested 200 picketeers at the Spring Canyon Mine without firing a shot. The prisoners did attempt to break away, but were rounded up by use of the gas bombs donated by the state. The prisoners were loaded into trucks and boxcars for the ride to Price where they were jailed.

At one point over 300 strikers were housed in the Price jail. Finally when the miners began returning to work amid the rejoicing of the county residents, the prisoners were released one at a time to prevent trouble. The organizers were released on $5,000 bond.

Labor was still persistent as it announced that Utah members of the Federation of Labor would continue to demand collective bargaining and the right to organize under section 7a.

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1Deseret News, August 19, 1933.
2Ibid., August 21, 1933.
3Ibid., August 25, 1933.
4Ibid.
5Ibid., August 29, 1933.
6Ibid., August 30, 1933.
7Ibid., September 4, 1933.
The Utah strikers received moral support from out-of-state groups who sent telegrams to Governor Blood as part of Labor Day activities protesting the action of the state in the strike and asking the Governor and the state "to stop the state of war that exists." They also protested the treatment of the strikers. The messages came from Minneapolis, Minnesota; Boston, Massachusetts; Philadelphia, Pennsylvania; Charlotte, North Carolina; New York City, and other places.¹

The strike situation worsened as the miners whom officials thought were returning to work were just preparing for more of the same. The mayor of Helper called civilian martial law as a result of the skirmishes between the national workers who refused to return to work, and the deputies. The martial law prohibited the holding of public meetings, except religious services, and these could be held only after the approval of the town council. The decree also prohibited assemblage of more than three persons in any one group.²

Riots occurred as strike sympathizers assembled with the ostensible purpose of liberating jailed strike agitators. The sympathizers, numbering about 750, were marching on the courthouse when the riots took place.³

In the meantime, the Utah State Federation of Labor was holding its annual convention, and during the proceedings voted to give N.R.A. its full support.⁴

¹Telegramms to Governor Blood, September 1, 1933, in Blood papers.
²Deseret News, September 8, 1933.
³Ibid., September 11, 1933.
⁴Ibid., September 12, 1933.
The strike and subsequent occurrences had caused wide interest in the state, and as a result a group of citizens went to Price to investigate the situation. They concluded that the sheriff had arrested without warrant, denied hearings, and abolished habeas corpus. The sheriff contended that only the prisoners were interviewed and only their side of the story had been heard. This caused the Deseret News to urge the Governor to investigate the situation.¹ Three persons accused of instigation of the strike and inciting riots in connection with the strike were held over for trial.²

In 1935 the Legislature, faced with the challenge that "a vote against this bill will be a vote for Communism," passed a bill sponsored by George M. Miller (Democrat, Carbon County) giving Carbon County $25,000 for partial reimbursement for the expense of suppression of the riots of the strike two years previously.³

N.R.A. in Action

The strikers were persistent at the coal mine strike in Carbon County because mine officials for years had refused to recognize unions. It was the persistence of miners and the reluctance of mine officials to recognize mine unions that caused the problems in controlling and settling the strike. Through this strike and the popular approval of N.R.A. the mine officials finally gave in and recognized coal mine unions in Utah.

¹Ibid., September 22, 1933.
²Ibid., October 13, 1933.
³Salt Lake Tribune, March 7, 1935.
This was a real victory for labor in Utah and helped further labor's cause and solidified New Deal strength in labor's ranks and in mining areas of the state.

While the strike persisted, organization was begun and codes adopted for both N.I.R.A. and U.I.R.A. Gus P. Backman was appointed state director of N.R.A. and the program began to move forward with enthusiasm. As a matter of fact, perhaps too much enthusiasm to suit Mr. Backman, as he was rather unceremoniously greeted with a shower of "hen's fruit" aged in the shell, at a meeting intended for a group of about forty barbers who were complaining of the barber codes. Instead of the supposed 40 barbers, 200 turned up who were supporters of the codes and who caused an unscheduled adjournment by their heckling activities. The shower of eggs followed adjournment and were launched from across the street in the direction of the Recovery Office. The office was reportedly closed the next day for renovation.1

Perhaps the dissatisfied barbers had a point. At least, they had sympathizers in high places as Judge Dalby, a Salt Lake City judge, long before the Federal Courts acted on N.R.A. or before Darrow made his unfavorable report on N.R.A., held that the barber codes were illegal under the Utah Constitution and under the State Recovery Act. He held that they violated general laws of Utah against monopoly and monopolistic practice.2

The N.R.A. codes were one of the best and broadest accepted programs of the New Deal in the beginning. In semi-annual conference of the

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1 *Deseret News*, September 29, 1933.

Latter-day Saints Church, Stephen L Richards, a Church apostle, asked the church members to support the campaign of the N.R.A. This was a position much different than that which the Church took on some other New Deal programs.

Enforcement of N.R.A. in Utah was pursued rather forcefully, as early in the program Administrator Backman threatened use of the "license weapon" on three coal companies who were, it was felt, violating the codes. The companies were said to be cutting prices unfairly in violation of the state code. In the same meeting the recovery board authorized complaining oil companies to proceed against twenty-eight alleged petroleum code violators. The administration pledged in every instance to stand behind the industries in policing its members and enforcing codes.

In view of the firmness of the recovery administration in Utah it is not surprising that the state witnessed some court proceedings over the codes. In December 1933, Judge Herbert M. Schiller issued an order upholding the state recovery act and restraining the Bennion Coal and the New Deal Coal companies from underselling the retail coal prices fixed by the state administrator of the code. The attorneys for the two Salt Lake companies declared their determination to carry their case to the Supreme Court if necessary.

The two proprietors of the coal companies in question were soon in court again, though not the Supreme Court, this time charged with

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1Ibid., October 9, 1933.
2Ibid., November 3, 1933.
3Ibid., December 29, 1933.
contempt of court. The charge arose out of their violation of the injunction forbidding them to advertise or sell coal below code prices.\(^1\) Out of this case there resulted for the first time in the history of the United States a jail sentence growing out of N.R.A. code violations. The sentence was suspended on condition that S. T. Bennion would abide by the code. He was to report every Saturday until the sentence expired.\(^2\)

In February 1934, the first strike occurred in Utah since the formulation of the N.R.A. codes. Approximately 150 miners left the shafts and started picketing at the Columbia Coal Mine in Carbon County. The strike was called to gain recognition of the United Mine Workers and to restore to work twenty miners who were discharged for joining the union, which was an affiliate of the A.F. of L.\(^3\) After seven days off the job, miners went back to work under a preliminary agreement. The final settlement was pending a ruling by the National Labor Board on an agreement between mine management and United Mine Workers, and was ultimately accepted as final.\(^4\)

This strike caused some unhappiness among business interests and there began to develop dissatisfaction with the codes and more evasion of them. It was alleged that employers, in order to nullify the State recovery codes, were giving low salaried employees the dignified title "executive" so they could work them longer hours than the code provision permitted.\(^5\)

\(^{1}\)Ibid., January 4, 1934.
\(^{2}\)Ibid., January 5, 1934.
\(^{3}\)Ibid., February 23, 1934.
\(^{4}\)Ibid., March 1, 1934.
\(^{5}\)Ibid., April 25, 1934.
The developing disillusionment over the N.R.A. did not halt the state recovery administration, as it struck its first blow at child labor by a ruling prohibiting use of children under sixteen years of age by peddlers as a violation of the retail truck codes. This ruling partly compensated the progressives for the failure of the Legislature to pass the Child Labor Amendment.\(^1\) This ruling, however, was not popular in some quarters and added to the growing criticism of N.R.A. The Deseret News in an editorial asked, "Does emblem of N.R.A. then have the qualities of the Eagle or the Vulture?\(^2\)"

By mid-1934 the dry cleaners of the state were in open defiance of the state codes and Governor Blood's temporary minimum price of $.40 a suit. The cleaners cut their price to $.25 per suit and declared they would cut prices to nothing if necessary to meet "chiseling competition.\(^3\)"

By August 1934, former Senator Reed Smoot, touring the Pacific Coast, predicted that codes of the N.R.A. were headed for discard.\(^4\)

As it became more apparent that N.R.A. was on its way out, the State Executive Council of the A.F. of L., meeting at the Labor Temple, issued an announcement to the effect that the Utah State Federation of Labor would have as one of its major objectives preservation of section 7a of the N.R.A. code.\(^5\)

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\(^1\)Ibid., June 19, 1934.

\(^2\)Ibid., June 27, 1934.

\(^3\)Ibid., July 16, 1934.

\(^4\)Ibid., August 13, 1934.

\(^5\)Ibid., January 7, 1935.
The *Deseret News*, which had proudly announced in 1933 that it had made changes in order to adhere to the N.R.A. codes,¹ now was saying that the N.R.A. could come to an end by June 1935. It said, "The blue eagle has failed as all practical minds knew it would . . . when the controversial features of the plan are eliminated nothing but the bureau remains." The editorial further said, "Let the government eliminate this expensive bureau entirely because it has failed to produce desired results and has occasioned unnecessary expenses which the Nation can ill afford."²

It was predicted that the new session of Congress meeting in January 1933 would bring a showdown in the conflict between out-and-out New Dealers and those who charged that the N.R.A., with its codes, had encouraged and aided monopolies. The supporters of the monopoly theory pledged support to a resolution introduced by Senator King of Utah providing for congressional inquiry into legal charges against N.R.A. King had developed as the leader of a small Senate bloc, which believed that the N.R.A. had flung antitrust laws to the winds and something should be done about it. This same King measure was introduced in almost identical form in 1934, but received little notice and was not acted upon. With the growing disapproval of N.R.A. it was receiving more attention.³

Despite the so-called "Hot Oil," or *Panama Refining Co. vs. Ryan* case, in January 1935, striking down the "hot oil" provision of the N.R.A., and the impending decision in the *Schecter vs. United States*, which was finally forthcoming on May 27, 1935, striking down the N.R.A., the Utah

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¹Ibid., August 16, 1933.
²Ibid., January 9, 1935.
³Ibid.
Legislature passed a bill calling for a continuation of the co-operating U.I.R.A. for another two years.¹

Immediately after the Supreme Court decision of May 27, striking down the N.R.A., the Utah state chairman of the State Industrial Commission, William M. Knerr, said that the Supreme Court ruling in the N.R.A. case would have no effect on the minimum wage setup on state projects within Utah.²

Aside from enforcing the minimum wage aspect of the N.R.A., the state also made efforts to maintain other features of the recovery program. A new voluntary business code was set up in the state by the State Recovery Administration. Placards were placed in windows of subscribing concerns reading, "We are continuing to carry out the spirit of the recovery program. We will not reduce wages; we will not increase hours of labor, we will not cut prices." All that was behind the program was force of public opinion.³

The voluntary program went on for awhile under the direction of Backman, but soon broke down for all practical purposes; and, by October, Utah's arch rival of the N.R.A., Senator King, was threatening a Congressional investigation of N.R.A. if it did not speed up the process of cutting down the staff of employees.⁴ With this last inglorious threat, the dead N.R.A. became history.

¹*Salt Lake Tribune*, March 7, 1935.
³*Tbid.*, June 7, 1935.
The National Recovery program had been greeted with enthusiasm and expectations for striking success within Utah as well as elsewhere in the nation. Utah generally accepted N.R.A. because it was a positive move and represented action and an attack on the depression. This was what the people needed, positive action to renew spirits and bring back confidence. The N.R.A. plan seemed workable and people were willing to give it a full trial.

The Utah Legislature passed the 2 per cent sales tax to finance the state's part in the recovery program after a heated battle. The sales tax was adopted because it was an indirect tax and was perhaps the easiest tax to collect, especially during depression time when property taxes were relatively high and many were delinquent in property tax payments. The old guard of the Democratic party favored the sales tax, and this faction of the party was well represented in the State Senate. The Governor also favored the sales tax and made his wishes known to legislators. To augment this strength the Republicans favored the sales tax and the ten Republican Senators stood behind the sales tax to a man.

There was a feeling that the recovery program was designed for the entire population and that all should be made to pay for its support. Those who followed this line of thought felt that the sales tax would touch everyone, including those who owned no property or who had incomes low enough that they were exempt from income tax.

In the face of administration support and overwhelming Senate support the small majority in the House who opposed the plan weakened after a long hard fight and those who were not staunch opposers of the sales tax gave in and accepted it.
The codes soon met with opposition though, with the major difficulty being lack of real enforcing powers. Other problems were business objection to the wages and hours provision, as well as their objection to having their records inspected by code authorities. Small businessmen felt the codes were being used as a club by larger establishments. The labor unions, which originally favored the codes, came to feel that they were not helped by the codes because the union workers were already receiving minimum wages. It was the non-union workers who were below the minimum wages, and it was these non-union workers whom the law helped most. Some felt that the standardization of prices tended to affect the small businessmen adversely and help the larger, better known, better equipped establishments. Furthermore, the codes forbade clearance sales and two-for-one sales, thus cutting down advertising and competition. By the time of their demise the N.R.A. codes had in many circles fallen into disrepute.
GRIST FOR THE REPUBLICAN MILL

In 1932 the Democratic party in Utah had gained control of the office of Chief Executive of the state, all other elected offices in the state, all the state congressional delegation, and a majority in both the State House and Senate. This was a new and unusual situation for the Democrats to maintain control of all these elected positions at one time. While in office the Democrats particularly wanted to prove worthy of the public trust. Early in 1933 situations began to develop that had potential political significance. These developments were unfortunate with the potential to damage the party in power and destroy the public trust in the Democratic party. A combination of New Deal popularity, state party organization, a willingness on the part of the electorate to withhold final judgment until all the evidence was in, and Republican ineptness, resulted in these potentially embarrassing situations not harming the Democratic party significantly. This is evidence of the extraordinary political situation that existed during the 1930's for in current politics such vulnerable cases would in all probability rebound in the discredit of the party in power and setbacks at the polls on election day.

While the Senate was marking time, waiting for the decision of the House on the sales tax rate in the 1933 special session, it voted on a bill originating in the House to clear up the vacancy in the Treasurer's office. This vacancy occurred when Charles A. Stain, the newly-elected treasurer, took the oath of office on January 2, along with Governor Blood and the other officials, but did not assume his duties.¹ He took

¹Deseret News (Salt Lake City), January 2, 1933.
the oath of office prior to having his $500,000 bond posted as required by the Constitution. At the time of the inauguration, party officials were trying to get his application for a bond favorably passed upon as a means of eliminating any possibility of disqualification.¹

With the inability of Stain to post the bond and therefore not being able to take office, A. Edsel Christensen, his Republican predecessor, retained the office even though by law he was prohibited from succeeding himself as State Treasurer. This situation was unparalleled in Utah's history.²

By the end of the first week of January, Stain was still unable to post bond. Accompanied by legal counsel he put in an appearance at the Treasurer's office and demanded that the post be turned over to him, but Christensen refused on the ground that the $500,000 bond had not been posted.³

Governor Blood maintained an attitude of friendly neutrality in the case as it became more involved. Several questions arose out of this situation that the State Code was not clear on. The first problem was if Stain could not furnish the bond, was he entitled to the office anyway? Second, if he was not treasurer, then who was? Next, has the Governor the right to declare a vacancy and appoint a successor? And finally, what is a reasonable time in which the bond must be posted?⁴

¹Ibid.
²Ibid., January 3, 1933.
³Ibid., January 7, 1933.
⁴Ibid., January 9, 1933.
At one point Stain appeared at the State Capitol and reported that part of the bond had been secured and the remainder would be forthcoming shortly; but it failed to appear. 1 With the failure of the bond, the Governor abandoned his attitude of friendly neutrality and accused the bonding houses of being responsible for the delay. 2

With the failure of Stain to produce the bond, the Legislature in the special session decided it was time for action. A bill was passed granting Governor Blood the power to fill the vacancy declared to be existing by the bill. The bill passed in the Senate on a straight party vote, thirteen to nine and one absent. 3 The Republicans, to a man, opposed the bill. The failure of the measure to pass by a two-thirds majority meant that the law could not go into effect until sixty days after the Legislature adjourned, during which time Republican A. E. Christensen retained the office.

Even after the Legislature's action to grant Blood power to replace Stain the Governor was slow in reacting. In October, while Blood was in Washington trying to obtain public works funds for Utah, he also tried to obtain a bond for Stain. While he was thus engaged, he received word that Stain had resigned unconditionally. 4

Apparently Stain's resignation was not unconditional for when Blood appointed Enos D. Hoge to fill the vacancy, Stain filed a quo warranto. 5

1Ibid., January 13, 1933.
2Ibid., February 9, 1933.
3Utah, Senate Journal, Second Special Legislative Session, 1933, p. 224.
4Telegram of George Sutherland to Governor Blood, October 21, 1933, in Governor Blood papers.
5Deseret News, December 12, 1933.
which was a legal proceeding undertaken to recover an office or privilege from the person in possession. The case dragged on into May of 1934 when finally the Supreme Court ruled that Enos D. Hoge was the legally constituted treasurer. Even then it did not appear that Hoge would take office until at least twenty days, the time in which Acting Treasurer A. E. Christensen and Stain had to file a petition of rehearing.¹

On May 22, 1934, Christensen resigned his office, the resignation to be effective on the 24th of May.² With neither Stain or Christensen filing for a rehearing, Hoge was finally able to take office and clear up a very unpleasant situation, one which the Republicans would try to exploit in the 1934 election. In the November 1934 election, a special election was held for Treasurer in which Joseph Ririe, a Democrat, was elected to fill the unexpired term to which Stain had been elected.³

The Democrats had handed the Republicans their first political windfall with the Stain case, but now they proceeded to hand them further choice political morsels to sink their teeth into for the 1934 and subsequent campaigns. In the midst of the M.R.A. enthusiasm and the repeal fight, word reached Utah that Orman W. Ewing, the Democratic national committee man from Utah, was in trouble for reportedly attempting to act as a go-between in securing the release of Able Goodman, a New York dope peddler.⁴ Ewing immediately wrote a letter denying he was in any trouble,

¹Ibid., May 4, 1934.
²Ibid., May 22, 1934.
³Ibid., November 7, 1934.
⁴Ibid., August 17, 1933.
but the harm had already been done simply by associating his name with Goodman's. Ewing was at odds with the state party machine prior to his unfortunate association with Goodman. As early as March of 1933, Secretary of War Dern had let it be known that he felt Ewing was a dangerous contender for an appointment as collector of internal revenue for Utah. He urged that Governor Blood use his influence for Utah's best interest and assist Hugh B. Brown to obtain the appointment.2

Soon Ewing was in the midst of another party controversy. Dern wrote Blood that he had talked to Senator King about an appointment of a man as public works administrator for Utah. The requirements for the appointee were an engineer and a good Democrat. Dern said he and King agreed that George P. McGonogle was probably the best qualified by merit, but they criticized him for lack of campaign contribution and asked for the Governor's opinion on the matter.3

With the extent of unemployment that existed in the winter of 1933 the Democrats found that parceling out political jobs was a real problem. There was a wave of applicants for every job opening. The party sifting and fact finding committee did a thorough job of probing into past party service and made rather certain that jobs were held for deserving Democrats.

The McGonogle matter was referred to Delbert Draper for consideration by the Democratic State Central Committee. The committee replied that

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1Ibid., August 24, 1933.
2Telegram of George H. Dern to Governor Blood, March 22, 1933, Blood papers.
3Letter of George H. Dern to Governor Blood, June 18, 1933, Blood papers.
McGonogle was not their candidate for the job and reported there had been protests and hints that McGonogle was a candidate of Ewing.¹ King, who had recommended McGonogle for the appointment, decided to abide by his original recommendation.² Blood replied he hoped the matter would be settled in a satisfactory manner for the local Democrats because the two factions of the party needed something to bring them together. He reported that he felt Robert A. Hart was the people's choice and he had recommended him as first choice to both Secretary Ickes and King. Hart was Blood's brother-in-law.³

It was later learned that Ewing had engineered, and was backing, McGonogle for the Public Works Administration.⁴

Sutherland wired Dern, "Believe you should exert every effort to block McGonogle appointment."⁵ Dern did exert his efforts to avoid embarrassment to Governor Blood which would occur through the appointment of McGonogle. The picture finally cleared and Hart was appointed.⁶

Since Ewing was at odds with the party, causing them trouble through his activities in sponsoring "undesirables" for patronage and his connection with the underworld, the Democrats began to feel it would be expedient to dump him from the National committee. A movement was instigated

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¹Telegram of Governor Blood to George H. Dern, June 23, 1933, Blood papers.
²Letter of George H. Dern to Governor Blood, July 1, 1933, Blood papers.
³Letter of Governor Blood to George H. Dern, July 3, 1933, Blood papers.
⁴Telegram of Governor Blood to George Sutherland, July 7, 1933, Blood papers.
⁵Telegram of George Sutherland to George H. Dern, July 7, 1933, Blood papers.
⁶Letter of George H. Dern to Governor Blood, July 13, 1933, Blood papers.
to secure this end. The movement gained momentum and just prior to the state convention it was being rumored that Ewing would either be asked to resign or be advanced to a federal post in order to get a "live wire" on to the committee from Utah to help assure reelection of Democrats. The rumor held that Ewing's ill health was a handicap to the campaign.\(^1\)

When Ewing failed to rise to this bait and accept a graceful exit, the Democratic State Central Committee charged him with "irregular patronage activities." With just one dissenting vote the Committee voted to oust Ewing by holding an election for the position at the state convention. James Farley, Postmaster General and National Party Chairman, was present at the committee meeting, but refused to become involved.\(^2\) Ewing countered the move to replace him by claiming he was elected by the national convention for a four-year term and only it could remove him.\(^3\) Ewing then hit upon a most embarrassing plan to file a libel suit against the state committee. He reported that he was tired of being persecuted by the group and would force the fight into the open.\(^4\) This intention was dropped perhaps under the persuasion of party pressure. The battle finally ended when Ira Huggin's motion at the state convention, to declare a vacancy in the post, was passed by a small margin.

Ewing was given the chance to defend himself. He talked for a half hour, but apparently the delegates were unimpressed, for in the voting

\(^1\)Deseret News, July 26, 1934.
\(^2\)Ibid., August 2, 1934.
\(^3\)Ibid.
\(^4\)Ibid., August 9, 1934.
he ran third in a three-way race, receiving just thirty-one votes. A. S. Brown was elected with 376 votes. A motion to elect Brown by acclamation carried without a dissenting vote. This left the decision up to the national committee whether to recognize Brown or retain Ewing. They refused to recognize Brown, so he was only de facto chairman.

Thus was another potential embarrassment by-passed in a rather expediient manner, but before the Ewing case was settled another complication arose which was not quite so simple to by-pass or conceal. In mid-January an audit was completed by State Auditor Julius C. Anderson on Secretary of State Milton H. Welling's books. The audit contained a criticism of the administration of motor vehicle and corporation taxes in the department funds of Welling. The report showed a shortage of $2,454 for the period from January 1, 1933 to June 24, 1933. Anderson's report also showed negligence by the Secretary of State in keeping the records. Deputy auditors in the case urgently recommended a thorough investigation of all transactions for a period of years.

Auditors also investigated rumors of a payroll irregularity and found sufficient evidence to warrant an urgent recommendation for a thorough audit for a period of years back beyond 1933. This audit would cost approximately $5,000. The audit also accused previous audits of being slipshod.  

Welling immediately expressed amazement at the audit and expressed full confidence in his bonded employees. He also felt the audit was

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1Tbid., September 3, 1934.
2Tbid., January 24, 1934.
misleading for the auditors had not determined the amount of cash still on hand and not entered because of special details.\(^1\) Auditor Anderson requested a full audit of Secretary of State Welling's accounts during his full term in office.\(^2\) This request caused a battle in the Board of Examiners meeting which was held behind closed doors.\(^3\) A showdown seemed imminent on the alleged shortage. Party pressures were being felt. The party leaders were urging caution on the part of Mr. Anderson and others as a point of party policy. It was also rumored that Deputy Auditor Alvin Keddington had been told that he would be driven from political life for the role he played in the affair.\(^4\)

Welling took it upon himself to answer the charges of Auditor Anderson. He said,

> let some action be taken now. You and I have brought in this ugly business more sorrow and shame to our administration and our governor that we can blot out. If I deserve this shame I want to be divorced at once from further opportunity to defile the State. You have had three months to prepare your case. I can be ready in three minutes to meet the issue.\(^5\)

After this fiery outburst cooler heads seemed to prevail. Welling was requested to produce within twenty days a complete accounting of $6,041. Mr. Welling said the request was just and according to law. The amount included $2,454 found to be short in the audit of motor vehicle

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\(^1\)Ibid., January 25, 1934.  
\(^2\)Ibid., January 29, 1934.  
\(^3\)Ibid., January 30, 1934.  
\(^4\)Ibid., February 2, 1934.  
\(^5\)Ibid.
funds and $3,857 which was in the Richfield State Bank when it failed, but which was not secured by proper bonds as required by law.\textsuperscript{1} Within a week Welling had turned over $1,589.94 to the state treasurer; $693 was credited to the $2,454 shortage found by the audit.\textsuperscript{2}

Because of further developments the bank examiner prepared for a thorough audit of Welling's books back to the time he first took over as administrator of motor vehicle funds. The move for the recheck was a result of a unanimous vote by the Board of Examiners which included Welling.\textsuperscript{3} As the re-audit went forward Anderson prepared to make a formal demand on the American Security Company, the bondsmen for Secretary Welling, for the $5,348 that had not yet been accounted for.\textsuperscript{4} The additional audit, when completed, revealed an additional shortage of $1,523 missing for the first six months of 1933. This brought the total missing, from two audits, to $3,977.50.

The new shortage occurred in funds collected by the State Road Commission at highway patrol stations. The major deficit was from Santa Clara, in Washington County, in the amount of $1,268.50. This about 40 per cent of the collection of the station for the six-month period audited.\textsuperscript{5} With this new development attention was turned to identifying the employee who signed the truck capacity increase responsible for the new shortage.\textsuperscript{6} A study of the application card for motor truck registration

\textsuperscript{1}Ibid., February 3, 1934.
\textsuperscript{2}Ibid., February 8, 1934.
\textsuperscript{3}Ibid., February 9, 1934.
\textsuperscript{4}Ibid., March 3, 1934.
\textsuperscript{5}Ibid., March 23, 1934.
\textsuperscript{6}Ibid., March 24, 1934.
revealed that about 90 per cent of these cards passed through one employee's hands. The employee was identified and given a week to make a statement on the transactions.\(^1\) The final report after investigation charged Charles Smith, a former employee in the office, of deliberately failing to make receipts for truck capacity increases, that the object of this failure was to misappropriate funds. The report also said that erroneous totals were reported by Moroni C. Iverson.\(^2\)

Accountants next prepared to audit Welling's books in the years prior to 1933. Mr. Welling's bondsman were held liable for the deficits reported in 1933.\(^3\) Embezzlement charges were preferred against Clarence E. Smith, postmaster at Spanish Fork, and a former employee of the Secretary of State. He was specifically charged with converting $1,523 of state money to his own use between January 8 and June 24, 1933.\(^4\)

As the hearing for Smith proceeded, Welling asked for another re-audit on the basis of errors found in the other two audits.\(^5\) The State banking department announced it would stand behind the audits of Welling's books and refused the request for a re-audit.\(^6\) After preliminary hearings Smith was held over for the District Court and in addition a complaint against Moroni C. Iverson charged him with embezzlement of public funds.\(^7\) Both accused were later acquitted.

\(^1\)Ibid., March 26, 1934.
\(^2\)Ibid., May 25, 1934.
\(^3\)Ibid., May 26, 1934.
\(^4\)Ibid., May 31, 1934.
\(^5\)Ibid., July 17, 1934.
\(^6\)Ibid., July 18, 1934.
\(^7\)Ibid., August 1, 1934.
Secretary Wallin let it be known that he stood ready to pay $4,369.89 of the total demand of $9,427. The remainder he refused to pay contending that certain of these items constituted unjust claims. His bondsman did pay $4,366, the remaining $5,061 was subject to judicial determination.

This was the way matters stood at the time of the 1934 election. Things were up in the air and it was rather hard for the Republicans to make full use of the Welling case (except by implication) without more complete knowledge of circumstances.

However, early in January of 1935 the special auditors of Secretary of State Welling's books for 1932 dropped a bombshell when they charged Welling with losses totaling $18,295.80. The audit also showed evidence that the records had been tampered with. In the meantime an accounting was being carried back to 1931.

The issue had not been settled by the time of the convening of the 1935 Legislature and so it gave the legislators entertainment in their leisure hours. A move to impeach Welling for alleged malfeasance in office was first defeated in the Democratic-controlled House of Representatives. After a hastily called party caucus the Democrats refused to allow Bert R. Bryan (Democrat, Juab) to introduce a resolution calling for a committee of five to draw up a bill of impeachment. As a substitute a committee of five was appointed to study the Welling case and bring a report of its findings to the House floor. The Senate voted not to back

1Ibid., September 25, 1934.
2Ibid., October 8, 1934.
3Ibid., January 8, 1935.
4Salt Lake Tribune, March 8, 1935.
up the House in its proposed impeachment inquiry. By fifteen to six and
two absent the Senate voted that it was a matter for the courts and not
the Legislature. The expense of an extended session to try the case was
also cited as a reason for the vote.1

The House finally dropped the matter by voting not to appoint a
board of managers to draw up articles of impeachment against Welling.2

The legislature had voted that the case was one for the courts and
that is where it finally landed as City Judge M. J. Bronson held Welling
over for district court on a charge of presenting and receiving payment
of a fraudulent claim for $100. A second felony complaint based on the
charge that Welling failed to report $860 receipts to the state treasury
as required by law was pending.3

In the meantime Welling instituted litigation on his own behalf
against Julius C. Anderson, State Auditor. He sought a declaratory
judgment denying liability to the State of $23,154.74.4

By a court agreement the amount to be paid by Welling's bondsmen
was set at $9,348.20. This amount was composed of $4,366.90 on the 1933
amount already paid and $4,981.30 yet unpaid. A series of three rulings
by Judge P. C. Evans wiped out $12,098.60 of the original Anderson claim.5

Welling was convicted of a felony by a jury in Third District Court
after twenty-four hours of deliberation. Attorney General Chez assigned
the question of whether Welling had a right to continue in office to two
of his assistants.6

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1Ibid., March 10, 1935.
2Ibid., March 14, 1935.
4Ibid., May 9, 1935.
5Ibid., March 15, 1935.
6Ibid., July 1, 1935.
The next day the audit of the 1931 books was completed and showed an additional shortage of $20,662.50 in the Secretary of State accounts. This brought the total missing in all audits to about $45,000.¹

Welling filed a motion for a new trial and then began to prepare to vacate his office.²

The Salt Lake County Democratic Committee nominated Barney F. Quinn for appointment as Secretary of State to replace Welling, although Welling had not yet left his office as rumors had it he would. But if Welling were sentenced he would be unable to hold office according to an Attorney General's ruling. In the meantime the sentencing had been held up until July 29 by a Supreme Court order.³

Delays in the Supreme Court's decision whether to allow sentence of Welling occurred and so the Secretary retained his office.

Auditor Anderson made a demand on Welling for $20,662.50 for the missing funds of 1931. Welling sent a check of $529.50 in answer to the demand for the more than $20,000 missing. This caused Attorney General Chez to assign his assistant, Grover A. Giles, to investigate and determine how much of the 1931 missing fund Welling was liable for.⁴

With the failure to pass sentence on Welling, due to a Supreme Court order, the Secretary of State remained in office. This brought up the question of whether or not Welling had a right to his pay check for the third quarter of 1935. Auditor Anderson held that he was ineligible to hold office, therefore his check should be held up.⁵

¹Ibid., July 2, 1935.
²Ibid., July 4, 1935.
³Ibid., July 10, 1935.
⁴Ibid., September 19, 1935.
⁵Ibid., September 24, 1935.
The Supreme Court finally ruled on the sentencing of Welling and refused to forbid his sentencing. This meant that Welling would be sentenced unless Judge Roger I. McDonough acted favorably on Welling's petition for a new trial.¹

A new trial was granted to Welling thus resulting in the rescinding of the conviction of Welling and allowing him to retain his office. Judge McDonough granted the new trial on the grounds that error was made when additional instructions were given the trial jury in the absence of the defendant.²

Welling's second trial resulted in a deadlock jury.³ Because of this Welling moved for a waiver of jury trial, and it was granted.⁴

The prosecuting attorney was a strong Democratic District Attorney, Calvin W. Rawlings. He was accused of trying to "whitewash" Welling. Rawlings denied the charges and claimed he was engaged in a fight for conviction.⁵

After nearly two years the Welling case finally was drawn to a finish when Judge F. C. Evans found Welling not guilty. The opinion delivered by Evans not only acquitted Welling, but exonerated him, in the opinion of the court, of any intent to defraud the State of Utah.⁶

Because of the ruling, Welling was allowed to retain his office to the expiration date. Although he retained his office he was dead

¹Ibid., October 5, 1935.
²Ibid., January 4, 1936.
³Ibid., February 14, 1936.
⁴Ibid., February 25, 1936.
⁵Ibid., March 2, 1936.
⁶Ibid., March 10, 1936.
politically, and even though he was acquitted there was still doubt in people's minds, and by keeping the issue alive so long the Democrats had furnished the Republicans political ammunition for two elections, both 1934 and 1936, though the Republicans were unable to parlay the windfall into tangible results. They tried to exploit the issue by demanding honesty in office and pledging themselves to honesty and responsibility in office and accusing the Democrats of trying to whitewash Welling. Apparently the Democrats succeeded, if they were whitewashing Welling, because it did not rebound in a Democratic defeat.

The Welling case did not bring an end to the Democrat's troubles. The 1937 Legislature passed measures to bring about a reorganization in the State Land Board office. This reorganization necessitated an audit of the former Land Board's books. The development after the filing of the special audit of the Land Board fund investment was a challenge by R. R. Carey, special deputy in charge of the Land Board audit, to "immediately pass a resolution asking for a grand jury investigation."¹

The special audit charged that nearly one-third of the bond investment of the land office as of June 30, 1937, a total of $662,500 had been sold or traded prior to the maturity dates, apparently without Board sanction. The bonds were released by the Board before payment was received and the Board was not paid until the bonds had been sold by the broker to the new purchaser. The Land Board funds were also used to finance bond trades benefiting the broker and resulting in a loss to the State Auditor. The report said: "It appears that the Board is financing

¹Ibid., November 6, 1937.
the deals and the broker is collecting the profits." Additional charges were that, in numerous instances, bonds were sold before the date of maturity and the refunding issues, with no charges in interest, were purchased at a premium.

Two companies, the Lauren W. Gibbs and the Snow-Bergen Companies, both of Salt Lake City, had handled over 70 per cent of the bond transactions referred to in the audit.¹

Members of the Board most vitally concerned by the charges, Executive Secretary George A. Fisher, Chairman John F. Fulton, and T. R. Anderson were said to welcome any investigation which would clear up the matter of the audit.

These men were members of both the old Board and the new as the Legislature had changed the Board from three to five members with the Executive Secretary no longer a member as such of the Board. The old members of the Board had been carried over and Fisher retained as the Executive Secretary.²

A further audit was initiated and carried forward under John W. Guy. Trouble developed as the Land Board charged that the audit was overstaffed and that Guy was using an undercover audit helper at the rate of $400 a month. Guy denied the charges and the Land Board capitulated in demands that the audit be delayed.³

Before the Land Board trouble could be cleared up, Mayor E. B. Erwin, the Democratic mayor of Salt Lake City, resigned from office with Board feuds being given as the cause of the resignation.⁴

¹Ibid.
²Ibid.
³Ibid., November 20, 1937.
⁴Ibid., February 7, 1938.
The resignation of Erwin had occurred during a vice cleanup that had resulted in the dismissal of the city police captain and the demotion of several other officers. The resignation of Erwin and the shakeup caused by the vice scandal resulted in a grand jury investigation.

As long as a grand jury investigation was in progress it was suggested that the jury also investigate the Land Board. During the resulting Land Board investigation a theft of information, wanted by the jury investigating the State Land Board, occurred as a brief case containing the information wanted was stolen from an automobile while it was parked in downtown Salt Lake City.

In the vice investigation of Salt Lake City, former Mayor E. B. Erwin and R. O. Peace, an attorney, were brought to trial for alleged acceptance of money from "fallen women." Nine women charged with keeping disorderly houses were also indicted.

In the Salt Lake Grand Jury investigation of the Land Board a charge of bribery and misappropriation of state school endowment funds, administered by the State Land Board, was issued. The charges were contained in five indictments against three defendants: George A. Fisher charged with bribery and misuse of public money; Lauren W. Gibbs, Salt Lake investment broker, charged with bribery; and Powell Ipson, employee and cashier of the Land Board, charged in two indictments with appropriation of public money to his own use.

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1Ibid., February 8, 1938.
2Ibid., March 8, 1938.
3Ibid., May 5, 1938.
4Ibid., July 9, 1938.
The jury's most specific charge was that on September 5, 1934, Gibbs, with intent of "wilfully, knowingly, corruptly, and feloniously influencing George A. Fisher," gave Fisher a bribe of $300.¹

The audit report of the investigation of the State Land Board relating to farm mortgages made under the direction of special auditors, John W. Guy and R. R. Carey, revealed that Land Board losses from loans during the twenty years, from 1918 to 1938, had cost the State of Utah $2,123,428.60. Drought, depression, and shrinking values were cited as being important factors in running the huge losses, but the revealing of the losses did not enhance the Land Board with the public.²

With the evidence that had been brought forth it appeared that there was corruption in the administration of the State Land Board and the Democrats were in office and so were noticeably associated with corruption in office.

In the Salt Lake vice scandal additional indictments were served as former police chief, Harley C. Finch, and Captain Frank A. Thacker, former head of the police anti-vice squad, were indicted for conspiracy to permit gambling and prostitution.³

In the trial Erwin and Pearce were acquitted of accepting "vice pay-off money." There were, however, reported jury room irregularities in the case and District Attorney Calvin Rawlings promised investigation of these reports.⁴

¹Ibid., July 16, 1938.
²Ibid., August 11, 1938.
³Ibid., September 10, 1938.
⁴Ibid., October 15, 1938.
After investigation, Theodore Curtis was charged with attempting to fix the jury. It was also reported that some of the star state witnesses in the case received threatening letters. Erwin was acquitted of any involvement in trying to influence the jury, but the Republicans could always point to the vice scandal in the city under a Democratic administration and charge that "where there is smoke there is fire." All indicted by the grand jury were in all cases acquitted or the charges were dropped and so the Democrats could practically save face by pointing out that the grand jury had made hasty indictments.

Shortly after the first report of the special Land Board audit the State Building Board also made a gallant effort to injure the Democratic party cause. Arthur McFarlane, member of the State Building Board explained that the Board was refusing to approve the Tuberculosis Sanatorium. He felt that an adequate building could not be built for $182,000. He said, "if it becomes necessary to follow the dictates of the Ogden Chamber [of Commerce] rather than my own conscience I shall resign."

The Legislature, in 1937, had made provisions for the building of the sanatorium and Ogden, a Democratic stronghold, had been picked for the building site. Labor, another strong supporter of the Democratic party, had also backed the measure to provide for the building. Eighty-two thousand dollars had been allocated by the federal government to the project, but the terms of the contract called for plans and specifications be drawn up and a technical start made by December 24, 1937. Now the Building Board was holding things up by its stubborness.

1Ibid., October 17, 1938.
Governor Blood was trying to save the federal allocation for later use in the building, but even he readily admitted that the effort was a long shot.¹

The City of Ogden felt so strongly that it took legal action by beginning mandamus proceedings to force the State Building Board to begin construction immediately on the sanatorium.²

The Building Board reacted to Ogden's action by announcing that its members would resign if forced to erect the Tuberculosis Sanatorium with insufficient funds.³

The State Supreme Court refused to grant Ogden's request for a writ of mandamus. The action of the court in refusing to rule on the petition came as a complete surprise.⁴

Some felt that the court had refused to decide the case because they would have had to survey the intent of the legislative action appropriating $333,000 for the building of Carbon Junior College, improvements at Weber College, and the Tuberculosis Sanatorium to determine if the Legislature intended to appropriate $330,000 of state money plus such other funds as could be secured of $330,000 to have included P.W.A. funds. The Governor proceeded on the first assumption and secured P.W.A. funds bringing the total to $600,000. If the Supreme Court had decided the case and decided that only $330,000 combined state and P.W.A. funds had been appropriated, then the building projects would have been severely crippled.⁵

¹Tbid., November 13, 1937.
²Tbid., November 15, 1937.
³Tbid., November 17, 1937.
⁴Tbid., November 20, 1937.
⁵Tbid.
The cities of Price and Ogden, following the court's action, joined with the state in starting legal action before the State Supreme Court to determine the scope of the state building program authorized by the 1937 legislature. This would force the Court to make the ruling they had avoided before.

The petitioners asked for a writ of mandamus requesting that the State Building Board be required to start work on Carbon Junior College and the mechanical arts building at Weber College. Should the site-finding commission certify the selection of Ogden for the Tuberculosis Sanatorium it too would be included in the case.\(^1\)

In an effort to speed things up, Ogden City had donated to the state thirty-three acres of land to be used as the site for the sanatorium.\(^2\)

In view of the delays the Governor sought an extension of time on the initiation of work for Carbon Junior College, and the State Tuberculosis Sanatorium.\(^3\) The Building Board was given an extension until March 1, 1938, to make a technical start on projects for which P.W.A. funds were allotted.\(^4\)

The Supreme Court added some good news to that received from Washington on the extension when it ruled that the federal funds were to be in addition to the amount allotted by the state.\(^5\)

With this assurance the Building Board gave word for the commencement of work on Carbon Junior College and Weber mechanical arts building.\(^6\)

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1\(^{\text{Ibid.}}, \text{November 27, 1937.}}\)
2\(^{\text{Ibid.}}, \text{December 1, 1937.}}\)
3\(^{\text{Ibid.}}, \text{December 4, 1937.}}\)
4\(^{\text{Ibid.}}, \text{December 9, 1937.}}\)
5\(^{\text{Ibid.}}, \text{December 25, 1937.}}\)
6\(^{\text{Ibid.}}, \text{December 29, 1937.}}\)
The Building Board finally endorsed the plans to proceed with the Tuberculosis Sanatorium, but the sanatorium was soon in the realm of controversy again with an alternate writ of prohibition filed by Sam D. Thurman and Alma Larson, alleging that the Building Board had violated the law by not submitting its plans to the State Board of Health for final approval.

Despite the writ, bids for the building of the sanatorium were opened, although the State Building Board did send its plans to the State Board of Health.

The bids were let and the building begun so Weber and Carbon Counties and labor organizations in the state were pacified and kept in the Democratic fold.

The Building Board controversy did not involve alleged malfeasance in office as did some of the other embarrassments to the party, but it was a politically dangerous situation. The interests of two heavy Democratic counties were involved as well as the interest of labor. This controversy had potential for causing discontent among these groups and consequently damaging the Democratic party image unless they could successfully settle the sanatorium controversy to the satisfaction of those interests involved.

The Democrats had succeeded in making several political mistakes in office; and now it remained for the Republicans to try, by implication, to convert these potentially vulnerable situations into a victory at the polls.

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1Tbid., February 16, 1938.
2Tbid., July 26, 1938.
It seemed that no matter what the party mistakes and handicaps, the Democrats appeared strong as the 1934 campaign approached. They kicked off the 1934 campaign in an inglorious manner with the so-called in and out factions waging a fight in the hope of obtaining the party chairmanship in the all-important county of Salt Lake. The battle was to decide who would replace Calvin W. Rawlings. The contest appeared as if it would be so close that one or two votes would decide the winner. It was felt by some observers that the Corrupt Practice Law would be raised for the first time in the history of the county's intra-party politics. Had the Corrupt Practices Act been raised, both sides conceded that they would be hurt and that it could result in one of the most drastic "house cleanings" ever experienced by a local party.

The "ins" were supporting Leonard A. Brennon, who was eventually victorious, by a vote of thirty-one to eleven, over Grant MacFarland, who was the candidate of the "outs." Mr. MacFarland was chosen vice-chairman by acclamation in a compromise move to prevent the losing faction from instituting legal action under the Corrupt Practices Act.

The Democrats were perhaps able to muster their strength by tying themselves hand and foot to Roosevelt. Even before Senator King and

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1Laws limiting contributions to and expenditures in election campaigns and illegalizing certain methods of influencing voters.

2Deseret News (Salt Lake City), January 13, 1934.

3Ibid., January 17, 1934.
Representative Robinson announced their candidacy for reelection in 1934, they announced that they would base their attempt for reelection on their support of President Roosevelt.¹

Senator King's support for Roosevelt was not felt to be genuine by many observers. The Senator had supported Roosevelt's economy program, which the President had proclaimed in the campaign of 1932 and which the administration had tried to initiate in its early days,² but King showed an early aversion to liberal legislation. All other members of the Utah congressional delegation pledged support for the U.E.A.'s request for federal funds to keep Utah's schools open the full nine months in 1934, except King who was opposed to the expense and possible loss of State's Rights.³

In a letter to the editor of the Deseret News, right after his announced support for Roosevelt, the Senior Senator was criticized for opposing "great humanitarian projects like the Great Lakes, St. Lawrence Waterways and the Tennessee Valley Authority . . . ." The writer said when such votes came up King left the Senate chambers so his vote could not be recorded. "Senator King can hardly claim to have supported the President when he permitted his humanitarian programs to be defeated while he stood smugly on the side-line and watched."⁴

Perhaps the best indication of the opposition of King was the strong movement afoot to nominate Herbert B. Maw, a liberal State Senator for the U.S. position.⁵

¹Ibid., March 7, 1934.
²Ibid., March 18, 1933.
³Ibid., February 26, 1934.
⁴Ibid., March 22, 1934.
⁵Ibid., May 18, 1934.
Senator Maw did finally agree to become a candidate for Democratic nomination for U.S. Senator. He was presented with a resolution submitted by various citizens asking him to run. A state-wide "Herbert B. Maw for United States Senator Club" was also organized.¹

The Democratic party had been organized with the election of Hugh B. Brown as the chairman of the state committee,² and now the party had a real fight shaping up for the nomination of Senator while the Republicans were having trouble finding candidates. J. Reuben Clark, Jr., an L.D.S. Church apostle, refused to seek the Republican nomination for U.S. Senator. It was generally felt that he could have had it by acclamation if he had desired it.³

While the Republicans were being hard pressed to find candidates, the Democrats had candidates cropping up all over. A former Republican turned Democrat, who had seconded Thomas¹ nomination in 1932, twenty-eight-year-old Warwick Lamoreaux, formally announced his candidacy for the Second District congressional seat held by J. Will Robinson.

Lamoreaux, aside from seconding Senator Thomas, had distinguished himself as a progressive in the State House of Representatives, and was secretary of the Liberal Consumer Welfare League.⁴

The Republicans were finally able to get a race for nomination to give them at least a pretext for holding a state convention. Two lawyers,

¹Ibid., June 15, 1934.
²Ibid., April 10, 1934.
³Ibid., June 16, 1934.
⁴Ibid., June 23, 1934.
Judge A. H. Christensen and F. C. Loofbourow, announced their candidacy for the Second District U.S. Congress seat. 1

While friends were trying to persuade Frank Evans to run for the Republican nomination for U.S. Senator, 2 King returned to Utah after an absence of two years and declared his official candidacy. 3 He was immediately joined as a candidate for the Democratic nomination by State Water Storage Commissioner William R. Wallace. 4 It was also speculated that Secretary of War George Dern would be a candidate for the Democratic Senatorial nomination, especially if a deadlock resulted. In such a case it was felt that Dern would be a candidate of the so-called "old guard" and that if such happened, King would support Dern and then angle for a cabinet job for himself. 5

Fears of G.O.P. leaders that they would not have any candidate for U.S. Senator were allayed somewhat when it was learned that two strong Republicans would enter the race. Frank Evans and Don B. Colton, the latter president of the Eastern States Mission for the Mormon Church and a former representative from District One, entered the contest. 6

In the First Congressional District the Republicans finally came up with a couple of candidates for nomination as W. B. Higgin of Millard County announced his candidacy to oppose Arthur Woolley, who had earlier announced his candidacy. 7

1 Ibid., June 25, 1934.
2 Ibid., June 27, 1934.
3 Ibid., July 2, 1934.
4 Ibid., July 3, 1934.
5 Ibid., July 5, 1934.
6 Ibid., July 9, 1934.
7 Ibid., July 12, 1934.
In the Republican party convention a platform was adopted accusing Democratic Congressmen of surrendering their constitutional responsibility. They condemned the liquor laws of the state as they were being carried out, opposed the sales tax, demanded a reduction in public spending and public debt, and adhered to the protective tariff.¹

Arthur Woolley, of Ogden, was nominated for candidate of the First Congressional District, Fredrick C. Loofbourrow for Second District,² and despite an effort to draft J. Reuben Clark, Jr., the convention nominated Don B. Colton as its candidate for U.S. Senate.³

In 1932 the Republicans came up with the prominent national visitor, President Hoover, during the campaign. In 1934 the Democrats countered with Postmaster General James A. Farley. In an address at Salt Lake City he asked for continued support for President Roosevelt. He commended each member of the Utah Congressional delegation and in particular Senator King. Although Farley praised King he refrained from endorsement of any candidate. This may have been because of a telegram sent him while he was at Pocatello, Idaho, by the committee for Herbert B. Maw asking him to refrain from formal endorsement of any candidate in the interest of party harmony.⁴

Hugh B. Brown was reportedly being given late support by a "widespread" movement to draft him as a Senatorial candidate.⁵ After a delegation of party members, representing twenty-five counties, called

¹Ibid., July 18, 1934.
²Ibid.
³Ibid., July 19, 1934.
⁴Ibid., August 1, 1934.
⁵Ibid., August 1, 1934.
at his home pledging their support and urging him to run, Brown declared his candidacy.\(^1\) George Sutherland expressed surprise that Brown had become a candidate. He felt that he was being led to political slaughter by his enemies, who opposed his job in the Home Owners Loan Corporation and his position as state Democratic party chairman, and they had induced him to run so he would have to resign both jobs. Sutherland felt that he was dead politically.\(^2\)

In the Democratic convention J. Will Robinson was renominated on the second ballot as the party candidate for Second Congressional District Representative. In the First District Abe Murdock, of Beaver, was renominated by acclamation. Robinson had missed nomination on the first ballot by one vote as he had 229 of the necessary 230 votes. Warwick Lamoreaux was his closest competitor with 114 votes.\(^3\)

The convention featured Delbert M. Draper as keynote speaker. Draper appealed for support for the New Deal. Another feature of the convention was the ousting of Orman W. Ewing. These two attractions helped add up to one of the most interesting off-year nomination sessions ever held by the Democrats in Utah.\(^4\)

The Democrats pledged to be brief in their platform and in keeping with their pledge they presented a concise and to-the-point program that placed the party in Utah behind Roosevelt and the New Deal. The platform also praised Governor Blood and the Legislature for their programs of relief and recovery.\(^5\)

\(^1\)Ibid., August 9, 1934.
\(^2\)Letter of Sutherland to Dern, October 11, 1934, Blood papers.
\(^3\)Deseret News, September 1, 1934.
\(^4\)Ibid.
\(^5\)Ibid., September 1, 1934.
Senator William H. King, in a final act of the convention, was renominated on the first ballot after a heated but brief battle on the convention floor. The other four candidates for the Senatorial nomination conceded the nomination before the roll call had been completed and King was declared the nominee by acclamation on a motion by the other candidates. The motion carried without dissent.\(^1\)

Immediately after the convention the Democrats won the support of the fast growing ranks of organized labor when M. I. Thompson, state president of the A.F. of L., urged the members of his organization to use their vote to support Roosevelt and the New Deal.\(^2\)

The Republicans attempted to counteract the Democrat's New Deal emphasis by concentrating their campaign in Salt Lake County. They also concentrated their campaign at the top of the ticket to get Colton elected in the hopes that he could pull the rest of the ticket along with him. Colton approved the New Deal in broad application but condemned the executive usurpation of legislative powers.\(^3\) He came out for fair minimum wages and maximum hours for labor and declared that if elected he would use his power to secure labor's right to organize freely. He also advocated pensions for aged and unemployment insurance.\(^4\)

Colton took the position that it was unfair to make a blanket attack on the New Deal. He took the view that parts of the New Deal should be supported and others opposed though he did not specify what parts should be opposed.\(^5\)

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\(^1\)Ibid., September 3, 1934.

\(^2\)Ibid., September 11, 1934.

\(^3\)Ibid., September 20, 1934.

\(^4\)Ibid., September 21, 1934.

\(^5\)Ibid., October 4, 1934.
On the Democratic side there was some concern over the outcome of the Senatorial race as Colton appeared to be winning support. Some felt dissatisfied with King and it seemed, as early as the second week of October, that Colton would run stronger than any of King's more recent opponents. The dissatisfaction with King was so great within the Democratic party that some observers felt that had Utah had the direct primary in 1934 Naw would have won the nomination rather than King.¹

In the hopes of offsetting Colton's strength, James A. Farley wired formal endorsement of the candidacy of Senator King.² This was followed by an urge from Senator Thomas for the election of King.³

Again silver was a prominent issue in the campaign with Colton urging remonetization of silver as the surest means of ending the depression.⁴ The Democrats claimed that if the Republicans won, silver legislation would never pass.⁵

With five parties listed on the official ballots⁶ and with the resultant campaign enthusiasm, observers were predicting a turnout at the polls of 170,000 which would be a new record for a mid-year election in Utah.⁷

The actual vote exceeded predictions with a total of approximately 180,000 people voting.⁸ The victory for King was substantial enough

¹Letter of Sutherland to Dern, October 11, 1934, Blood papers.
²Deseret News, October 26, 1934.
³Ibid.
⁴Ibid., October 30, 1934.
⁵Ibid.
⁶Ibid.
⁷Ibid., November 5, 1934.
⁸Ibid., November 8, 1934.
that Colton conceded and sent his congratulations some time before the final tabulations were in. Both incumbent Democratic Congressmen won decisive victories. In many sections of the state the local tickets ran well ahead of King, the so-called state standard bearer for the Democrats.

The Democrats received the biggest majority in the history of the State Legislature. Of twenty-three Senators only four were Republicans and in the House only four of the sixty Representatives were Republicans.\(^1\) Davis County as an example of the Democratic sweep gave the Democrats the most decisive victory in that county ever recorded, with no Republican elected to any office in that county.\(^2\)

The final count showed that Senator King was the low man on the statewide Democratic ticket.\(^3\) The reason for King's poorer showing was the general dissatisfaction with his conservatism. This was displayed in an ad for Colton which read:

"No citizen who is in favor of a broad progressive, constructive program of well-planned public works can support Senator King . . . Senator King is a member of the old political school and as such cannot fit into the New Deal."

The ad was signed by Calvin W. Rawlings, Gilbert D. Moyle, and other Democratic party leaders.\(^4\)

Again as in 1932 the depression played a major role in the election outcome and as in 1932 this resulted in an advantage for the Democrats. The reason for this was the party's vigorous attack on the depression with some tangible results. For example, in February 1934, Governor

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\(^1\)Ibid., November 8, 1934.
\(^2\)Ibid., November 7, 1934.
\(^3\)Ibid., November 26, 1934.
\(^4\)Ibid., November 3, 1934.
Blood reported that more than $7,000,000 had been allotted for non-federal projects in Utah, more than $8,000,000 for major irrigation projects, more than $6,000,000 for highway programs, and nearly $1,000,000 for federal buildings and miscellaneous construction.

Direct federal grants of more than $13,000,000 had already been received in Utah for emergency relief.¹ This was tangible evidence to the voters that they were not being forgotten and something was being done in their behalf.

By May 1934, for the first time in the state since the New Deal, industry was furnishing more new jobs than was P.W.A. With this development it appeared that perhaps recovery was on its way.² This upward trend was a continuation of the trend in 1933 when employment in Utah was up 10 per cent over the first quarter of that year.³

Further indications of recovery were the totals of state tax commission collection. For the five months from July 1, 1934 to November 20, 1934 tax collection gained $894,037 over the amount collected for the same period in 1933 and sales taxes for November 1934 were $74,000 above November 1933.⁴

Business also shared in partial recovery with business in the state for 1934 being from 5 to 100 per cent ahead of 1933. Dun and Bradstreet reported that business throughout Utah was a little better than the rest of the nation.⁵ It was also reported that the total resources of the

¹Ibid., February 2, 1934.
²Ibid., May 21, 1934.
³Ibid., June 23, 1934.
⁴Ibid., December 1, 1934.
⁵Ibid., December 7, 1934.
forty-five banks in Utah, which were all closed by Governor's order on March 3, 1933, showed an increase in December 1934 of $11,000,000 in total resources, over the same month in 1933.1

This partial recovery was very gratifying to the people as was the federal aid at a time when, to save money, Salt Lake City had reduced the number of election receivers from 375 to 300. In fifteen districts that had previously had both receivers and judges the districts were cut to just one set of election officials.2

The people had witnessed the plight of no funds for the government of Duchesne County which had a population of 8,200. Its officials' salaries were in arrears and the unpaid men threatened to resign if the county did not produce their pay. If resignation had occurred, it would have resulted in complete collapse of county government.

To compound problems, the State Constitution left the State government without powers to lend money to a county, no matter what the conditions. On top of this, Duchesne County had bonded obligations of $12,000, or almost twice the limit set by law, so the state could not buy its tax anticipation notes.

Tax delinquencies totaled 60 per cent and some believed that in 1934, with the drought, delinquencies would reach 75 per cent. This, along with the fact that the Indians owned 45 per cent of the county, and the State Land Board, as a result of foreclosures, owned much of the rest

1 Ibid., January 18, 1935.
2 Ibid., October 22, 1934.
of the county property, all of which was tax exempt, made the future look dim indeed.¹

Having witnessed such circumstances and now feeling that perhaps recovery was on its way, and even if not, someone was interested in their welfare, it is not so surprising that the people of the state returned such a heavy majority for the Democrats.

Besides the federal aid coming into the state, the start of recovery, and hard times, the Roosevelt administration also had the small item of patronage in its favor. With the Democrats campaigning on a Roosevelt New Deal platform this may have been of some significance in the party victory. Roosevelt had appointed former Governor Dern as his Secretary of War, which was a good move politically within the state, for Dern was fairly popular and had received much support among various groups for appointment as Secretary of Interior.²

Several days before the election the news had been spreading that Marriner S. Eccles, an Ogden banker, would be appointed as head of the Federal Reserve Bank. He was officially nominated for the post the Saturday after the election, but with Senators King and Thomas declaring during the campaign that he would be appointed, it certainly did not hurt the Democrats' cause.³

To further aid the Democrats, the Blood administration had shown energy and resourcefulness and had co-operated to a large measure with the national administration. In October, Governor Blood made a personal

¹Ibid., August 10, 1934.
²Ibid., February 23, 1933.
³Ibid., November 10, 1934.
trip to Washington D.C. to secure as much aid as possible for the state. He spent some time in the national capitol with a notable degree of success, for as one admirer put it his "untiring efforts brought home the bacon."¹ This kind of activity on the part of the Governor was certainly not lost on the electorate. In fact Blood had made two trips to Washington in 1933 to secure federal funds for Utah. In April he spent three weeks in trying to secure public work projects for Utah.²

The Democrats had also been aided by nature in the form of the drought of the spring and summer of 1934. This gave the party a chance to show the people how Utah was benefiting directly from the relief-conscious New Deal. In mid-April there had been such concern over the serious water shortage in the state that a survey had calculated the supply to be only one-fourth of the 1933 amount.³ Within ten days the situation was so acute that Governor Blood wired Senator King urging special action on the part of the federal government to help out in the drought. He proposed help in the form of making water surveys and irrigation projects to be carried out by the unemployed. He also urged assistance in supplying experts in pumping operations and well boring.⁴ The next day Senator King sent assurance that immediate action would be taken by the federal officials to co-operate with Utah in coping with the drought.⁵

Early in May some aid was forthcoming in the form of $600,000 made by a special grant in Federal relief funds for drought relief. This

¹Letter of L. R. Anderson to Blood, November 18, 1933, Blood papers.
²Deseret News, April 15, 1933.
³Ibid., April 14, 1934.
⁴Ibid., April 24, 1934.
⁵Ibid., April 25, 1934.
move was an attempt to forestall putting on relief 10,000 farm families whose crops were threatened by the drought. The grant was made by President Roosevelt and relief administrator Harry Hopkins just thirty-six hours after the request and survey report had been filed. Governor Blood appointed a nonpartisan board to administer the funds the same day that the grant was made.  

The Governor cut all red tape possible in getting the drought relief project moving, and relief work was under way within four days after receiving the relief notice.  

Soon the Governor was before the federal government again, hat in hand, asking for $50,000 federal assistance for purchasing hay and grain for livestock within Utah. He also asked the railroads for special rates for the moving of cattle in the drought emergency. The railroads had promised immediate action and soon were able to assure the Governor that drought rates would be given farmers. The proposed cuts which were put into effect were 50 per cent of normal for hay shipments, 66-2/3 per cent for concentrated feeds, and 85 per cent of normal for cattle shipments.  

Soon more drastic action was necessary as the drought worsened; in spite of valiant human effort Mother Nature would not co-operate. These worsening conditions caused Blood to put an embargo on hay and mill feed shipments from Utah to other states. He held it against public policy to  

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1 Ibid., May 10, 1934.  
2 Ibid., May 12, 1934.  
3 Ibid., June 2, 1934.  
4 Ibid., June 14, 1934.
allow these shipments and said that if anyone did plan such shipments the
state would take steps to purchase the feed and hold it in the district
of its origin for future use. To further alleviate the food shortage
situation, details of a slaughter project were also being worked out and
studies being made of canning and refrigeration facilities.¹

The slaughter program was to include 8,000 head of cattle weekly to
meet the feed reduction caused by the drought. The plan was to kill the
weaker cattle and keep the Grade A stock for the future. Through the
program $250,000 to $300,000 was added to the state payroll with more
than 1,000 unemployed given work for a sixty-day period.²

Soon the slaughter program was extended to sheep with an agreement
between the government and sheep raisers to slaughter sheep at $2.00 a
head. It was estimated that 250,000 of the 2,500,000 ewes on the Utah
range would have to be slaughtered.³

When an order was received by F.E.R.A. state director Robert H.
Hinkley that slaughter of cattle should be stopped at once, urgent pleas
were sent from the Governor and the state congressional delegation urging
that the cattle reduction program be continued in the state.⁴

At first permission to purchase additional Utah cattle was denied,⁵
but shortly orders were received to proceed at once with the sheep
slaughter program.⁶ This did not seem sufficient to conserve the state
food supply, so Governor Blood telephoned Secretary of Agriculture Wallace

¹Ibid., June 25, 1934.
²Ibid., June 26, 1934.
³Ibid., July 21, 1934.
⁴Ibid., September 18, 1934.
⁵Ibid., October 3, 1934.
⁶Ibid., October 6, 1934.
and presented the desperate plight of the state and pleaded for renewal of government buying of cattle.\textsuperscript{1} Senator King also got into the act as he wired Chester Davis, administrator of the A.A.A., asking for the purchase of at least 50,000 additional cattle in Utah. The senior Senator claimed that Utah was being discriminated against in favor of other states where drought conditions were not so serious as in Utah.\textsuperscript{2}

The federal government in response to the urgent request allotted $684,500 to Utah to buy 50,000 additional cattle to help the feed shortage over the winter. This brought the total spent in Utah for drought-relief livestock purchase to approximately $2,000,000. It also brought the total of cattle slaughtered to 155,000, sheep to 250,000, as well as some goats which were being bought because of the danger of Malta or undulant fever.\textsuperscript{3}

On the whole the stock buying program was rather well received by the public within the state. The Deseret News in an editorial favored government buying of cattle in the state and urged that 75,000 more head be slaughtered at the time the Governor was asking that 50,000 more be bought. The News said: "a program well started and generally approved should be carried to a successful conclusion...."\textsuperscript{4}

The program had much to recommend it. It helped in the drought areas and provided some food for those people on relief, as that livestock which was not condemned was canned and given to the needy.

\textsuperscript{1}Ibid., October 13, 1934.
\textsuperscript{2}Ibid., October 20, 1934, Farm News.
\textsuperscript{3}Ibid., December 4, 1934.
\textsuperscript{4}Ibid., October 26, 1934.
There were some dishonest dealings connected with the program as unscrupulous individuals working the vicinity of Tooele and Grantsville told cattle owners that the government would take a year to pay and that they would withhold part of the promised price. By this method the dishonest individuals were able to talk people into selling their cattle at prices below F.E.R.A. prices; and, then, they in turn sold the cattle to the state for a profit. When this racket was discovered, farmers were warned against it. This action was not in the actual operation and function of the program and so on the whole it can be said that the drought and the Democrats' reaction to the drought with relief funds was a political asset and certainly did not hurt the Democratic party in the 1934 election. Perhaps the positive accomplishments of the Democratic party more than offset the potential harm of the Stain, Ewing, and Welling cases. At any rate, the Democrats were very successful at the polls in 1934.

1935 Legislature

The 1935 Legislature started off fiercely and ended in the same vein. It began with a heated battle for the presidency of the State Senate, pitting J. Francis Fowles of Ogden, backed by the more conservative elements of the Senate, and Herbert B. Maw, representing the more progressive elements. In the House, which had experienced a shift to the left since the 1933 session, all three leading candidates, Walter K. Granger, Grant MacFarland, and Mrs. Reva Beck Bosone, were considered liberals. In a

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1Ibid., July 10, 1934.
2Ibid., January 8, 1935.
3Ibid.
Democratic caucus Haws was selected as the party choice in the Senate by a ten to nine vote; and in the House, Granger won the party caucus.¹

In the final vote complete accord seemed to exist in both houses as the Democrats abided by the caucus vote and no sore spots appeared.² In the House Mrs. Bosone was elected Democratic floor leader on the sixth ballot to become the first woman party floor leader in the history of Utah. Her major opponent was another liberal, Warwick Lamoreaux.³

The Governor in his message to the Legislature also got into the liberal spirit of things as he called for unemployment compensation to help meet the state's most serious problem, unemployment. He also recommended old-age pensions, called for consideration of essential amendments to the workmen's compensation act, and opposed any legislation to permit the return of saloons in any guise. He also expressed confidence in the people of the state to build Utah and make her future glorious.⁴

It seemed that there was a consensus throughout the state on the desirability of certain liberal legislation as the Deseret News in an editorial called Blood's message "enlightening" and said that "the legislature would do well to ponder it carefully."⁵

The Twenty-first Legislature got right down to business much faster than did the Twentieth, two years before. Among the first measures introduced were a direct primary proposal and a bill to create a State Planning Board.⁶

¹Ibid., January 12, 1935.
²Ibid., January 14, 1935.
³Ibid.
⁴Ibid., January 15, 1935.
⁵Ibid., January 16, 1935.
⁶Ibid., January 17, 1935.
Many of the bills brought to the Legislature's attention grew out of depression situations. One such bill was the teacher retirement bill which the teachers felt entitled to because the requirements for teachers had gone up since the depression, the size of classes and hours had been increased, and salaries of teachers had been reduced from between 18 to 43 per cent. This legislation was opposed by those who resented the increase in cost and taxation, and by labor leaders, who did not feel teachers should be favored over workers.

Other bills that grew out of experiences of the depression included a bill introduced by Paul Peterson, a Democrat of the mining community of Park City and later president of the State Federation of Labor, to prohibit the use of the National Guard in strike duty. This grew out of the 1933 Carbon County strike. Another bill growing out of depression conditions was an emergency bill designed to prevent thousands of dollars of tax delinquent property from going to public sale. This bill provided for an extension of ninety days on the moratorium granted by the State Legislature in 1933 on tax delinquencies. The extension was designed to give the Legislature time to work out some method for relief for those in danger of losing their property.

Another problem connected with the depression, but a perennial problem even in prosperous times, was revenue measures. Tax measures seemed to be a prime concern with various groups proposing tax bills. The State Tax Commission alone proposed thirteen bills to tighten up tax loopholes.

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1Ibid., January 21, 1935.
2Ibid.
3Ibid., January 23, 1935.
Along with the avalanche of tax bills the progress of the Legislature was impeded by the farm-labor bloc threat, discussed in the repeal and N.R.A. chapter that failed to materialize. As evidence to reinforce Speaker Granger's pledge that the Legislature would handle all bills in the regular session, the Senate passed all previous state records by reading thirty-four bills and passing them to the docket clerk in just twenty-six minutes.  

The lawmakers proceeded to dig themselves out of the mass of tax legislation and go on to consider two other liberal items, Warwick Lamoreaux's proposal for a unicameral legislature and ratification of the child labor amendment to the U.S. Constitution that had failed to pass in 1933. The unicameral program was a move that would involve amendment of over thirty sections of the State Constitution. The resolution provided for a legislature of from thirty to fifty members chosen on a nonpartisan basis. This ambitious reform never became law.

The child labor amendment passed the Senate, which had defeated the amendment in 1933, by an eighteen to four vote. In the House the proposal was expected to be a test of the farm-labor bloc, for labor favored the amendment and farmers opposed it.

Apparently the appearance of so much liberal legislation was too much for some more conservative elements, notably the Deseret News and the Salt Lake Chamber of Commerce. The News opposed the Child Labor Amendment.

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1Ibid., January 24, 1935.
2Ibid., January 25, 1935.
3Utah, Senate Journal, Twenty-first Legislative Session, 1935, p. 75.
Amendment saying "It is to be hoped that Utah Legislators will have the wisdom and the foresight to keep the state free from the Federal usurpation of powers which it is the right and duty of the state to exercise."\(^1\) The Chamber of Commerce also gave vent to its frustrations against liberal trends in the state by coming out in favor of sedition laws "to combat subversive activities in America and to protect the United States democracy."\(^2\)

The Deseret News editorial was not lost on the House for that body voted at first thirty-two to twenty-eight to defeat the amendment ratification,\(^3\) however, Mrs. Bosone changed her vote as soon as it was evident that the amendment had lost, thus making her eligible to ask for reconsideration. She immediately served notice she would move for reconsideration of the House action.\(^4\) The backbone of the opposition to the bill came from the farm bloc even though the Farm Bureau, prior to the vote, had announced it would take no part.\(^5\) On Mrs. Bosone's motion of reconsideration the Child Labor Amendment passed by a vote of thirty-two to twenty-eight, however, Grant MacFarland, taking a page from Mrs. Bosone's book, changed his vote from no to yes and served notice of reconsideration.\(^6\) Mr. MacFarland let his notice go by default, and so Utah became the twenty-second state to ratify the Child Labor Amendment.\(^7\)

\(^1\)Ibid., January 26, 1935.
\(^2\)Ibid., January 28, 1935.
\(^4\)Ibid., p. 108.
\(^6\)House Journal, p. 148.
\(^7\)Deseret News, February 1, 1935.
With the Governor's budget message presentation, revenue and expenditures again came to the front of major legislative considerations. In his message Governor Blood urged relief to State Departments whose efficiency had been hampered by the lack of funds. He also set forth the principle of not increasing the tax load for property holders. He called for an appropriation of $5,298,886.87, which was $350,000 more than his estimated revenue, but he proposed to achieve a balance by refunding the last state bond over a longer period of time which would release $250,000 a year for the 1935-37 biennium.\(^1\) Blood's message, besides setting forth his budget proposals, also broke with precedent as it was read as a communication in separate sessions of the Legislature.\(^2\)

In keeping with Blood's proposal not to increase the tax load on property, Senator Ward Holbrook (Democrat, Davis) introduced a bill to amend the state income tax law to put a heavier burden on the rich. In support of his bill Holbrook said that Utah was known as a conservative state because the state taxes did not touch the well to do. He said, "it is time we attempted to do something radical and touch the purse of the wealthy."\(^3\) The bill was amended to include higher rates and a $100 property tax offset. Liberals were determined that the bill would not pass in this condition while conservatives were just as determined that it would. The liberals contended that the offset would only benefit those with larger incomes.\(^4\)

\(^1\)Ibid., February 2, 1935.
\(^2\)Ibid., February 4, 1935.
\(^3\)Ibid., February 6, 1935.
\(^4\)Ibid., February 11, 1935.
To give added emphasis for the need of the tax bill with a lower rate of offset, State Budget Director E. R. Miles issued a statement to the effect that Utah's budget for the biennium 1935-37 would exceed the Governor's budget and, therefore, the Legislature must pass legislation to provide increased funds.\(^1\) With this added voice the Senate turned toward the left in its tax views and passed a bill with a $50 offset.\(^2\)

The Senate had passed two major tax measures, the personal income tax bill and the corporation franchise bill, each with offset provisions. The House however appeared ready to delete the offset clauses so the tax muddle was still a long way from settled. By late February a rift between House and Senate over the tax properties offset had developed.

The battle over the income tax and the corporation tax bills was thrown into conference by the feud that developed between the two Houses. The conference was called in the hope of working out an acceptable compromise.\(^3\) Instead of a compromise the Senate finally capitulated and accepted the tax bill as passed in the House with a deletion of property tax offsets.\(^4\)

Other bills of importance to be dealt with by the Twenty-first Legislature included the Workmen Compensation bill which was passed in the House, but with the Utah Manufacturers Association leading the attack on the bill the Senate failed to pass it. The House, flushed with its victory over liquor control, tried to force Senate reconsideration of the

\(^1\)Ibid., February 18, 1935.  
\(^2\)Ibid.  
\(^3\)Salt Lake Tribune, March 1, 1935.  
\(^4\)Ibid., March 10, 1935.
bill. The Senate refused to give in to the House again and so the compensation bill failed.\(^1\)

Another bill strongly opposed by the business interests was a bill to lower the legal rate of interests in the state from 8 to 6 per cent and the contract rate from 12 to 8 per cent.\(^2\) This eventually passed, but with contract interest of 10 per cent instead of 8 per cent.\(^3\)

The 1935 Legislature also passed a long sought bill to make the school head appointive in a move designed to end the twenty-year fight on the school head.\(^4\) But in the 1936 general election the proposed state constitutional amendments to accomplish this purpose were defeated at the polls.

Other long lobbied for legislation included a labor supported measure to limit the length of trains. This measure was passed by the House after eighteen years of effort by labor interests. This bill introduced by Mrs. Bosone was to limit freight trains to seventy cars and passenger trains to fourteen cars. The purpose of this bill was to promote safety for man and cargo.\(^5\) The Senate however defeated the measure when it tabled the bill late in the session, because it was so controversial that it would hold up Senate action on other bills considered to be of more importance.\(^6\)

With the drought still fresh on it\'s mind the House passed an emergency water bill fifty-eight to zero with two absent, after Governor

\(^{1-6}\)Ibid., March 18, 1935.  
Deseret News, February 6, 1935.  
Ibid., February 20, 1935.  
Ibid., February 6, 1935.  
Ibid., February 19, 1935.  
Salt Lake Tribune, March 12, 1935.
Blood had written a note to the sponsor of the bill, Grant MacFarland, stating he wanted the bill as part of the Deer Creek Project. The bill was designed to extend the time of water rights not used so those with water rights such as Salt Lake City could still keep their rights and plan ahead for water development without losing their rights from failure to use them. Governor Blood had deemed water development, and especially those phases of water development that would further the Deer Creek Project, so vital that he broke another precedent to appear before a joint committee hearing to urge passage of a bill providing the creation of metropolitan water districts. The Governor's efforts on behalf of water projects were rewarded with a measure of success, for all major water bills were passed by the Legislature.

After a turbulent session that had lasted four days past the constitutionally allotted sixty days, the Twenty-first Legislature adjourned sine die. Many of the House members left nursing grudges against the Senate for what they called failure of the upper House to give fair consideration to social legislation.

The Legislature despite their inter-chamber differences did manage to agree often enough to end prohibition in Utah after eighteen years; provide for higher income, inheritance, and insurance taxes; enact uniform traffic, criminal, and anti-narcotic acts; pass important new water laws; establish a sounder basis for social welfare programs; pass laws enabling Utah's financial institutions to take better advantage of

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2 Ibid., February 26, 1935.
3 *Salt Lake Tribune*, March 19, 1935.
4 See chapter "Repeal and N.R.A."
federal assistance of various kind; give the farmer some new regulatory
defines and make some important changes in state departments and institu-
ions.¹

The new individual income tax law was considered to be probably the
most important measure of the session. The highlight of the session was
the liquor control battle, and an interesting sidelight was the number of
581 bills introduced which set a new record for Utah.²

Despite many accomplishments the Salt Lake Tribune, in an editorial,
noted that the Legislature was distinguished by lack of leadership.³

Summary

By 1934 Roosevelt and the New Deal were held in high esteem. The
President had displayed energy, self-confidence, and a positive program
of action; and the Democratic party had followed his leadership and as
a result was benefiting from the President's popularity. The Republicans
realized that the tide of public opinion was running with the New Deal
and the Democratic party in 1934; and as a result the Republican party
in Utah found potential candidates reluctant to be sacrificed in an
almost sure Democratic sweep. Most potential G.O.P. candidates felt
disposed to wait on the sidelines for the honeymoon to end and for dis-
enchchantment with the New Deal to set in. Because of this, some of the
Republican candidates in 1934 were amateur politicians with little appeal
and little public experience, this helped make the Democratic sweep all

¹Salt Lake Tribune, March 19, 1935.
²Ibid., March 18, 1935.
³Ibid., March 20, 1935.
the more devastating for it almost insured election of Democrats in many offices. Because the New Deal appeared so well received in 1934 the Republicans in Utah were reluctant to attack the New Deal in total or very energetically. Most of the Republican campaign was centered on Don Colton, candidate for Senate, in the hopes that the popular former congressman and churchman from Utah could upset Senator King whose popularity was dipping, and by defeating King maybe carry some of the other Republican partisans along on Colton's coattails.

The election of 1934 was a mass approval of the New Deal. It resulted in the election of a more progressive Legislature in Utah in both houses, but particularly in the lower house. By 1935 there was a feeling that perhaps overcoming the depression was more important than balancing the state budget; and so the more liberal legislature under the direction of Governor Blood restored cuts in the biennial budget and, instead of passing additional sales tax to finance the increase in budget, the Legislature, under the prodding of the more progressive House, passed some of the most progressive tax laws that had ever been passed in Utah.

Because of the beer control problem that was dealt with in 1935 and which took up much time, some reform and security measures were laid by the way side, particularly by the Senate. The Legislature, however, did pass social security legislation looking to the future and the passage of a federal social security act, which was passed in June. This emphasized the extent to which Utah was looking to Washington for clues and leadership in overcoming the doldrums of the depression.
The 1935 Legislature was more Democratic than the 1933 version and more progressive,¹ though the Senate still remained comparatively more conservative² than the House. The shift toward the left in the House had been partly due to the rise of organized labor in the state under N.R.A. and the representatives from Carbon, Summit, Tooele, Wasatch, and other mining areas as well as the urban areas seemed to follow the promptings of labor lobbyists much more than in previous years.

The 1934 election and 1935 legislature emphasized the popular acceptance of the New Deal in Utah and the extent to which Utah was looking to Washington for guidance. By 1935 the Legislature was also getting more forceful and dynamic guidance from the Governor in specific areas of reform which was also a stimulus to desirable legislation, especially in the realm of water conservation.

¹Favoring reform or political progress, open-mindedness to ideas that challenge tradition, more direct action.

²Tendency to oppose change in institutions and methods.
PROGRESSIVES TO THE FORE

In November of 1935 the Democrats got some indication of their party strength in the Salt Lake mayoralty election. In this election all forecasts were overturned. Incumbent Republican Mayor Louis Marcus was defeated by E. B. Erwin, a Democrat, and Democrat William Murdock defeated incumbent commissioner John M. Knight. Although the election was nominally nonpartisan, Erwin and Murdock were the only Democrats on the ticket, and they were both endorsed by most of the Democratic clubs in Salt Lake City. This seemed a good omen to Democrats; and, as they got under way for the impending 1936 election, they made moves to further their strength by again tying themselves to the New Deal.

With no Senatorial race within the state for 1936 the emphasis was given to the race for governor and the presidential nomination and campaign.

Bitter internal battles appeared a possibility early in both of Utah's political parties as hotly contested battles were shaping up in national committeemen elections. In the Republican ranks there was a move to remove committeeman Ernest Bamberger. In the Democratic ranks it was thought that perhaps Ewing would attempt to regain his committeeman post.

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1Deseret News (Salt Lake City), November 6, 1935.

2Ibid., March 18, 1936.
The predicted bitterness in the committeemen races failed to materialize, as in the Republican convention to select delegates to the national convention harmony seemed to cover the G.O.P. ranks. The delegates elected George W. Snyder as national committeeman to replace Bamberger on the only roll call vote of the convention.¹

In the Democratic convention harmony was not so evident as the meet was featured by vigorous battles and tense moments. The fight between Salt Lake County and the rest of the state was evident in the committee-woman election. Mrs. J. R. Rawlings, of Draper, Salt Lake County, won the national committee-woman post over Mrs. Ora Bundy, of Ogden, on the second ballot after Mrs. D. L. Rice, of Farmington, had withdrawn.

In the national committeeman election Alf Gunn was making a nominating speech for A. S. Brown when Orman W. Ewing made his way to the microphone. Gunn pushed him away and a physical encounter appeared possible until Ewing shouted: "It's all right, I'm going to second the nomination. I move the rules be suspended and Mr. Brown be elected national committeeman by acclamation." A roar of ayes carried the motion.

An attempt to have U.S. Senator King elected as a delegate at large to the national convention failed, and gave an indication of the liberal temper of the time. A motion was made that the senior Senator be honored with election by acclamation. The motion was greeted by a burst of "no." Then Wilson McCarthy, a prominent Utah Democrat, made a plea for Senator King but cries of "he's no New Dealer," and "he hasn't supported the

¹Ibid., May 4, 1936.
President," went up.  

The inability of King to be elected a delegate demonstrated that his conservatism was not popular in his own party.

The Republicans were having more success in finding candidates for political office than in 1934. By mid-March William W. Seagmiller, the Republican candidate for governor in 1932, had already tossed his "stockman's Stetson" into the ring as an open and avowed candidate for the party nomination for governor. Several others were being mentioned prominently to oppose him.

On the Democratic side Governor Blood was believed to be willing to stand for renomination and there had been a distinct effort to strike up support for Herbert B. Maw, dean of men at the University of Utah and a liberal state Senator. It was reported that at Democratic meetings Maw was receiving greater ovations than the Governor. Others mentioned on the Democratic side included Hugh W. Woodward of Provo and Harman W. Peery, Mayor of Ogden.

By April Governor Blood's forces had gained what was considered a victory as Calvin W. Rawlings was elected State Democratic Chairman over incumbent chairman Olof R. Michelson. Rawlings was given the backing of the Blood supporters.

Governor Blood, however, was soon given another worry as Mayor Peery of Ogden began to indicate quite strongly that he would run for governor as an independent. This would hurt the Democratic ticket much

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1 Ibid., May 25, 1936.
2 Ibid., March 18, 1936.
3 Ibid.
4 Ibid., April 6, 1936.
more than the Republican, for Peery was nominally a Democrat and a liberal and it was expected that he would make a strong appeal for support of New Dealers.\(^1\) To compound Blood's troubles, Maw-for-Governor clubs were being organized throughout the state.\(^2\)

To help offset possible gain to Republicans through the threat of a Peery independent ticket, the Republicans appeared near a split over the Townsend old-age pension plan as a fight over the plan appeared almost certain. Indication of the Townsend club strength was given at the Weber County convention in which a resolution favoring the plan was voted down twenty-nine to twenty-three.\(^3\)

Another problem faced Governor Blood as attention was being turned to the problem of whether a special session of the Legislature should be called to consider the state social security law. The trend of opinion at the Democratic party convention in May seemed to favor a special session for legislative action. Progressives predicted that immediate action was necessary in order to unite labor and social security advocates behind Governor Blood. If such action was not taken, social security advocates predicted chaos and possible schisms in the Democratic ranks.\(^4\)

With problems within the Democratic party, the Republicans began to show new enthusiasm as their national convention approached. A poll of the Utah delegates showed they were almost unanimous for Alfred Landon, previously they had agreed to vote for Landon on the first ballot only if

\(^1\)Ibid., April 10, 1936
\(^2\)Ibid., April 21, 1936.
\(^3\)Ibid., May 1, 1936.
\(^4\)Ibid., May 25, 1936.
it looked like a landslide was developing, otherwise, they planned to give at least a complimentary vote to Senator William E. Borah.¹

The Utah delegation after Landon's nomination, however, was reportedly disturbed by Landon's interpretation of the Republican platform plank for a sound currency as currency redeemable in only gold.²

The delegates to the Democratic national convention also wanted a silver plank. The effort of Utahans for a silver plank was to no avail. It was reported that the silver plank was left out for sake of brevity, but they were assured of administration friendliness to silver.³ The Utah delegates voted unanimously for Roosevelt and predicted that he would carry Utah by 50,000 votes.⁴

While attention was being given to nomination of presidential candidates, Senator Maw was stirring up support at home. He charged that backers of Governor Blood were unethically, and probably illegally, using state departments and state employees as a renomination machine. Maw further charged that "threats and coercion" were being used by the Democratic machine, that had dominated the state politics for several years, "to whip state employees into line."⁵

There is some evidence that Maw's charges were true. State officials, particularly the auditors as they made their rounds of the counties, took political surveys.⁶ Also threats and coercion came into play as Lewis Jones, Box Elder County Attorney, in advising Blood of a Maw rally in

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¹Ibid., June 9, 1936.
²Ibid., June 12, 1936.
³Ibid., June 26, 1936.
⁴Ibid., June 27, 1936.
⁵Ibid., June 13, 1936.
Brisbam City, said he had "been using the right kind of persuasion on one or two employees of the state who have been a little too free with Dr. Maw's candidacy efforts."¹

Maw also criticized the public welfare administration as being too conservative and acting to protect the interests of the rich and well to do rather than to bring relief to the aged. He also criticized the welfare board for failure to grant adequate monthly allowances.² Maw referred to the "conservative governor" in his speeches and emphasized the old-age pension. It was reported that mostly Townsendites attended his meetings.³ It was further reported that the schoolteachers were enthused with Maw.⁴

Because of the appeal of Maw to old-age pensioners, Blood was advised by his supporters to call a special session of the Legislature so Utah could fully participate in the social security act and also for electoral reasons.⁵ The opposition faction was also advising a special session.⁶

On August 3, the Governor issued a call by proclamation for a special session of the Utah Legislature to meet August 24, to consider the unemployment provisions of the National Security Act. It was felt that the call would show labor that Blood stood squarely behind President Roosevelt and might help heal the breach developing in the party between liberals and conservatives.⁷

¹Letter of Lewis Jones to Blood, June 19, 1936, Blood papers.
²Deseret News, June 18, 1936.
³Letter of Jones to Blood, June 19, 1936, Blood papers.
⁴Letter of Jones to Blood, June 27, 1936, Blood papers.
⁵Ibid.
⁶Letter of Will R. Holmes to Blood, July 4, 1936, Blood papers
⁷Deseret News, August 3, 1936.
The special session call failed to win labor over to Blood. The Utah Federation of Labor said it was unalterably opposed to Blood's renomination and called him "labor hating Governor Blood."¹

The call of the special session opened a Pandora's box as far as the Governor was concerned, for pressure groups started trying to force consideration of the liquor control law and the rules governing old-age assistance made through the State Board of Public Welfare. Also the Governor had to appoint five new Representatives and one Senator to fill vacancies caused by resignations.² By the time the session met, Blood had two additional Representative posts to fill because of resignations of two more Representatives due to accepting national appointive posts.³

Because of dissatisfaction with patronage, the progressive forces tried to get Blood to submit his interim appointments to the special session for the approval of the Senate. It appeared as if a Supreme Court decision would be needed to determine whether Governor Blood must submit his interim legislative appointments to the Senate for approval or not.⁴ The Governor ultimately won the battle over appointments and his appointments were not submitted until the 1937 regular session.

There were also some who held that the call for the special session was just a farce to win labor votes while the Governor paid no heed to petitions of 12,000 aged to revise the old-age pension, for the Governor felt the machine would hold the 12,000 aged votes in line.⁵

¹Letter of Harold G. Grose to Thomas, August 14, 1936, Blood papers.
²Deseret News, August 4, 1936.
³Ibid., August 13, 1936.
⁴Ibid., August 5, 1936.
⁵Ibid., August 7, 1936.
The aged perhaps did not remain in line too solidly, for in the scramble for delegates to the state convention, Maw delegates were elected with the help of the aged people whose cause he had championed.¹

As the convention neared, both Maw and Blood were predicting victories on the first ballot. Blood predicted 500 votes and Maw predicted 530.²

The party convention was colorful right from the start. When the Democratic District Two meeting convened at the Newhouse Hotel ballroom, there was an immediate motion that the meeting be adjourned, even before it had been called to order. Because of the intense heat it was finally agreed to move next door to Covey's Coconut Grove. Police had to be called to help quiet the disorder in the meeting. When they decided to move to Covey's, the establishment was found locked and the delegates had to wait half an hour until arrangements could be made to use the hall. Some delegates threatened to go home, others suggested an open-air meeting. Before the doors were opened it started to rain, but most delegates remained and once inside, the convention proceeded as scheduled. Representative J. Will Robinson was renominated on the first ballot in a contest against Lawrence E. Nelson and Ray Van Cott.

In District One Abe Murdock of Beaver was renominated by acclamation as candidate for Representative.³

The Democratic platform praised Roosevelt and promised unreserved support. It also pointed to a Blood victory in the nomination race, for

¹Ibid., August 11, 1936.
²Ibid.
³Ibid., August 15, 1936.
it contained praise for the state administration and liberals were defeated in an attempt to liberalize the platform on old-age pensions. They announced that they would carry their fight to the convention floor.

When the platform was read lauding Governor Blood, it drew boos from the Maw faction and applause from the Blood delegates. In the floor vote the platform won and the move to liberalize old-age security failed, another indication of Blood's strength.¹

In the battle for the gubernatorial nomination, Blood defeated Maw 447 to 353 with 401 needed for nomination. Maw sent a message to the convention saying: "I am a one hundred per cent Democrat and I shall support the ticket to the fullest extent." But his message did not immediately bring his supporters back into line.²

Maw's political strength came from the urban counties—Weber, Utah, and Salt Lake—while Blood received a majority of all outlying county votes except Sevier County, which gave Maw eight and one-half votes to Blood's seven and one-half.³

The Utah Democrats began reconstructing their organization which had been shot full of holes by the intra-party feud over nominations. Possibilities that threatened the party were that Dr. Maw would accede to the wishes of many of his supporters and head a third party ticket, or if Maw chose not to run, that his supporters would follow Mayor Harman W. Peery.⁴

¹Ibid.
²Ibid., August 15, 1936.
³Ibid.
⁴Ibid.
Maw's supporters sent a five-point progressive demand to Governor Blood which they said "must be met to unite the party." The demands included unemployment insurance, a social security program including old-age assistance, a direct primary law, and submission of all unconfirmed appointments to the Senate in the special session for confirmation.  

Mayor Peery was jubilant over the outcome of the convention; he felt that Governor Blood's nomination assured election of an independent candidate.  

The Democratic liberals charged that the party in Utah was being controlled by six conservative leaders called the "unlikely six" who ran politics without regard for the desires of the party as a whole. Because of the progressive unhappiness, the Democrats began thinking in terms of increasing the size of the party State Committee to wipe out geographic sore spots by providing some outlying sections some additional representation. It was also rumored that there would perhaps be a joint meeting of party factions to attempt a conciliation of the various groups.  

While the Democrats were trying to heal the wounds, the Republicans were silently celebrating, and at the same time hoping that their own six-sided race for nomination of a gubernatorial candidate could be resolved without hurt feelings. It appeared to observers that D. H. Christensen was the leading candidate, but most were predicting that several ballots would be needed. Just in case one of the six announced

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1 Letter of Progressives to Blood, August 15, 1936, Blood papers.
2 Deseret News, August 17, 1936.
3 Ibid.
4 Ibid., August 18, 1936.
5 Ibid.
6 Ibid.
candidates for the gubernatorial nomination failed to be chosen by the third ballot, several dark horses were being groomed by the Republicans.\textsuperscript{1} A dark horse was not necessary as the Republican convention proved to be a love fest where on the second ballot Republicans proceeded to nominate Ray E. Dillman of Roosevelt as their candidate for governor.\textsuperscript{2}

In the Republican party district conventions held concurrently with the state nominating convention, Arthur V. Watkins, a Utah County attorney and fruitgrower was chosen to run for the Second District Representative post against Democratic incumbent J. Will Robinson. In the First District Charles W. Dunn, a Logan lawyer, was named to oppose another Democratic incumbent, Abe Murdock.\textsuperscript{3}

The party platform pledged fairness to labor, encouraged private initiative and enterprise, pledged an old-age program to extend aid without embarrassment and humiliation. It also deplored the failure of the Democratic State Treasurer-elect, Stain, to post bond. It charged whitewashing of Welling, and padding of travel expenses of state bank examiners.\textsuperscript{4}

Blood and his supporters simultaneously tried to cut the ground from under the Republican old-age platform and the Maw faction in one fell swoop by an announcement that payment to the needy aged of the state would be increased 30 per cent beginning September 1.\textsuperscript{5}

Peery was trying to make inroads into the Democratic voters with a platform of tax reform, repeal of the state liquor law, liberalization

\textsuperscript{1}Ibid., August 20, 1936.
\textsuperscript{2}Ibid., August 24, 1936.
\textsuperscript{3}Ibid., August 22, 1936.
\textsuperscript{4}Ibid.
\textsuperscript{5}Ibid.
of social security laws, and a direct primary. Most of his platform was in pretty near conformity with the progressive demands on Governor Blood. ¹

With nominations over, major concern temporarily focused on the special session of the Legislature to see which direction it would go and if Blood could parlay the session into a political advantage. The Governor placed unemployment insurance and unemployment insurance alone before the special session. He specifically asked that the session confine its activity to unemployment insurance. ²

On the surface all appeared peaceful at the opening of the session which heard Blood's message. The general tenor of the Legislature seemed to be to get the business at hand over with and get home. ³

The Governor requested that a bill be passed by a two-thirds majority so administration of the law could begin immediately and not be delayed sixty days as required if passed with less than a two-thirds majority. ⁴ Members of the progressive committee that listened intently to Governor Blood's message indicated they were not very enthusiastic over what they heard. Another progressive committee reported negotiations with the Governor had been "unsatisfactory." These forces of Senator Maw met to form a New Deal Democratic League to further their cause. ⁵

With the progressive faction of the Democratic party organizing, the more conservative element of the party attempted to thwart this

¹Ibid.
²Ibid., August 24, 1936.
³Ibid.
⁴Ibid.
⁵Ibid.
effort and embarrass Senator Maw, who seemed to be the main rallying point of the liberals. Representative Samuel F. Kiefer requested an opinion of Attorney General Chez as to whether Maw, by virtue of his job at the University of Utah, was eligible to hold a seat in the State Legislature. The Attorney General's ruling, given by assistant John D. Rice, held that Maw had a valid right to his seat.1

In the meantime, the Legislature proceeded to heed Blood's request, and by an unanimous vote, on August 21, Utah became the seventh state to pass an unemployment insurance bill which could meet the requirements laid down by Roosevelt's social security program. The Utah law which proceeded rapidly through both houses of the Legislature was declared by Dr. Heber R. Harper, regional director for the Social Security Board, to be the "model law to date."2

Harper further declared that "Utah has been in the front ranks of states in co-operating with the federal social security program." By the unemployment insurance act Utah had qualified for all portions of the Social Security Program. Utah was one of the first states to receive all the benefits of the National Social Security Act.3

With this sweet success still sounding to his credit, Blood was accorded another political asset when Senator Maw announced to 1,000 of his supporters that he would not run for Governor as an independent. Then, to add to the words of conciliation, the Maw faction also took

1 Ibid.
2 Ibid., August 28, 1936.
3 Ibid.
actions of a conciliatory nature as four of the Maw faction leaders escorted Governor Blood to the Jackson Democratic League of Utah. The two events appeared as gestures to heal party wounds and clear the political skies.¹

These gestures still did not end the internal battle, although quiet did reign supreme in the party until after the funeral of Secretary of War George Dern on September 1, which was attended by President Roosevelt. However, after an appropriate period of mourning for Dern, the forces within the Democratic party were again engaged in a hotly contested battle over selection of Salt Lake County Democratic nominee for the State Legislature. These battles centered on the four Senatorial seats being contested within the county. The Senate had usually been conservative in comparison to the House and the county conservatives wanted to keep things that way while the progressives wanted to gain control of the upper house as well as the lower.²

Some of the conservative elements of the party felt that the party should let Maw men get the nomination for the county ticket so that when the campaign warmed up they would work for the whole Democratic ticket.³

The progressives nominated their slate of candidates for the Senate in Salt Lake County with Maw himself seconding the nomination of all four candidates nominated.⁴ Before the county legislative convention was over the progressives had made a clean sweep.⁵ Then, to add to their

¹Ibid., August 27, 1936.
²Ibid., September 10, 1936.
³Letter of L. C. Montgomery to Cal Rawlings, September 16, 1936, Blood papers.
⁴Deseret News, September 11, 1936.
⁵Ibid., September 12, 1936.
success and to help consummate peace within the party ranks, seven generals of the progressive faction were appointed to the state executive committee.¹

In a move to prevent Peery's independent progressive party from listing progressive candidates under his ticket to enhance his attempt at the governorship by making it appear that he was a Roosevelt progressive, the Democratic candidates for state office filed a certificate declaring that "the name of no person listed shall appear on the official ballot as the candidate of any other than the Democratic party of the State of Utah."²

According to Secretary of State Welling, this was not a mandate to prevent him from certifying Democrats under another ticket, if a 1933 law declaring that a person could have his name appear under more than one emblem on an election ballot meant anything.³

Peery was not convinced by the Democrats' move, for when he submitted his list of candidates for his independent, progressive party, running under the bucking horse emblem, the list included the Democratic nominees with the single exception of Governor Blood. This lurked as a further threat to the Democratic party old guard.⁴

The Democrats had the choice of having their names withdrawn from the Peery ticket by writing a letter of request to the Secretary of State or of letting their names remain on the Peery ticket, a choice which many felt would almost assure them election.⁵

¹Ibid., September 14, 1936.  
²Ibid., September 17, 1936.  
³Ibid.  
⁴Ibid., September 22, 1936.  
⁵Ibid.
Peery's committee served notice that the Democratic candidates must announce publicly whether or not they would stay on his ticket. The committee also demanded a pledge of those who stayed on the Peery ticket that they would not withdraw when it was too late in the campaign to replace them.\(^1\)

It was felt that because of the great amount of patronage passed out by Blood to "old Guard" Democrats that the party machinery would be badly damaged, if not disabled, if the candidates permitted their election under the bucking horse emblem. The machine would lose all its patronage plums by which it had held members in line.\(^2\)

With the added novelty of Democrats running on two tickets with the only difference being the candidate for Governor, Utah had suddenly jumped into the national political spotlight. Because of the difficult situation Parnell Black, Salt Lake County Democratic chairman, started a house-to-house canvass of every district in the county to determine the sentiment of the people on the Peery issue.

A. S. Brown, the party national committeeman, said that he had received no new instructions from Washington.\(^3\)

It appeared as if the Republicans would solve the dilemma for the Democrats for it appeared that the Republicans would seek a court order against any candidate appearing under the two party emblems. It appeared almost certain that if the Democrats did run on both tickets and were

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\(^1\)Ibid.
\(^2\)Ibid.
\(^3\)Ibid., September 23, 1936.
successful, that the Republicans would in all likelihood contest the
election results.1

Besides the impending threat of a contested race by the Republicans,
Peery was given another setback when A. S. Brown, national committeeman,
said, "My advice to the Roosevelt electors, nominated by the Democratic
party of Utah is to keep off this ticket and any other ticket, except
the Democratic ticket."2

Brown did not say whether he had received any advice from the
national committee.

Peery, however, did have three petitions signed and ready to submit
which he could file before the October 3 deadline. One would place him
on the ticket with the Roosevelt electors, one on the ticket alone, and
another would include the entire Democratic ticket excluding Governor
Blood.3

The self-confident, loquacious Mayor of Ogden appeared unshaken by
the unsettled state of events. Speaking before the Women's Legislative
Council of Utah he spoke of liking "the new offices here" and of "what I
am going to do up here next year." He kidded, "I want Mr. Dillman and
Mr. Blood to feel free to come up here to visit me next year, when I am
governor."4

Although Peery was running as a progressive, the State Federation
of Labor at its convention announced its opposition to Peery's candidacy
for Governor because of Mayor Peery's attitude toward organized labor. The convention took no stand in regard to Governor Blood and candidate Roy R. Dillman. Motions calling for support of Governor Blood and Ray Dillman were both tabled.1

With everyone claiming to be progressive, the true progressives created a new political force with the organization of the Progressive Democratic League of Salt Lake County. Senator Maw was the instigator and orator at the meeting in which the group was originally organized. Their purpose was "to nominate and elect city, county, school, and state officers who will be pledged to oppose special interest. . . ."2

Maw gained unanimous consent at the meeting to bargain with the Democratic party leaders. If he could come to an agreement of policy with the party chiefs, Maw would go on radio and urge support of the Democratic ticket from top to bottom. Otherwise progressives would not be pledged to party support and would vote for any candidate.3

By mid-October, when unity was becoming a crucial problem, the Progressive Democratic league definitely swung into line with the Democratic party to campaign as a unit; and Senator Maw entered the campaign with a radio speech for Blood. The unit came about with an agreement of the two factions of the party which was arrived at in secret. The Governor was said to have agreed to co-operate in making administration of laws more progressive.4

1Ibid., September 25, 1936.
2Ibid., October 7, 1936.
3Ibid.
4Ibid., October 15, 1936.
With the campaign intensity increasing Dillman was making a record for miles covered and number of speeches made. The campaign was centering almost entirely on the gubernatorial election within the state as all parties seemed interested in capturing the governorship and all the patronage that went along with the office. Governor Blood was running on his record and Dillman was centering his attack on the Democratic machine run supposedly by patronage.

With seven tickets in contention within Utah it was the longest ballot that anyone could recall in the history of Utah. The ballot was twenty-three inches wide and a yard long. Besides the seven parties there were six amendments on the ballot. With all of these candidates in the running no other candidate was being much mentioned other than the gubernatorial candidates, and the amendments were seldom discussed.

The battle between Blood and Dillman was so sharp that Peery remained rather quietly on the sidelines in the belief that the two major parties were throwing enough bombasts that he would not need to do much. Because of the use being made of the radio by the major parties, Peery felt compelled to add a new plank to his platform. He would restrict the use of radio in political broadcasting.

With the campaign swinging into the last week both major party candidates for governor began concentrating on the more populous areas of northern Utah, particularly Salt Lake County.

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1 Ibid., October 16, 1936.
2 Ibid., October 22, 1936.
3 Ibid., October 9, 1936.
4 Ibid., October 23, 1936.
Dillman was finding it necessary to spend some time defending his voting record as a State Senator, and explaining the liquidating of the Roosevelt Bank of which he was an officer, besides concentrating his own attack on the alleged Democratic machine in Utah.

Peery and Blood were trying to tie themselves to Roosevelt's coattails. Blood boosters said, "a vote for Dillman is a vote against Roosevelt, a vote for Peery is a vote against Roosevelt." Peery said he was for Roosevelt, but against the political machine in Utah.¹

Senator King pleaded for reelection of Blood. He said it was Roosevelt's desire that the Governor be reelected.²

As accusations flew back and forth daily in a hot exchange between Blood and Dillman, the Deseret News dropped a bombshell that took much interest from the Governor race. On page one, the Saturday before the election, an editorial appeared telling of the Mormon belief in the sacredness of the Constitution and declaring that the Constitution should be preserved. The contention was that the campaign for presidency had touched on Constitutional issues for Roosevelt had characterized the Constitution as of "horse and buggy days" and had asked Congressmen to pass laws irrespective of the Constitution. A great amount of the legislation passed by Congress at his request had been declared unconstitutional, and he had done this in spite of his oath to uphold the Constitution. The editorial said the other candidate had declared his

¹Ibid., October 24, 1936.
²Ibid., October 28, 1936.
stand for the Constitution and had "shown himself to be an honest, truth-
ful man, a patriotic, efficient public servant." The conclusion was that
"Church members, who believe the revelations and the works of the prophet
must stand for the Constitution. Every patriot loving his country and its
institutions, should feel it duty bound to vote to protect it."¹

There was much immediate and adverse reaction to the editorial. A
reaction that appeared to be quite typical of many was a letter from
George H. Crosby to Samuel O. Bennion, the Church official in charge of
the News. Crosby said he had just canceled his subscription to the
Deseret News because the Church should not interfere in politics and it
had. He characterized the editorial as a stab in the back to Roosevelt.

Mr. Crosby had been on the bench of the Arizona Supreme Court and
said he had interpreted law as "the greatest good for the greatest number
of people." He said those who followed that school, including himself
and Roosevelt, were no more Communists than J. Reuben Clark, Jr., whom
he felt was the cause of the editorial. Crosby stated that the Deseret
News had been in his home for fifty-six years, but it was no longer
entitled to a place there.²

There were enough letters criticizing the editorial that the News
felt compelled to editorialize on the Church policy of not interfering
in the free exercise of the franchise. They said that where great moral
issues are involved or where great principles of Church belief or

¹Ibid., October 31, 1936.
²Letter of George H. Crosby to Samuel O. Bennion, November 2, 1936,
in Blood papers.
doctrines are in peril, the News "... feels it would be recreant to the
public trust ... if it did not tell the people of its views on great
public questions."

The editorial apparently had little adverse affect on the Democratic
party in Utah, for Democrats in Utah swept in nearly everyone from
Roosevelt down to the smallest local official. In the race for Governor
Blood ran generally behind his ticket, but even so and with the three-way
race, Blood still garnered more votes than his two opponents combined.
For the most part, Peery ran a bad third in almost all sections of the
state including some districts of his own county, Weber. Dillman ran
ahead of Blood in a few areas, but outside of Salt Lake and Weber Counties
Blood ran strong and even topped Roosevelt in some areas. In fact,
Blood topped his 32,000 vote majority victory of four years previous.

Many counties went Democratic for the first time since there were
political parties in Utah. With a total vote that was near 220,000 the
Democrats led two to one in most counties. All major state officials and
Congressional representatives were Democrats. Final returns showed that
Kane County was the only county of the state to give Landon a majority.
The Legislature was the most one-sided in the history of Utah. William
H. Griffin, Jr., of Cache County, was the only Republican in the Senate
and he was a holdover member. In the House only four of the sixty
Representatives were Republicans. All four Republicans were from Salt
Lake County. The Democratic victory was not a great surprise, but the
extent of the win was surprising and devastating.

1Deseret News, November 2, 1936.
2Ibid., November 4, 1936.
3Ibid.
4Ibid., November 5, 1936.
5Ibid.
Columnist David Lawrence, on his nation-wide tour prior to the election in which he took a political pulse, said that Utah would go for Roosevelt, but by a smaller margin than in 1932. The reason for Roosevelt's favor in Utah he felt was, Utah was comparatively prosperous, due to a combination of New Deal generosity and the weatherman's favor.¹

The famous Literary Digest poll of 1936 also predicted a Roosevelt win in Utah although they predicted a Landon victory nationally. In early October, at a time when the poll had Landon ahead three to two nationally, Roosevelt led in Utah and the Southern States.²

The poll showed that in Utah the two major tickets polled ninety-eight per cent of the votes and so it was concluded that the third party with William Lemke running for president on a Union ticket would not cut very heavily into the two major parties¹ vote.³ Lemke, when he visited Utah on his campaign, was predicting victory.⁴

The final Literary poll gave Landon a four to three lead nationally, but still showed Roosevelt leading in Utah with 5,318 to 4,067 votes.⁵ With the Literary poll predicting a victory for Roosevelt in Utah and with the portion of the population which was answering their poll, it is not so surprising, in looking back, that Roosevelt and the Democratic party won such a smashing victory in Utah.

Perhaps Governor Blood put his finger on the major reason for the overwhelming victory for the Democrats in Utah in his Second Inaugural speech when he emphasized the fact that Utah had looked to Washington

¹Ibid., August 27, 1936.
²Literary Digest, 122 (October 3, 1936), 7.
³Ibid.
⁴Deseret News, October 19, 1936.
⁵Literary Digest, 122 (October 31, 1936), 5.
for aid in recovery and the federal government had heeded their call and
had played a great role in the state's recovery.¹

Recovery had proceeded apace by 1936. The Deseret News in an
editorial said there were distinctively encouraging signs in business
recovery, particularly in heavy industry. They also felt purchasing
power was broader than any other time since the worst of the depression.²

Perhaps many Utahans felt as one man who expressed himself in a
letter to the editor of the Deseret News in which he said that "the voice
of God was heard in Roosevelt's words."³

With another election victory under their belts the Democrats still
did not seem content, as word leaked out of several inter-party conflicts
over patronage particularly, that threatened to break out into the open
as a post election battle between party factions.⁴

Senator Maw felt he had proved his good intentions of supporting
Governor Blood through the abuse he had taken from the Republicans in the
campaign. The abuse had become so bad that Senator Maw filed a suit
against the State Republican Committee and several prominent campaign
leaders asking for $100,000 damages "for willful malicious and slanderous
publications."⁵

Now Maw felt that

a well planned rumor campaign has been launched by someone
which seems to be designed to make a breach in the party . . . . on
the other hand rumors are circulated among my followers that you
[Governor Blood] have personally interviewed several of the Senators

¹Deseret News, January 4, 1937.
²Ibid., January 5, 1936.
³Ibid., December 4, 1936.
⁴Ibid., December 5, 1936.
⁵Ibid., October 31, 1936.
and asked them not only to oppose my candidacy for President of the Senate but also all legislation I might stand for.

Maw felt perhaps some group was trying to disrupt the party in preparation for the next election. Further he seemed convinced that if factional differences were to be forgotten and a united front presented by the party then it seemed to him that he should be president of the State Senate.1

1937 Liberal Legislature

Senator Maw was elected president of the Senate and proceeded to add that touch of leadership which the Tribune felt was missing in the 1935 Legislature.

Taxation and revenue. The liberal Twenty-second Legislature of 1937 when ended, could point to the prominence played by legislation projecting relief and assistance for the aged, underprivileged, the home owner, the worker, and the small businessman. The biggest and most perplexing problem of the session had been how to increase expenditures in behalf of the "common man" and at the same time reduce their tax burden. The problem of more outgo and less income came to a head in the old-age assistance and the homestead tax exemption bills. These two measures were really the crux of the 1937 session.

Through the passage of the old-age assistance bill, appropriating $200,000 annually to the teachers' retirement fund, giving the fireman's pension fund more money, and adding other expenditures, the Legislature increased social welfare expenses more than $1,000,000 as a minimum and

1Letter of Maw to Blood, December 21, 1936, Blood papers.
well over $1,500,000 as a maximum.\footnote{Salt Lake Tribune, March 15, 1937.} On the revenue side where money would be obtained to meet these payments the Legislature passed the homestead tax exemption bill which would have reduced tax revenues by over $2,000,000.\footnote{Ibid.}

The Legislature did make attempts to offset the effects of the increase in expenditures and decreased property tax with several items. Most important of these offsets was a windfall of $1,000,000 surplus built up during the previous biennium from the motor vehicle license fund. To help further, the vehicle license fund of $800,000 per biennium which had been going to pay road bonds was no longer needed to fulfill that obligation. After 1937 this amount was available to replace any losses resulting from the homestead tax exemption.

Other revenue laws were also passed. These included a "use tax," calculated to produce $150,000 directly, and to increase sales tax collection by $350,000; a new mine tax, which was expected to divert about $400,000 annually from the counties and school districts to the state fund; and an increase of 10 per cent in the liquor markup.\footnote{Ibid.}

The liberals, led by Senator Maw, were confident of the future business trend in the state and nation and freely predicted a surplus at the end of the biennium. His chief antagonist on the economic question, Ward C. Holbrook, predicted a deficit of around $1,500,000.

Maw won praise for his liberal leadership and one lady, who described herself as a pioneer, thanked Maw, in a letter to the editor of the Deseret News for his "untiring effort to get the old folks a pension."\footnote{Deseret News, March 5, 1937.}
The Governor was not so convinced that there would be a surplus, as was Maw, if both the old-age pension and the homestead tax exemption became law. Therefore he signed the old-age pension law and vetoed the exemption act. The Governor felt both bills could not become law and still keep the State functioning in the black. He said both would be a drain on revenues and one of the two must be chosen. It would seem he chose the one most politically expedient to veto. He vetoed the homestead exemption bill saying "we can't have our cake and eat it too."

Labor. Organized labor probably received more attention during the twenty-second session of the Legislature than at any other time in the state's history. Labor interests managed to obtain the passage of bills preventing movement of defective railroad rolling stock; and regulating labor disputes and labor relations. Other labor acts passed included the so-called "little Wagner Act"; registration of plumbers; an act allowing assignment of wages for labor organization dues; another prohibiting deputizing of employers in lockouts and strikes; a bill requiring registration of persons accepting work during a strike; a measure requiring registration of labor organizations; a law giving the industrial commission power of subpoena; measures increasing workmen's compensation; legalizing peaceful picketing; providing eight-hour collar-to-collar days for metal miners; requiring submission of hour registration amendment; providing state amendment relating to hours of work on public works; requiring regular pay days; regulating sales of prophylactics; and finally a bill to establish a state tuberculosis sanatorium. The Governor

1Ibid., March 24, 1937.
2Ibid., March 24, 1937.
vetoed the bill relating to public welfare work in the state. The legislature failed to pass a law providing payment of compensation for occupational disease, but it did pass a bill creating a study looking to the enactment of such a measure for 1939.

Miscellaneous. The major legislation dealing directly with business was the "fair trade practices" act. This was designed to eliminate, or at least mitigate, some forms of cutthroat competition, and was designed to give small independent merchants protection.

A good share of the proposed health program fell by the wayside and the large batch of bills introduced with the view of reorganizing the state government did not get far. Two important reorganizations bills did get through the legislative mill, however; one would create a State Department of Justice out of the Attorney General's Department and the other was to reorganize the State Land Board. The bill creating a Department of Justice was eliminated by the Governor's veto.

An important piece of liquor legislation, the Beer Bill, was passed. In this bill the municipalities and counties won a victory, acquiring exclusive jurisdiction over the sale of the hard beverage. Much ado was made over the new liquor control bill, but actually it made no drastic changes in the existing law, except in enforcement. This duty was to be transferred from the liquor control commission to the newly-created Department of Justice, and this was done away with by the veto of the Justice Department bill.

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1Ibid.
2Salt Lake Tribune, March 15, 1937.
3Ibid.
4Deseret News, March 24, 1937.
The volume of farm legislation was abnormally small. Major acts on the subject of agriculture included the allocation of fees from the Taylor Grazing Act and the State Soil Conservation Act, which was to permit the state to co-operate more fully in the national soil conservation program.

The outstanding governmental legislation was the direct primary law, which was the oddity of the session. It was unpopular with a majority of the Senate and a large number of the House members, yet it was enacted by large majorities in both houses. Everyone had adopted the primary cause in platforms and campaign speeches and very few had the heart to spurn it when it confronted them directly.¹

Education measures included establishment of a new junior college at Price and another setting up a retirement and pension system for teachers. Education lobbyists devoted their chief attention to proposed constitutional amendments, chief among them being one calling for the establishment of a new equalization fund called the "Uniform School Fund." This measure was another of those vetoed by Blood.²

The tax structure of the state underwent no great change at the hands of the Legislature. Bills and resolutions were introduced to alter drastically the then existing system, but the lawmakers were reluctant to experiment too broadly in this field. Consequently the ambitious tax reforms were voted down or smothered over in committee.³

¹Ibid., March 4, 1937.
²Ibid., March 24, 1937.
³Salt Lake Tribune, March 15, 1937.
The two major tax changes involved metal mines and tax exempt securities. The new mine tax departed from the established assessing method on a basis of three times net proceeds. It reduced the multiple to two times net proceeds and added a new occupation tax of 1 per cent on gross value of ore sold or mined.  

Income tax exempt securities were brought into the tax scheme by an amendment to the corporation franchise tax law. It required that income from securities must be included for purposes of computing the corporate franchise tax.  

An interesting highlight of the session was the factional strife in the Democratic party for patronage. From the standpoint of interest and intense feeling among legislators this question of patronage overshadowed all the legislation during the latter days of the session.  

The failure of Governor Blood to recognize the progressive, New group of the Democratic party in making appointments, threatened the appropriations bill. Progressives expressed considerable resentment against appointment of Senator Ward C. Holbrook to the Public Service Commission. The progressive legislators declared that Holbrook had voted down the line against every progressive measure. Resentment was also expressed against appointment of Otto A. Wiesley and Walter F. Granger, both members of the House of Representatives, to the Public Service Commission. Mr. Wiesley was characterized as "a corporation attorney,"

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1Ibid.  
2Ibid.  
3Ibid.
while Mr. Granger was said to have voted as a reactionary during the 1937 legislative session.\(^1\)

The budget bill exceeded the previous largest biennial budget by $2,000,000 and exceeded the Governor's budget request by over $1,000,000. The bill, finally passed, appropriated $7,651,328.37.\(^2\)

The Twenty-second Legislature, which adjourned \textit{sine die} Sunday, March 14, three days after the sixtieth day, was described as a battling legislature, and the session as "the stormiest and most dramatic session in years."\(^3\)

The session was distinguished by three factions within the Democratic party; the progressives, the conservatives, and the independents.\(^4\) As a whole the 1937 session was the most liberal legislature in the history of the state, as members, particularly the liberal members, displayed a very adventurous spirit. In fact the Legislature had been so adventurous as to authorize, during the closing days of the session, an investigation of the Legislature. The reason for the investigation was a persistent rumor charging illegal, improper, and unethical acts on the part of State officials and members of the Legislature.

The investigation by a nonpartisan committee of five, however, collapsed of its own weight at the first and only meeting held. It was learned that only $934.26 was in the contingent fund of the Legislature.

\(^1\)\textit{Deseret News}, March 13, 1937.
\(^2\)\textit{Ibid.}, March 15, 1937.
\(^3\)\textit{Ibid.}, March 15, 1937.
\(^4\)\textit{Ibid.}
for the investigation and the State Auditor reported that against this amount there was nearly $934 of unpaid bills.¹

Summary

By 1936 the New Deal was still very popular, Social Security legislation and the Wagner Act had been passed in 1935 along with W.P.A., and all had helped keep the New Deal popular. Because of the popular acceptance of Social Security, Herbert B. Maw was able to be a real contender for the nomination as Democratic candidate for Governor in 1936 by emphasizing pensions and other liberal programs. Maw also seemed to have the support of labor, as Governor Blood, despite the many advancements experienced by labor between 1932 and 1936, had fallen into disfavor with labor organizations. Blood, however, did have the approval of the old guard which definitely had control of the party machinery and was a tremendous asset to Blood's renomination. Outlying areas were kept in line through political patronage to a few local party leaders. Because of support from rural areas, Blood was able to win the convention nomination where he might not have been successful in a direct primary vote.

The three-way partisan race for Governor added interest and served to bring out the vote on election day. The candidacy of Peery lurked as a potential threat to the old guard supremacy in the Democratic party, but liberals were aware that Peery was opposed by labor and it was also evident that Peery came very near to being a political demagogue, and so liberals were willing to work within the party for election of liberals to the Legislature and hope for recognition from the Governor in securing

¹Ibid., May 11, 1937.
patronage. The liberals under Nau's leadership concentrated on purging the conservative members of the Senate. They were rewarded with success with the replacement of four conservative Democrats and three Republican Senators with liberals. The House also experienced another shift to the left so the liberals in 1937 had control of the State Legislature and were able to have a real heyday.

The Democrats were successful at the polls in 1936 despite the editorial in the Deseret News opposing Roosevelt and, by implication, other Democrats. The success of the Democrats was due to the general popularity of the New Deal and the organization of the Democratic party in Utah which was able to unite the old guard and the progressives in the interest of a party victory. The Republicans helped the Democrats to a degree by running candidates, such as Ray Dillman, with a conservative voting record in the State Legislature on a rather liberal platform.

The editorial had a seemingly negligible effect on the election of 1936 for several reasons. First, it appeared late in the campaign after public opinion had solidified. Second, many people felt the article was inspired by J. Reuben Clark, Jr., and so they paid little attention to it just passing the attack on Roosevelt off as a personal partisan attack by Republican stalwart Clark. Third factor in the slight effect of the Church editorial was that many of the New Deal Democrats were miners who were not Mormons and their votes were little affected by the Church editorial. Fourth, staunch Democrats were not disposed to change their votes and in most cases did not. Fifth, not everyone subscribed to the News and so many people were not exposed to the editorial and some
others who were subscribers perhaps failed to read the anti-New Deal editorial, so many were unexposed or unaware of the Church reaction. Sixth, within the Mormon population there were many who were inactive or "jack Mormons" who paid little heed to Church policy, this segment of the population plus the non-Mormon voters probably paid little or no heed to the editorial and voted the way they were already disposed to vote. The vote demonstrated the independence of the Utah voters exercise of the franchise and displayed that in this instance the "fourth estate" was not a true reflector of public opinion and did not effectively shape public opinion formulation, at least not in the short run of the 1936 election.

The liberal Legislature of 1937 was a result of the purge of the conservatives in the election and the result of spirited liberal leadership furnished by President of the Senate Herbert B. Maw. Maw felt he had been defeated twice for nomination to important political posts because of old guard control of the convention and so he made a diligent attempt to get through a direct primary law. His attempt was rewarded with success; for Democrats, who had campaigned on a direct primary plank, did not feel they could defeat the primary bill when it confronted them.

Labor in 1937 won much favor, for labor ranks had swelled by 1937; and Democrats, who pretended to be liberals, had to favor labor if they meant to retain their liberal image and in some instances to be elected. The New Deal Democrats in the Legislature were also anxious to keep in harmony with the federal labor policy, and so labor won much favor in 1937. Generally, with the added novelty of a liberal Senate to go along with a liberal House plus stalwart progressive leadership, liberal legislation was passed in almost all areas. The 1937 Legislature was liberal enough
that Democrats, who had been considered liberals in 1935, such as Ward C. Holbrook and Walter K. Granter, were suddenly known as rather conservative in 1937.

Despite the liberal temper of the Legislature the old guard still remained in the saddle and maintained control of the party on county and state levels; and the progressives were, for the most part, overlooked when patronage was passed out.

As far as Republicans in Utah were concerned they had lost another election by a landslide to the Democrats, and they appeared to be floundering about ready to grasp at almost anything to salvage their party and upset the high-riding Democrats.
DEMOCRATS RETAIN CONTROL

With the Democratic victories of the previous three elections, two presidential-year elections and one off-year, the Republicans were beginning to feel panicky as the 1938 election approached. The 1938 election included some big stakes, for the Senate seat held by the liberal Senator Elbert Thomas was to be contested.

Thomas had been selected as chairman of the Senate Labor Committee, succeeding Hugo Black who had moved up to the Supreme Court bench. The selection of Thomas had been urged by Utah labor officials, and so it appeared that Thomas would certainly have the support of labor for 1938.¹

The selection of Thomas to the Labor Committee chairmanship also brought a rare favorable Deseret News editorial for Thomas. The editorial said, "The appointment of Utah's junior Senator, Elbert D. Thomas to the chairmanship of the powerful Senate Labor Committee, is not only an honor to Senator Thomas but to all the people of Utah." The editorial also lauded Thomas with such platitudes as "eminently qualified," "has had a wide and practical experience," "an untiring worker," "he is a man of high ideals, integrity of character."²

Thomas was also a member, along with Senator Bob La Follette, of the Civil Liberties Committee. Thomas' work on this committee had given

¹Deseret News (Salt Lake City), November 30, 1937.
²Ibid., December 3, 1937.
opponents a chance to cast aspersions at him. In letters to the editor of the newspapers he and his activities on the Committee were decried as shameful and in line with Communists and the C.I.O., which was said to be a Communist-sponsored group.\(^1\) Another voter said that Utah had sent Thomas to look after Utah's interests and now he was in association with "red La Follette on a committee investigating patriotic organizations that are one hundred per cent for the Constitution."\(^2\)

The admirers of Thomas found it necessary not to let such slurs go unanswered. In reply a Thomas backer said, "If all the organizations being investigated are 100 per cent for the Constitution, then--God save the Constitution."\(^3\)

With opponents and backers writing such highly emotional letters it was almost a certainty that the 1938 campaign would be vigorous and that Thomas would reap the blunt of the Republican barrage in an effort by Republicans to regain their political ego with a major victory.

With Thomas being a liberal, some thought that perhaps the election of Conservative Parnell Black to head the Salt Lake County Democratic party signified some trouble ahead for the junior Senator. Black was elected by acclamation despite an effort on the part of the progressive leader, Herbert B. Maw, to elect a compromise chairman. The vote against Maw's motion for a compromise chairman was overwhelming.

The selection of the conservative Black was feared by some to have some potential for repercussion in the fall with the liberal Non-partisan

\(^1\)Ibid., February 4, 1938.
\(^2\)Ibid.
\(^3\)Ibid., February 7, 1938.
League which embraced labor organizations. Some thought perhaps the
League would enter a third party ticket. The county convention, perhaps
more than anything, pointed to a movement to the right in the Democratic
party. The left-wingers appeared on the decline.¹

The selection of Calvin W. Rawlings to succeed himself as state
party chairman by an overwhelming majority also indicated that the party
power was still in the hands of the more conservative faction of the
party.²

The Republicans also tried to make capital of what they felt to be a
movement to the right within the Democratic party when Keynoter Franklin
Riter, a Salt Lake attorney, at the Republican state convention broke
with tradition and asked for the support of several leaders of the Demo-
cratic party for the coming election. U.S. Senator King was listed by
Riter in the group of Democrats who had broken with the New Deal adminis-
tration. He called on such "constitutional Democrats" to join forces in
the coming election with the Republican party.³

Whether the Republican invitation to Democrats to join their ranks
resulted from a genuine feeling that the conservative Democrats were close
to them in political ideology and would actually accept, or whether it was
just a futile attempt by a party in a desperate situation to win by a
long shot hope is unknown, but it may have given some Democrats cause to
worry and maybe a few sleepless nights. Perhaps their apprehensions were
mollified by the thought that President Roosevelt would do what he could

¹Ibid., March 26, 1938.
²Ibid., May 23, 1938.
³Ibid., June 18, 1938.
to help New Dealers to Congress and that he most certainly could be expected to make friendly gestures towards Thomas, a consistent New Deal supporter.¹

In July, Thomas returned to Utah to launch his drive for reelection as Senator. He indicated he would stand on a record of loyal support for President Roosevelt past and future.² Immediately he gained the support of labor's Non-partisan League, which pledged its support to Roosevelt and New Deal Democrats and lauded Senator Thomas for his work on the Senate Civil Liberties Committee.³

With 1938 the first year of the direct primary, candidates were given until August 13 to file with the Secretary of State in order for their names to appear on the primary ballot. When the list of official candidates was released on August 15, it was revealed that Thomas was assured renomination for he was unopposed. The Republican candidates for nomination to oppose Thomas in the general election included Claude T. Barnes, Dr. Arthur C. Wheery, and Dr. Franklin S. Harris, president of Brigham Young University.

For the Representative seats, Abe Murdock was unopposed in District One and Republicans Le Roy B. Young and R. E. Miller were vying to oppose him in the November final.

J. Will Robinson, in District Two, was opposed by Warwick C. Lamoreaux with the Republican opposition to come from one of two Republicans, Horace C. Beck or Dean F. Brayton.⁴

¹Ibid., July 4, 1938.
²Ibid., July 11, 1938.
³Ibid., July 16, 1938.
⁴Ibid., August 15, 1938.
The intra-party battles in the primary campaign enlivened things, especially in the faction-dominated Democratic party where there was an organized attempt to purge the State Legislature of many of its left-wing radicals and nominate in their place at the primaries candidates with more middle-of-the-road leanings.¹

A lively battle in the Second District Congressional race included charges by candidate Warwick C. Lamoreaux that leaflets bearing "criminally libelous" statements were circulated in Utah County. The leaflets, which were purported to be put out by a committee of A. F. of L., the C.I.O., relief workers, and farmers' organizations. The literature described by Mr. Lamoreaux "as a promising young man, too eager for a $10,000 a year job."²

On September 13, Utahans turned out in light numbers to the polls for their first direct primary. By their light turnout voters showed indifference to their new novelty. This indifferent reception was in spite of "perfect election weather."³ In some Salt Lake districts the turnout was about equal to an ordinary city primary, "when only a few city posts are at stake." Curiosity did bring some voters out, but on the whole, the turnout was disappointing. Besides the poor turnout there were many ballots voided by mistakes caused by unfamiliarity to a system more complicated than the general election.⁴ About 90,000 total votes were cast in the primary with 60,000 votes being Democratic.⁵

¹Ibid., September 9, 1938.
²Ibid., September 10, 1938.
³Ibid., September 13, 1938.
⁴Ibid.
⁵Ibid., September 14, 1938.
All but six counties necessitated runoffs. In Salt Lake County, runoffs involved only Democrats and there was speculation by Democrats that Republicans would play a large part in election of run-off candidates.¹

For the September 27 run-off election, the Democratic slate of candidates offered in many areas, especially in Salt Lake County, a clear cleavage between progressives and middle-of-the-road candidates. The outcome was expected to forecast whether Utah's political future would continue to tend leftward or revert back to a more conservative approach.²

The state's first primary runoff was run amidst some heated contests and with ideal election weather, but the vote cast hit a new low for the twenty-three counties involved. One cause of the low turnout was the one-party contests in several counties, but with the one-party contests the conservative faction was often aided and abetted by members of the other party.³

In the Salt Lake County progressive-conservative election that was attracting much attention, the conservative Democrats won all three state Senate nominations while four of the five candidates supported by the progressives for the House were nominated.⁴

Prior to the runoff the Republicans met and adopted a party platform calling for a return to "American principles." In general the platform was built on a bitter attack against the New Deal, which it charged with being a "haven for enemies of American government and a menace of dictatorship." The Republican state chairman, David J. Wilson, in his message

¹Ibid., September 16, 1938.
²Ibid., September 26, 1938.
³Ibid., September 27, 1938.
⁴Ibid., September 28, 1938.
to platform delegates called Elbert Thomas the "Charlie McCarthy of the President."³

In the Democratic platform convention a platform was adopted defending the New Deal and giving support to the leaders favorable to the administration aims. The Democrats were also charged to "bury the hatchet" of their factional differences and to back all Democratic candidates. Keynoter Ward C. Holbrook set the general trend of the convention when he said, "Thank God for Franklin D. Roosevelt." He also called the President a "modern Moses."³ Holbrook was followed by Thomas who praised the New Deal and cited its progress. Governor Blood pledged for election of a Democratic ticket from top to bottom, and Representative Robinson asked for laborers and farmers to allow the hours and wages law time to function.³

The major attention, as the campaign got down to serious business, centered on the race for Senate between Dr. Franklin Harris, president of Brigham Young University, and Senator Elbert D. Thomas. Thomas was charged with being "branded from head to foot with un-American sentiment."⁴ Democrat supporters of Thomas countered that "the great majority of Utah's intelligent citizens will resent such an asinine statement."⁵ Dr. Harris made a strong plea for economy in use of federal funds,⁶ but his timing

³Ibid., September 24, 1938.
⁴Ibid., September 24, 1938.
⁵Ibid., October 6, 1938.
⁶Ibid., October 14, 1938.
was all wrong for the U.E.A. was simultaneously approving unanimously, a resolution calling for federal aid to education.  

As the last week before the election approached the campaign which was "lukewarm even for an off year election" began to wax stronger and hotter.  

In Utah as well as in other states around the nation the campaign seemed to be centered around President Roosevelt and the New Deal.  

In the final days of the campaign the Republicans made a valiant effort to offset Thomas' strength when George W. Snyder, Utah's Republican national committeeman charged that Senator Thomas had "threatened to have a PWA grant of $600,000 for a new Ogden City and County building withdrawn if his Republican opponent is elected." This charge brought investigation by the Senate Campaign Investigating Committee. Senator Thomas replied that his accusers were not at the Ogden speech for which he allegedly made the threats and those charges were based on "vainest hearsay."  

In further attacks on Thomas the Republicans in a paid political advertisement said that Thomas was "the choice of the Communists and is supported by every other red..."  

Prior to the election James Farley had asked Governor Blood to make a survey of the political picture of Utah. He said he wanted a true picture and no optimistic report. Blood reported that Thomas would be

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\(^1\)Ibid., October 15, 1938.  
\(^2\)Ibid., October 29, 1938.  
\(^3\)Ibid., November 5, 1938.  
\(^4\)Ibid., November 7, 1938.  
\(^5\)Ibid.  
\(^6\)Letter of James Farley to Blood, October 20, 1938, Blood papers.
reelected by 20,000 votes and both Robinson and Murdock were safe.\textsuperscript{1} Blood's estimate proved fairly close, for when the final results were in the Democrats had swept to another victory, but the Republicans had made substantial gains with a few Republicans cutting into previous Democrat landslide victories.

The Democratic majority over the state was about three to two as compared to about two to one in 1936. The Democrats had made entire sweeps in Salt Lake, Utah and Weber Counties, but the Republicans had done well in the outlying counties. Senator Thomas who was the object of the blunt of the Republican attack ran behind his party but still carried the state by over 22,000 votes.

Following the election it was felt that Thomas had gone through a tough fight, but had come through with a majority larger than some had predicted.\textsuperscript{2}

For the House seats Abe Murdock defeated Le Roy B. Young and J. Will Robinson turned back Dean F. Brayton by a substantial majority. Robinson and Murdock were said to have done a splendid job of beating good men who were popular with their party, but the Republicans had made no special effort to defeat Robinson and Murdock. They wanted the Senatorial position pretty bad, and used a lot of "untruthful propaganda."\textsuperscript{3}

In the State Legislature the Democrats retained their hold on the majority with but fifteen Republicans to contend with in the House and only two in the Senate as the Democrats won ten of the twelve contested

\textsuperscript{1}Letter of Blood to Farley, November 1, 1938, Blood papers. 
\textsuperscript{2}Letter of Blood to Farley, November 14, 1938, Blood papers. 
\textsuperscript{3}Ibid.
seats and retained all hold over seats in the Senate.\(^1\) Senator Maw had not run for reelection so it appeared a battle would shape up to elect his successor as president of the Senate when the legislature met.\(^2\)

Following the election it was felt that the episode of 1936 was over and just a thing of the past as the progressive leadership had broken down and its supporters were back in the fold. It was felt that the Legislature of 1939 would still have some liberal elements due to progressive holdovers, but that on the whole the Legislature would be much less liberal than the 1937 version.\(^3\) This was a fairly accurate estimate of the Twenty-third Legislature which did represent a turn to the right from the adventurous spirit that prevailed in 1937.

To those who wanted to retain the reform tempo of the past several Legislatures the 1939 Legislature was a "do nothing" session.\(^4\) The record, however, shows that it was neither a reform nor a totally reactionary session. It did put the brakes on and slowed down considerably, but it did not start backing up by erasing from the statute books many of the major legislation of the progressives, which had been enacted over the three sessions from 1933 to 1937.

**Taxation.** The slow down attitude was particularly apparent in the field of tax and labor legislation. In both fields the bills not passed loomed much larger than those approved. Where the Legislature in 1937 was willing to try tax exemption in the amount of $2,000 on homesteads

\(^{1}\textit{Deseret News}, \text{November 9, 1938.}\)
\(^{2}\textit{Ibid.}, \text{November 10, 1938.}\)
\(^{3}\text{Letter of Blood to Farley, November 14, 1938, Blood papers.}\)
\(^{4}\textit{Deseret News}, \text{March 12, 1939.}\)
and $300 on personal property, the 1939 session was willing to venture no further than the $300 home furnishing exemption. Perhaps Governor Blood's veto of the 1937 exemption put a damper on further exemption clamor and resulted in the 1939 Legislature's attitude on tax exemption.

The House of Representatives did try to open the way for a homestead exemption, but the Senate slammed tight the door on the idea. The Senate would not even give the courtesy of consideration to the House bill to allow an exemption up to $500 provided there were excess revenues to absorb the losses. The bill reached the Senate calendar for only part of one afternoon; and, when it started to attract attention, it was hurriedly pulled back into sitting committee where it was sat on for the remainder of the session.¹

The more liberal House also sponsored a "WPA income tax bill" to reduce exemptions for married and single persons to $600 and $400 respectively. It was not given the honor of decorating the Senate calendar even for an afternoon.²

The House made a major contribution in maintaining the tax status quo, however, by rejecting a proposal to double the mine occupation tax rate. Organized labor frowned on the bill and played an important part in the killing of the bill in the House which was more open to the pleadings of labor than was the conservative Senate.³

The session further displayed antipathy to using the tax power to readjust to a competitive situation. The Senate refused by a small

¹Salt Lake Tribune, March 12, 1939.
²Ibid.
³Ibid.
majority to pass an excise tax on natural gas to help the coal mining industry. The Senate also smoothered the chain store tax bill in sifting committee.¹

The disinclination to use the tax power to readjust competition was emphasized even further by the fact that a long established tax of this nature was almost removed. The Senate passed a bill to take the excise tax off oleomargarine made from domestic fats and oils, but the farm bloc in the House succeeded in preventing consideration in the lower chamber of this Senate bill which was one of the most liberal laws to pass that august body in the 1939 session.²

The only tax measure of import which managed to hurdle both houses dealt with administrative matters rather than levies.

Labor. Organized labor fell far short of receiving the affirmative attention it enjoyed in the 1937 session, but it did not come away entirely empty handed. Its victories were chiefly in improved and strengthened provisions of previously enacted laws. One important bill of this nature was the revision of the Unemployment Insurance Act. The major proposals of labor such as the wage-hour and full-train-crew bills, met defeat. Labor also failed to get the occupational disease measure, which failed in 1937, though it did get some crumbs in the form of an appropriation for a survey of the subject. This was the same crumb that the 1937 Legislature had dropped to labor on the Occupational Disease Act of 1937.

¹Ibid. ²Ibid.
The labor groups could, however, take solace in the fact that the Utah Legislature did not seriously consider any of the restrictive measures which some states enacted. One restrictive measure was introduced in the House, but never reached the calendar. Labor, further, did not lose any of its gains of the previous session of 1937.¹

Business and industry. The conservatism of the 1939 session was very clear in the reassurance and comforts given to business and industry as opposed to labor. Industry and business had no bitter pills to swallow and in most instances they received what they asked for. Businessmen campaigned loudly for the repeal of the average monthly inventory tax law, and they got it. The retailers wanted their Fair Trade Practice Act of 1937 strengthened and the Legislature pleased them by adding a 6 per cent markup as part of the cost below which merchandise must be sold. No new taxes were imposed and no restrictive measures were passed except those sought by the affected interests themselves.²

It can be said business came through without many wounds and, for the most part, smiling. The noted exception to this was the apartment house and real estate groups who tried to block the low cost housing and slum clearance measures—but finally had to swallow them. The step taken in this area was not so long or positive as the fight over the bill would lead one to believe. The bill authorized cities and counties to venture into low cost housing projects if they so desired.³

This housing legislation was probably the outstanding concession of the session to the reform urge and it did not go far. This emphasized

¹Ibid.
²Ibid.
³Ibid.
the difference between the 1937 and the 1939 legislatures. In 1937 public housing was a dwarf in reform proposals, in 1939 it was a giant standing almost alone.

Agriculture. Agriculture fared quite well in 1939. The most ambitious program in the state's history on noxious weed eradication was passed. Agriculture was also given a "Fair Trade Practice Act" which sponsors hoped would tend to stabilize prices at a level at least above production costs. Some farmers were far from enthusiastic over the bill and the Senate was obviously skeptical as to its value. The attitude seemed to be to give it a trial if it would please agriculture interests, a somewhat more pragmatic view than was in evidence on some other proposals.¹

One defeat agriculture did suffer was failure to get property tax reduction, which it so ardently desired. In fact, instead of a reduction, it got the bad news that rising expenditures would require imposition of a full 2.4 mills general fund levy. This was something property owners had escaped during the biennium from 1937 to 1939. Agriculture suffered another defeat on the revenue measures tied to the House Homestead Exemption bill. Agriculture was definitely split on the homestead exemption itself, but was pretty solidly behind the accompanying revenue bills, in particular the income tax bill. That the bill did get through the House in the face of strong business and labor opposition was testimony of agriculture's strength in the lower branch of the Legislature. The bill never really had a chance in the Senate, but it was politically hot enough to cause Senators to ignore it rather than publicly kill it.²

¹Ibid.
²Ibid.
Agriculture and labor got a bill which they jointly wanted in the "one group" medical dental care bill approved by both House and Senate. Similar measures designed for other groups and backed by the medical and dental professions died on the House table during the last hectic days when emotions were in the ascendancy.¹

Education. The educational interests received a state contribution of $400,000 to their teacher retirement fund instead of the $829,000 requested. However, if the Blood administration bill had been passed the contribution would have been reduced to about $250,000 and benefits would have been cut. The bill passed preserved intact the scale of benefits.

The school interests' other major undertaking of the session was a partial success. They failed to get all the revenue diverting bills through, to get revenues into the new uniform school fund, but a substantial part of the program gained approval.

Authorization for establishment of a new junior college at Richfield and one at Roosevelt were sectional victories. Many among the education bloc were highly skeptical over what they termed "unplanned expansion of the junior college system." It was this feeling which prompted an appropriation and an authorization for a comprehensive survey of the State Public School System.²

Appropriations. Many contemporary observers felt an oddity of the session was that a legislature so moderate would prepare and pass the largest appropriation bill in the state's history up to that time. The

¹Ibid.
²Ibid.
moderates said the reason for the large appropriation was that now the State was starting to pay for the expanded governmental functions past liberal Legislatures had set up.¹

Sidelights. Two notable sidelights of the Legislature were the "working wives" and criminal syndicate bills. Both caught the public fancy and served to place the Legislature on a political hot seat. The Senate was lucky enough to have passed and sent to the House the syndicate bill before public opinion had solidified and reaction set in. As a result it was the House which received the pounding on this issue. Ironically, as a result, it was the more conservative Senate which almost unanimously passed this pet of the liberal groups and the more liberal house which slaughtered it.

The House passed the "working wives bill" before the backwash set in and so the Senate got to absorb the pro and con pressure of this bill. The Senators were sly and dodged a head-on clash with the issue by passing a resolution instead of a law.²

The House, led by Speaker Heber Bennion, Jr., and the Senate, under President Ira A. Huggins, stopped the clock at the end of the sixtieth day and went over by two days to adjourn on Saturday, March 11.³

After the Legislature closed its work the Governor began to demolish much of its handiwork with his vetoes. In total he vetoed twenty-seven items of seventeen bills plus ten appropriations in the general fund. In 1937 he had vetoed twelve bills, in 1935 only three. Blood vetoed the

¹Ibid.
²Deseret News, March 12, 1939.
³Salt Lake Tribune, March 12, 1939.
Housing Authorization Project Bill which was one of the few liberal pieces of legislation passed in the session. In vetoing the bill he explained that the Attorney General felt there was a serious question as to the constitutionality of the act. He struck the appropriation for ten building projects out of the General Fund Appropriations bill reducing the fund budget of $8,274,000 by $298,000. Other major bills vetoed included the Junior College Act for schools at Richfield and Roosevelt, the bill setting up a Minor's Disabled Hospital, and the Agricultural Health Cooperative.¹

The 1940 Election

With the 1939 Legislature, it appeared as if perhaps the liberal trend in Utah was over and the future would lie with the middle-of-the-road or conservative candidates just as in the days prior to Roosevelt. The liberal trend had seemed to wane some in the state with the Supreme Court attack of 1937. With the Supreme Court decisions which were adverse to New Deal legislation there had developed a controversy over the courts. This was dramatized in the 1936 election with the Deseret News editorial concerning the Administration's attack on the Court. Following the election the attack took a new course nationally and affected politics in Utah quite significantly. In February 1937, headlines read, "PRESIDENT URGES REVISION OF COURTS."² The most immediate public reaction within the State of Utah was an editorial in the News saying the plan would nullify the Constitution of the United States.³

¹Ibid., March 22, 1939.
²Deseret News, February 5, 1937.
³Ibid., February 10, 1937.
While the News editorially attacked the plan, the consensus of early letters to the editors in the two major papers of the state seemed to favor the plan, as there seemed to be a concern as to whether the Constitution gave the Court power to nullify acts of Congress.

While opinion was solidifying, Senator King of Utah set to work along with Senator McNary, Republican of Oregon, to stall the Court retirement proposal in the Senate. The bill had already passed the House to permit voluntary retirement at age seventy.1 While King, who would come up for reelection again in 1940, was opposing the plan, the entire State Democratic committee gave unanimous endorsement to the President's judiciary plan. The motion to give support to the program was made by and supported by the progressive faction of the party, but the old guard went along with the plan.2

King was given some support and encouragement in his anti-court packing fight by a telegram from the citizens council for preservation of the Constitution lauding him for opposing the Court plan. At the same time the council sent a telegram to Senator Thomas condemning his support of the plan.3

The court plan had such an effect on the Deseret News that it changed its editorial page on Saturday, March 13, 1937, by adoption of a new mast head, "We stand for the Constitution of the United States with its three departments of Government as therein set forth, each one sovereign in its own field." This was later shortened to "We stand on the Constitution as being Divinely inspired."4

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1Ibid., February 24, 1937.
2Ibid., February 25, 1937.
3Ibid.
4Ibid., March 13, 1937.
With opinion now lining up along divergent lines a Utah organization of supporters for the plan for federal court reform was formed and took Senator King to task in a letter unanimously adopted by the group. The group included many prominent Democrats, including some staunch supporters of Senator King.  

With the approval by the Court of the Wagner Act and the Social Security Act, the court controversy began to die down. The Court itself remained in the news however with the nomination by Roosevelt of Hugo Black to fill a vacancy. In a Senate Judiciary Committee meeting King and three others voted against approval of the appointment of Black, who was allegedly associated with the Ku Klux Klan. In the final vote on the Senate floor King joined five other Democrats and ten Republicans in opposition to Black's confirmation.  

With his opposition to the administration on the court plan, King also added a proposal to return relief administration to the states, abolition of the Works Progress Administration, and appropriation of $850,000,000 for allocation to the states. Indications were that a large group of conservative Democrats would back the proposal, and it was also expected that it would receive the support of Republicans whose platform in 1936 recommended such a course.  

In other conservative actions by the Utah senior Senator, King, and W. E. Borah, of Idaho, had been the only two Senators to cast negative

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1Ibid., April 9, 1937.  
2Ibid., August 16, 1937.  
3Ibid., August 17, 1937.  
4Ibid., May 10, 1937.
votes against the making of the C.C.C. permanent. The C.C.C. had been very popular in Utah, even with some conservative groups, and the opposition of King to this measure was condemned by many Utahans.¹ King further estranged himself from New Dealers with a proposal that the Democratic party presidential candidate be a person from outside the New Deal inner circle.²

When King returned to Utah his conservatism was made even more apparent since he was met by about 200 high officials of both political parties with fully a fourth of them being mainstay Republicans. "Observers conceded it was one of the most unusual semi-political gatherings ever held in Utah, and in some minds it gave strength to thoughts of a fusion party of Republicans and Democrats inclined to the right."³

King followed this unusual meeting with a speech before the annual banquet of the Metal Mining Convention of the American Mining Congress, Western division. In the speech King told the capacity audience amid cheers that he was for continuation of constitutional government, and in addition he directed a broadside at the Roosevelt administration for wasteful expenditure of public money and deplored the heavy tax burden being placed on the people.⁴

While King was busy winning votes of business interests with his condemnation of the New Deal, the Utah State Federation of Labor convention condemned Senator King as a "traitor to labor and an enemy to the New Deal."⁵

¹Ibid., May 25, 1937.
²Ibid., August 26, 1937.
³Ibid., August 28, 1937.
⁴Ibid., September 10, 1937.
⁵Ibid., September 23, 1937.
King also gave some encouragement to those who hoped for a coalition movement headed by King when he rapped the New Deal as "going beyond the Constitutional limits," and charged that "individualism in America today is becoming an anachronism."

Further he said:

There will always be in America a political party which will strongly defend individualism and state's rights against the encroachment of the Federal government, and another which tends toward socialism and the belief in the Federal Government taking on power beyond Constitutional limits in the field of private endeavor. . . . 1

In the 1938 election Senator Thomas, Utah's liberal Senator who had backed Roosevelt in most particulars of the New Deal and had voted for the Court plan, was elected despite a vigorous campaign to connect him with un-American groups. Thomas' margin had been cut from that in 1932, and a more conservative State Legislature had been elected. And so, as the 1940 election approached, it appeared that a conservative trend was running. King, an arch Democratic conservative, would offer a good chance for the conservatism within the Democratic party to be tested in the primary of 1940. As early as 1934 King had been opposed by liberals and by 1936 he was unable to obtain nomination as a delegate to the National Democratic convention because of his lack of New Deal enthusiasm. Because of liberal opposition it was felt that the 1940 primary would demonstrate if a conservative trend had developed in the Democratic party since 1936. 2

The conservative-liberal battle was apparent in the April Democratic convention to elect delegates to the National Convention. The party was

1Ibid., September 12, 1938.
2Ibid., April 20, 1940.
still strife-torn as the State Convention became embroiled in a heated
contest for selection of the State party officials and delegates to the
National Convention. The key battle was between the conservative organi-
zation forces and progressive anti-organization forces over party control. 1
The conservatives triumphed in electing Parnell Black for another two-
year term as the state party chairman. 2 The convention did, though,
endorse liberal Senator Thomas as a candidate for vice-president, 3
though his name was never submitted to the delegates at the National
Convention.

The pre-convention struggles became lively as Abe Murdock became an
opponent of King in the battle for nomination for the Senate seat, and
liberal Herbert B. Maw announced his candidacy for gubernatorial nomi-
nation. 4

On the Republican side Frank Gannett, a candidate for presidential
nomination, appeared in Salt Lake to try to garner support of the Utah
delegation for his cause. 5 Gannett's chief opponent for the nomination,
Wendell Willkie, followed Gannett to Salt Lake. 6

On the Democratic side where it was unknown whether Roosevelt would
accept another term, Governor Blood, in greeting the Western State
Convention at Salt Lake City, all but advocated a third term for President

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1Ibid.
2Ibid., April 22, 1940.
3Ibid.
4Ibid., May 23, 1940.
5Ibid., May 28, 1940.
6Ibid., June 1, 1940.
Roosevelt. He compared the war crisis of 1940 with the economic crisis of 1933 and said, "I have no fear of the future or of the future safety of the United States with President Roosevelt at the helm."\(^1\)

Some other interests opposed the nomination of Roosevelt for an attempt at a third term. The *Deseret News* said that if Roosevelt accepted he would be violating a tradition set by George Washington.\(^2\)

When Senator King arrived in Utah to help personally direct his campaign, he was asked if he would support Roosevelt. He answered, "I've been a Democrat all my life."\(^3\)

One Democratic candidate was not quite so broad-minded about the third term. Lawrence E. Nelson, a State Senator and a candidate for nomination for Governor, withdrew from the nomination race for Governor and gave as his reason the party's attempt to break the anti-third term tradition.\(^4\)

After the national nomination which selected Wilkie to oppose Roosevelt, the attention turned again to the state for the primary election. Amid editorial pleas to vote in the primary and ads for both parties, the primaries appeared to be generating more interest than in 1938.\(^5\) The heavy vote turnout delayed the final returns. This was in marked contrast to the light showing of 1938.\(^6\)

The primary results tended to indicate that Roosevelt and the New Deal were still held very favorably by the Utah Democrats. The strongest

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\(^1\)Ibid., June 8, 1940.
\(^2\)Ibid., July 13, 1940.
\(^3\)Ibid., July 18, 1940.
\(^4\)Ibid., July 20, 1940.
\(^5\)Ibid., August 24, 1940.
\(^6\)Ibid., September 4, 1940.
Democratic candidates in the primary were Abe Murdock, candidate for U.S. Senate, and Herbert B. Maw for Governor, both tied themselves to Roosevelt and the New Deal. None of their primary opponents denounced or attacked the President and his policies during the campaign, but neither did they tie themselves to the New Deal as did Maw and Murdock. In fact, King had estranged himself from the New Deal in his pre-campaign pronouncements.1

On a percentage basis 63 per cent of the votes cast were Democrat and 37 per cent Republican. The G.O.P. appeared encouraged over the primary results as they predicted that conservative Democrats, who had supported King in the primary, would vote Republican.2

The primary results showed Abe Murdock the winner of the Democratic nomination for Senator by running far ahead of veteran Senator King. In the Republican ranks a runoff was necessary between Philo T. Farnsworth and Oscar W. Carlson to determine Murdock's opponent. Herbert B. Maw and Henry D. Moyle were scheduled to do battle for the Democratic gubernatorial nomination. The Republican opponent was also to be determined by a runoff between Don B. Colton and Reed Stevens. J. Will Robinson, incumbent in the Second District, was unopposed for the Democratic nomination. His Republican opponent was to be decided by a runoff between Sherman Christenson and Reed E. Vetterli. In District One Walter K. Granger faced J. Francis Fowles in a runoff and Arthur Woolley and Le Roy R. Young fought it out to provide Republican opposition.3

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1Ibid., September 4, 1940.
2Ibid.
3Ibid., September 5, 1940.
In the runoff approximately 139,000 Utahans trooped back to the polls. The ratio of Democrat votes to Republican votes was nearly two to one. The fact that twelve counties had no county primary runoff probably helped to keep the interest down in some areas and as a result the vote was not as heavy as it might have been.1

The runoffs gave victory to Walter K. Granger in District One Democratic runoff with his Republican opponent to be Le Roy B. Young. In the contest to pick gubernatorial candidates the Democrats selected Herbert B. Maw and the Republicans chose Don B. Colton. In the District Two Republican runoff to pick Robinson’s opponent Sherman Christenson was successful, and in the Senate runoff to pick Murdock’s opponent Philo T. Farnsworth was selected.2

The party platforms followed form as the G.O.P. platform assailed the third term attempt by Roosevelt. The planks called for no third terms, endorsed the Republican national platform, stood on the Republican record, called for honesty in Government, and favored amendment of the direct primary law to advance the date of the primary election.3

The third term was attacked from other quarters as Lawrence Nelson, a Democrat and former strong supporter of the New Deal, was a witness before the Congressional Judiciary Subcommittee studying proposals for Constitutional limits on a Presidential third term. Nelson said, "The third term meant the end of Government by law. . . ."4

1Ibid., October 2, 1940.
2Ibid.
3Ibid., September 14, 1940.
4Ibid., September 26, 1940.
The State Democratic party officials sent telegrams to the Subcommittee saying, "Will provide a dozen or more fifteen car trains to transport to Washington, thousands of Utah voters who would like to testify in favor of a third term for that outstanding champion of Democracy, Franklin D. Roosevelt."¹

The third term remained a major consideration in the campaign as the Deseret News in an editorial on the third term said that Roosevelt did not meet Brigham Young's specifications for a third term candidate.² The editors of the News also rejected the dictum of "don't swim horses in midstream" as being too soothing an argument to apply to the Presidential election.³ The Salt Lake Tribune also came out strongly for Wilkie and attacked the third term attempt.⁴

As the presidential campaign centered on the third term, Maw, the candidate for Governor, was given the nod of approval by Secretary of Interior Ickes, as the Secretary made his campaign swing through Utah.⁵

The campaign in Utah involved a campaign caravan tour of the southern counties of the state by the Democratic candidates. In the final week the caravan proceeded to the more populous areas of northern Utah to concentrate the campaign for the final week. After the southern tour the Democrats were ready to claim all the southern counties with the possible exception of Kane County.⁶

¹Ibid.
²Ibid., October 24, 1940.
³Ibid., October 28, 1940.
⁴Salt Lake Tribune, November 3, 1940.
⁵Deseret News, October 29, 1940.
⁶Ibid., October 30, 1940.
The *Deseret News* continued its barrage against the third term attempt by Roosevelt when it stated, "We declare that the citizens of this country should not give a third term to any President of the United States on any pretext or excuse whatsoever and that by their vote they should so decisively rebuke the effort to obtain it that the attempt shall never again be repeated."¹

Hoover also put in an appearance on behalf of Wilkie and opposed the third term as he spoke to the Republicans in Salt Lake City and warned against a "trend to totalitarianism."²

Resolutions were also adopted opposing the third term. Among the groups sponsoring such a resolution were some Utah lawyers whose resolution included the signature of Paul N. Ray, a former Democratic State Senator.³

Roosevelt was not the only Democratic candidate being opposed by members of his own party. Gubernatorial candidate Herbert B. Maw was attacked in open letters in the *Deseret News* and *Salt Lake Tribune* signed by Fisher Harris, a Democrat. The letter said Maw had given as his reason for resignation from the General Board of the Deseret Sunday School Union, his belief in separation of church and state. Maw had also implied that his retirement from the faculty at the University of Utah was voluntary, but Harris said neither was voluntary, that Maw was asked to resign gracefully or be removed from both these positions.

¹Ibid., November 1, 1940.
²Ibid., November 2, 1940.
³Ibid., November 2, 1940.
Because of his alleged connection with liquor interests, Maw had been accused of being a liquor agent in the Democratic Primary. Harris also accused Maw of being a liquor salesman and a liquor attorney.

This letter was accompanied by another one from Herley W. Gustin who also claimed to be a Democrat. This letter said in part:

How could the General Authorities of the Church ask their members, at the October Conference . . . to sustain Mr. Maw as a member of the General Board of the Deseret Sunday School Union when he had been unmasked, during the primary campaign . . . as one who had acted as a gin and whiskey salesman and who had otherwise been guilty of conduct while a member of the State Senate that did not square with proper moral and ethical standards.1

Maw made his reply Monday, November 4, in the Salt Lake Tribune and that very evening in the Deseret News Harris had another letter attempting to refute Maw's reply.2

These letters plus the Democratic party primary campaign between Maw and Moyle which had been a very bitter battle and exposed some skeletons in the party's and the candidates' closets did hamper Maw at the polls. An intense and bitter personal battle was waged against Maw, a battle in which members of his own party took part. The charges against him were his alleged connection with liquor interests and his record as a legislator. These charges against him were first made by his Democratic opponents in the primary race. These charges flared into the open in bitterness in the run-off primary and during the partisan campaign later. The attacks on Mr. Maw almost overshadowed the national political issues within the state of Utah at times.

1Ibid.
2Ibid., November 4, 1940.
In an election in which the state and nation gave Roosevelt a majority, all of Utah's Democratic candidates for major office, both state and national won handily, most by wide margins. The gubernatorial battle was, however, neck and neck with Colton not conceding until noon of the Wednesday after the election. Maw trailed his ticket by nearly 30,000 votes and was able to win the election only through his margins in Salt Lake, Carbon, Weber, and Utah Counties.1

In the election for legislative Representatives nine Democrats were elected to the Senate and two Republicans so the Senate was constituted of nineteen Democrats and four Republicans. In the House forty-two Democrats and eighteen Republicans were elected giving the Republicans a gain of three Representatives over 1939 when they had fifteen members.2

The total vote for Salt Lake County exceeded 103,000, far in excess of the 1936 all-time record of 86,929. The heavy turnout was attributed to the direct primary making citizens "franchise conscious,"3 and the interest generated by the third term attempt.

In the state 247,817 persons cast their ballots. The official count for Governor gave Maw a 10,806 margin.4 The Presidential returns were 154,277 for Roosevelt to 93,151 for Willkie.5

Because of the closeness of the race for Governor, David J. Wilson, the Republican state chairman, was having county chairmen investigate the election to see if reports received that Maw had received credit for

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1Ibid., November 6, 1940.
2Ibid.
3Ibid., November 7, 1940.
4Ibid., November 25, 1940.
5Ibid.
some Republican votes and that Colton had not got credit for all scratch votes were true. Wilson said he was convinced that "Mr. Colton lost thousands of votes." A recount hung on the investigation.¹

The election had followed the general pattern for the election during the New Deal years with the Republicans concentrating their major guns on one particular office and going all out to win that office. This time it was the office of Governor which the Republicans coveted most. Their attack was of a personal nature and as in almost all cases resulted in the person who was the blunt of the attack running behind his ticket, e.g., King in 1934, Blood in 1936, Thomas in 1938, and Maw in 1940.

In the 1940 election the Republicans also attacked the third term attempt by Roosevelt. The 1940 presidential campaign in Utah was less personally directed than the 1936 election had been, and played almost entirely on the third term attempt. In the shuffle the New Deal issue that had been the center of the previous elections, both general and off year, was almost lost.

The results of the 1940 election perhaps reflected Governor Blood's statement about Roosevelt,² that the people felt satisfied with the handling of the depression crisis by the Roosevelt Administration and the Democratic Party in general and now they were willing to entrust the Democrats with the threatening crisis of possible war. The 1940 election was perhaps a positive response to the New Deal, although the New Deal was, by then, not so much a salient issue.

¹Ibid., November 13, 1940.
²See page 170.
On January 6, 1941, Governor Blood retired from office after eight years as the Governor of Utah. Blood had been elected in 1932 and assumed office in 1933. Blood, while governor, gained a reputation as shrewd executive whose capability for handling state finance was widely recognized. During his eight years as governor a $9,000,000 reduction in the state bonded indebtedness was accomplished. The state public debt was reduced from $12,000,000 to $3,655,000 and at an interest savings to the state.1

Blood was not noted as a public speaker, but he was persuasive in appearances before the State Legislature, particularly in the early years of his administration.

During the depths of the depression Blood was granted unusual powers to handle the public relief. In addition the 2 per cent sales tax was passed to help finance the state's share of public relief. In some instances Blood evoked criticism from opponents and pressure groups for his stubbornness on certain issues, but perhaps he was a stabilizing influence in a critical period in the state's history when some pressure groups were out for personal gain, notably in the liquor control issue. Blood was from the mold of the old guard and had been the party leader's candidate for governor in 1932. He remained a middle-of-the-roader, but was broad-minded and often went along with reforms and sometimes pushed reform movements.

During an era when many Democrats were being opposed by the Mormon Church, Blood was able to retain enough standing that he was appointed

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1Kate B. Carter, Heart Throbs of the West, VI (Salt Lake City: Daughters of the Utah Pioneers, 1944), 80.
President of the California Mission to be effective when he left office as Governor.¹

All in all Blood had served a rather successful two terms as the Utah Chief Executive.

During the years Blood had been in office he had a Democratically-controlled Legislature to work with. From 1933 the Legislature in both houses became progressively more Democratic and more liberal until the 1937 Legislature, which was perhaps the most liberal Legislature in the state's history.

The election of 1938 returned the most Republicans to the House in the eight years of Blood's administration with fifteen being successful at the polls. The Twenty-third Legislature of 1939 was also a turn to a more conservative position and reversed the trend of 1933 to 1937 somewhat.

The Democrats had been able to dominate politics in the state from 1932 to 1940 because of general popular acceptance of the New Deal and Roosevelt and also because the Democratic party was well organized, even though it seemed split between three major factions at various times.

The factions included a split in the old guard with one group seeming to be rather close to the Republicans and another group which seemed to control the party and which was a more middle-of-the-road group. The progressive faction of the party was led by Herbert B. Maw and was able to muster considerable strength. This group, in spite of threatening signs of revolt at times, stayed in the party and when the chips were down worked hard for election of Democrats.

¹Deseret News, December 17, 1940.
The 1940 election was the biggest threat to solidarity of the party as the old guard despised Maw and embarrassed him to no end in the campaign. And besides embarrassment, many of the more conservative party leaders supported the Republican Colton in the gubernatorial race of 1940, but in spite of abdications the party proved strong enough to capture all major seats in 1940 just as they had been able to do since 1932.

The New Deal was victorious again in the 1938 election just as it had been in every election since 1932. In 1938 the Republicans were able to make some inroads into the previous Democratic victory margins and to elect more Republicans to the State Legislature. The increase in Republican strength came about partly through a switch in votes of some independents, conservative Democrats, and former Republicans who had earlier accepted the New Deal, but were now returning to the Republican fold. This shift was, in part, a reaction against the Court fight, partly a result of growing disenchantment with the New Deal, and partly the result of improved conditions which led some to believe the nation could get along without further New Deal reform.

The old guard in the Democratic party had retained control of their party despite the 1937 liberal Legislature and in 1938 with the demise of labor fervor and slacking of labor strength the old guard made efforts to retain control of the Legislature. The efforts of the party middle-of-the roaders was successful; so, in spite of liberal holdovers from 1937, the 1939 Legislature was conservative in outlook. Senator Maw had chosen to remain on the sidelines in 1938 to reserve his popularity for a concentrated effort on a major office for 1940 and to limit the old guard's chances to attack and embarrass him in attempts to lessen his strength.
With the absence of Maw the liberal leadership in the Legislature seemed to be broken and conservative Democrats aided by Republicans seemed to have control. Another contributing factor to the 1939 conservative Legislature was that the nation was by 1939 becoming more concerned with international affairs and the threat of war. With this change in emphasis the New Deal lost much of its reform momentum and this was reflected in the Utah Legislature where legislators had been looking to Washington for direction in matters of reform and recovery.

The 1940 election centered on the third term. The third term may have cost the Democrats support and aided the Republicans within Utah. In spite of this the Democrats still held strong control in the Legislature and swept all major political offices.

The 1940 primary and election demonstrated that the popularity of Roosevelt and New Dealers was still high in Utah, for Senator King who had built up a record of New Deal opposition was badly defeated by New Dealer Abe Murdock and Herbert B. Maw was able to win the party nomination for Governor running as a New Dealer in spite of party leader opposition. In the election, Democrats were generally successful at the polls. In 1932 the Democrats had come to power in Utah; and by 1940, with the aid of administration popularity, they still retained control of the State Legislature and all national elected offices.
THE MORMON CHURCH IN UTAH POLITICS

With the predominance of the population of the state of Utah being Mormon it is to be expected that the Mormon Church could play a big part in public policy formulation within the State, for churches are an interest group and they do impart their interests to their membership and their members do have votes.

The Mormon Church for many years had been politically active and had maintained a tradition of political activity and support for the United States Government and the "Sacred Constitution."

In early Territorial Utah the Mormon Church pretty much controlled politics as the membership voted almost as a bloc for candidates of the People Party which was for the most part a Church party. In 1891 in an attempt to gain statehood the Church encouraged and assigned the membership of the Church to the two major political parties of the nation in nearly equal numbers and encouraged a diversity of political adherence. This move was to help gain bipartisan support in obtaining statehood, for it appeared a disadvantage to maintain the solidarity in political adherence in the Church of almost unanimous Democratic leanings when the Republicans were in control of the national government and the Territory of Utah had to look to it for enough support to gain statehood, although Utah did gain statehood under a Democratic administration.

Even after 1891 some political observers still felt that the Mormon Church controlled politics within the state particularly with some prominent Church officials, such as Reed Smoot, holding high political positions.
By 1930 the Church in many minds had come to be closely connected with the Republican party, maybe because of the activities of Senator Reed Smoot, an apostle and a Republican, and J. Reuben Clark, Jr., a member of the First Presidency of the Church after 1934 and a strong Republican.

From 1932 to 1940 the Church remained prominent in politics as members of the hierarchy of the Church attempted to influence public policy. In the 1932 election, President Grant returned to Salt Lake City from a visit in Chicago on November 4, the Friday before election Tuesday. On his return to Utah he let it be known that he would cast his vote for President Hoover and Senator Reed Smoot. The Mormon President said he was voting for the two candidates as a citizen; as President of the Mormon Church he said, "I do not ask anyone to vote other than they please." Even so the President had made it fairly clear throughout the campaign that he was personally for Smoot, and it was to be expected that even though his support was personal and was not official Church policy the fact that the Church President was supporting Smoot would not be lost on the L.D.S. people.

With the crushing defeat of Apostle Smoot it seemed that the influence of the Mormon Church in politics began to wane. Although the Church was still highly influential in politics it could no longer snap its fingers and get its wishes.

The diminishing influence was most evident in the repeal vote of 1933, when Utah became the thirty-sixth state to ratify the Twenty-first Amendment to the U.S. Constitution. In the conventions prior to the

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1Deseret News (Salt Lake City), November 4, 1932.
campaign in 1932 the Church Mutual Improvement Association, a youth organization within the Mormon Church, had made it clear that the Church would probably oppose repeal when it sent a message to the Republican convention opposing any modification of the National Prohibition Law.¹

Church opposition, nominally at least, seemed to solidify as the 1933 Legislature and the special session handed the Church a setback when the State Liquor Law was changed and the way was opened for outright repeal through popular election.

President Grant let it be known throughout the campaign prior to the popular vote that he opposed repeal, but the heavy passage of the repeal amendment by the people handed the Church another defeat.

As the New Deal was instituted and began to function it seemed that the Church might go hand in hand with the Administration. At the 104th Annual Conference of the Church in 1934, the Stake Presidents reported without exception that improvements had been made in actual conditions and in the attitude of the people. There was a definite note of optimism regarding business and financial conditions and the outlook for the future and continued improvement under the New Deal.²

The Church had adopted the N.R.A. codes for its own businesses; and at this same conference session, speaking to the Relief Society, Anthony W. Ivins urged the Relief Society sisters to take a more active part "in the great recovery program."³

¹Ibid., June 15, 1932.
²Ibid., April 6, 1934.
³Ibid.
In a speech to the same audience Mrs. Amy Brown Lyman of the Presidency of the Relief Society referred to the various governmental agencies designed to help bring about relief and stated that loyal support must be given to every agency.\textsuperscript{1} The following day in conference the Church pledged support to the United States in their efforts to overcome the depression.\textsuperscript{2}

In the 1934 election some felt that the Church was supporting the Republican ticket for it had granted Don B. Colton, president of the Eastern States Mission, a leave of absence to campaign as Republican candidate for the Senate against William H. King. In the campaign the Church never made clear its position or publicly supported any candidate. The fact that Colton was given a leave of absence did not connote necessarily that the Church was supporting him, for King was also popular in Church circles and had been given good press coverage while in office and during the campaign, particularly in the Church-owned Deseret News.

In the 1936 election, however, the Church did become deeply involved in influencing public opinion. Early in the campaign, the Church, in an official statement, said that word had reached the Church officials that a few Church members were joining directly or indirectly with Communists. The Church pronouncement said that the Church had no intention of interfering with the free exercise of the franchise under the Constitution, but it felt Communism was not a political party under the Constitution but a system of government that was opposed to the Constitution. The

\textsuperscript{1}Ibid.
\textsuperscript{2}Ibid., April 7, 1934.
announcement further said that Communism was not the United Order¹ and bore only slight resemblance to the United Order.²

This was followed later by a denial from President Grant that the Church was sponsoring a candidate for Governor in the 1936 race. He said that the Church was not in politics, and the members were free to vote their convictions.³

If the Church did not have a candidate for Governor it seems they did for President. In an open letter on the front page of the Deseret News (the Church paper which usually carried Church policy statements), was presented an endorsement of Republican presidential candidate Alf Landon. Some felt this move was sudden and a bolt out of the blue, but actually it was building up over a period of time. With the Court ruling on N.R.A., A.A.A., and the Guffey Coal Bill, and the subsequent verbal criticisms of the Court and indirectly the Constitution by the President and his administrators, some Church officials began to feel this was a threat to the Constitution of the United States and that the Constitution must be defended at all costs. In an editorial of the Deseret News in May of 1936, the News said that "there is no longer any doubt that the Roosevelt Administration must face the issue of amending the Constitution or abandon a very large and important part of its recovery program. . . ."⁴

¹A Mormon Church plan for caring for the temporal affairs of its people. The plan involved the consecration of one's property to the care and keeping of the Church with each family being in turn supplied with the necessities of life according to the principle of to each according to his needs.

²Ibid., July 3, 1936.

³Ibid., August 15, 1936.

⁴Ibid., May 21, 1936.
The Church Section said that it felt there was no substitute for the Constitution and asked what there was in the "fundamental principles of the American Government that ought to be changed." 1

A week later the Church Section quoted Joseph Smith on the Constitution when he had said, "If the Constitution of the United States were saved at all it must be done by this people [Mormons]." 2

The attack on Roosevelt in the open letter of October had been foreshadowed by these earlier pronouncements and the announcement was evoked because of the feeling that the Roosevelt Administration was endangering the Constitution. Heber J. Grant, the Mormon President, took full credit for the endorsement. 3 This tactic hurt some of the devout Mormons who were also Democrats, and caused a loss in subscriptions to the Deseret News. In the election Democrats won a landslide victory. The Church had been repudiated at the polls in the 1933 repeal election and in the 1936 Presidential election.

In 1937 the Church won perhaps its only major political victory during the New Deal era. This was a referendum on a P.W.A.-financed reservoir aqueduct project known as the Deer Creek Project which was submitted to the Salt Lake City electorate in November of 1937. This program, although given nonpartisan support, was sponsored and supported strongly by the Democratic party as well as the Church.

In a broadcast over KSL radio a declaration from the Church First Presidency was given approving the project. The church had counseled

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1 Ibid., May 23, 1936, Church Section.
against going into debt, but they said that this project was not in dis-regard of that counsel for they termed this project an "investment that promises security and growth." ¹ The Salt Lake voters endorsed the Deer Creek Project in the referendum by a margin of twenty-three to one with only about 600 "no" votes.²

In the 1938 election the Church received, at least ostensibly, another political setback when the General Authorities of the Church granted the President of Brigham Young University, Franklin Harris, a leave of absence to run against Elbert D. Thomas in the campaign which resulted in the famous "letter to the Mormon bishops" case. The letter sent to Mormon bishops throughout the Church expressed opposition to the New Deal. The purpose of the letter seemed to be to create the impression that Harris was the choice of the Church Authorities and that Thomas was not wanted.³ In the election Thomas was victorious and most other Democrats were again successful.

In all elections from 1932 to 1940 it appeared that all candidates who appeared to have support of leading Church officials were defeated at the polls. This plus the fact that the Church influence in the State Legislature had declined, as evidenced best by the 1937 Legislature, which was perhaps the most liberal in the state's history, would indicate that the Mormon Church did not control politics in the state during the New Deal years. It could not be said that the Church was not involved

¹Deseret News, November 20, 1937.
²Ibid., November 23, 1937.
³Jonas, p. 278.
in politics or that it did not retain some influence, but the Church certainly did not have control of the political processes to the extent that people would simply fall into line with the wishes of the Church officials when these wishes were made known.

The Mormon Church is a pressure group in the same sense that all religions are pressure groups, that is, they are an interest group, and at times when their interests are aroused they are pressure groups. All churches are pressure groups on moral issues and sometimes in temporal issues, especially when their membership or economic self-interest is involved directly. This has been true of sects and denominations in the United States, where public opinion is given an exalted place in politics since colonial days and will, in all probability, continue to be in the future.

Many churches, as is true of the Mormon Church, hold properties and operate commercial enterprises, and as a consequence, are members either directly or indirectly of various pressure groups representing economic interests. Since politics has been defined as the making and enforcing of public policy it is only natural that the political parties are made up of pressure groups and members of pressure groups represent economic interests. This is true of churches just as it is of other interest groups. In Utah most of these economic self-interest groups allied themselves with the Republican Party which had, as elsewhere throughout the nation, become known as the party of big business. So it was only normal that the Mormon Church, with its economic interests and the natural conservatism that characterizes many churches, allied itself more closely with the Republican party and opposed some of the progressive New Deal
measures that tended to upset the status quo to which churches commonly adhere. The Church hierarchy for the most part was also inclined to be conservative and adhere to the Republican party even before the New Deal.

The Mormon Church did not oppose the New Deal in all particulars and did not oppose it simply to oppose. The Church approved some aspects of the New Deal and in the early years seemed to be rather close in sympathy—though some Church leaders estranged themselves from some programs and some individuals associated with the New Deal.

Perhaps Apostle Melvin J. Ballard captured the philosophy of the Church hierarchy when he said that government expenditures should be cut back by people getting off relief but added, "had the Government not stepped in when it did and aided the unemployed, America would have had a revolution."¹

Although many of the Church officials were Republicans there were also many who were Democrats, notably: President Grant; Anthony W. Ivins, a member of the First Presidency until his death in 1934; Melvin J. Ballard, a Church apostle; Richard R. Lyman, another apostle; B. H. Roberts of the First Presidents of Seventies; Herbert B. Maw, member of the Deseret Sunday School Union Board; Senator Elbert D. Thomas, a member of the Deseret Sunday School Union Board; and Clarence C. Nealen, Hugh B. Brown, Henry D. Moyle, Marion G. Romney, and Henry H. Blood all held important Church positions in the 1930's and later and were politically active and adhered to the Democratic party.

In the Church hierarchy there were both Democrats and Republicans and it is hard to differentiate between individual convictions and

¹Deseret News, October 7, 1938.
support and what is Church policy in connection with political affairs. Those members of the hierarchy who were Democrats usually supported Democrats, and the Republicans usually supported Republicans, so what was Church policy and what was personal convictions was a fine distinction that would be hard to make. For example, while the Republican Church officials condemned the usurpation of power by the Roosevelt Administration, B. H. Roberts, a strong Democrat said, "I now think that under prevailing conditions the present administration is now justified in the larger participation by government in the industrial, commercial and financial affairs of the people of these United States."¹

One Church program, which was beyond question an official Church policy, was the Church Security Program, better known as the Church Welfare Program. Many have contended that this program was a political move and a political answer to the New Deal to counteract the New Deal and was in direct opposition to the New Deal.

On April 7, 1936, in an open letter in the Deseret News the First Presidency of the Church set forth its findings of a survey undertaken in September of 1935 to determine relief conditions in the Church. The report indicated that 88,460 people had received relief and of this total 11,500 to 16,500 were on relief or had received relief who did not need it. Of the 88,460 persons on relief only 13,455 were unemployed, the others were working or had worked on W.P.A. and P.W.A.

In view of these findings and "the curtailment of Federal aid which is now forecast, [which] makes it imperative that the Church shall, so

¹Ibid., September 9, 1933, Church Section.
far as it is able, meet this emergency." The Church announced a security program. The program outlined specified that "those now on work relief should continue thereon, . . ." and those receiving relief who were unemployed should be taken care of by Church relief at an estimated cost of $842,000 per year.1

The Church Security Program had been foreshadowed by events far back in the depression. In 1931 the *Deseret News* in an editorial recommended that make-work projects be undertaken to give all able-bodied men some useful work plus a living return.2 This had been put into effect by the New Deal and in the winter of 1933 by the Church to a limited extent. In 1933 the First Presidency ordered a survey to determine the needs of the members of the Church over the winter. An accompanying statement to the survey order said, "reported conditions in the State and Nation suggest that a considerable burden may rest upon our Church Relief activities in the near future." The statement said that members could rely on government assistance, but the extent of that assistance was unknown. The statement also emphasized that except for the sick or the disabled relief should not be extended as charity.3

This program was put into limited use in special areas, notably Liberty Stake in Salt Lake City which had made work-relief experiments.4

Just prior to the Welfare Plan announcement J. Reuben Clark, Jr., speaking to the General Conference of the Relief Society organization

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1Ibid., April 7, 1936.
2Ibid., August 7, 1931.
3Ibid., September 2, 1933.
4Ibid., September 4, 1933.
said, "Now, with Government relief to be cut down appreciably in the near future, a much greater burden is to fall on Church and private relief organizations, and the Relief Society will have to devote its greatest energy to its prime objective of succoring the needy."¹

This plus the fact that David O. McKay, of the Church First Presidency, said in 1937 that the Welfare Plan had been considered back as far as ten years before it was initiated would tend to indicate that the plan was not a sudden move in answer to the New Deal,² and was contemplated early in the depression or even before.

The Church program was widely misrepresented and was made to appear the anti-New Dealer's fondest dream, by such conservative magazines as the American Banker, Cosmopolitan, and the Readers' Digest. It was felt that these magazines were given aid in their painting of an anti-New Deal picture by First Counselor of the First Presidency J. Reuben Clark, Jr., an arch-Republican.³

The Readers' Digest so misrepresented the program as to say that in a year and a half 84,460 Mormons were taken off direct relief. The Digest said the government dole was sapping the character of the people to the extent that "townspeople were distinctly uninterested when told where they could find a job."⁴

These were misrepresentations that are still widely believed, but which Church officials took steps to counteract. Elder Melvin J. Ballard

¹Ibid., April 3, 1936.
²Ibid., February 13, 1937, Church Section.
⁴Marc A. Rose, "The Mormons March Off Relief," Readers' Digest, June 1937, p. 43.
who was put in charge of the relief program explained that the Church program was "deeply concerned to help the Government, and we are not criticizing or fighting the Government." Ballard held that the Church plan was a stop-gap to help the transition of members from Government relief to positions of permanency. Ballard also explained the program to President Roosevelt and got his pledge of support and co-operation.

David O. McKay said of those who accused the Church of launching its Security Program merely for political reasons: "There has never been a more false accusation."

In a radio address Henry D. Moyle said that the "co-operative effort for the common good began with the organization of the Church." He further said, "It is not and has not been the purpose of the Social Security Program of the Church to duplicate the work of any municipal, State, or Federal Relief agency, but rather to supplement their work and prepare to minimize the necessity therefore."

These pronouncements would tend to indicate that the Church program was really a supplement, that it was not opposed to W.P.A. for workers were admonished to maintain their jobs on federal work relief.

Just three days after the welfare announcement the federal government gave notice that all direct federal relief payments would end July 1, 1936, and all such payments would be assumed by states, counties, and cities. This curtailment of federal relief expenditures was to affect only those

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1 *Deseret News*, May 9, 1936.
4 *Ibid.*, September 12, 1936, Church Section.
who were receiving direct relief and so only the 13,455 whom the Church
was proposing to help when they announced their program were affected.
This substantiated the prediction that federal relief would be cut and was
an indication that the Church was only interested as it had said in 1933
in seeing "that no one must be permitted to starve or freeze in our midst."¹

In short, one would have to conclude that the Mormon Church is a
pressure group just as other denominations are pressure groups. The
individual members of the Church hierarchy did try to influence political
decisions and elections; and one would have to conclude that the 1936
pronouncement for Landon was official Church policy and the Church officially
opposed Roosevelt's reelection in 1936, particularly because the First
Presidency felt the Constitution was in danger.

One would also have to conclude that the Mormon Church Welfare Plan
was not a political reaction to the New Deal and was not fathered by the
New Deal, but was an outgrowth of the depression and a desire on the part
of the Church to care for its own.

¹Ibid., September 2, 1933.
UTAH'S ACCEPTANCE OF THE NEW DEAL

In late February of 1933, prior to Roosevelt's inauguration, the Deseret News carried an editorial on Marriner S. Eccles' testimony before the Senate Finance Committee. The editorial said that few would disagree in their hearts with Mr. Eccles that "the outdated, capitalistic system of uncontrolled individualism, with its free competition, will no longer serve our purpose..." With this attitude on the part of this relatively conservative paper it is little surprising that the New Deal was well received in its early days by Utahans.

The early relief work and the Civilian Conservation Corps were well received in the state and were appreciated. The C.C.C. remained popular right up to its demise. With Governor Blood leaving for Washington to get administration support for public work projects for Utah in mid-April of 1933 the News again editorialized and came out in favor of public spending to "act like a booster pump in the lagging economic flow." It also praised Blood for his trip to Washington to rescue as much public relief money as possible for the state.

By September of 1933, several interests in the state were advocating a speed up of the payment of National Recovery Act relief funds by Secretary of Interior Ickes who was administering the funds. The News

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1 Deseret News (Salt Lake City), February 27, 1933.
2 Ibid., April 1, 1933.
3 Ibid., May 9, 1933.
suggested that Governor Blood could make another trip to Washington to persuade Ickes to allow more funds for Utah projects.¹

By October, another New Deal Act was gaining praise as Roosevelt's speech outlining his gold plan was being called by Utahans "the greatest speech President Roosevelt had made since his inaugural."²

Roosevelt's pet public power projects also came in for early approval as the state law for initiative was used for the first time in Utah. Sponsors filed with the Salt Lake City recorder an application for petition copies for circulation of an ordinance authorizing Salt Lake City "to acquire, own, maintain, and operate an electric plant for furnishing power to the city."³

The News, however, questioned the wisdom of the initiative issue on the municipal power plant for Salt Lake City during such critical times.⁴ In the initiative election held in Salt Lake City simultaneously with the repeal election, the public power proposal was defeated decisively by a vote of 12,901 for and 29,350 against.⁵

Perhaps this repudiation of the public power measure, which could be interpreted as an indirect defeat of the Roosevelt administration, simply because Roosevelt was such a strong advocate of public power and because his name had been used in the campaign by those advocating the project as they tried to equate the project with the New Deal and put Roosevelt's stamp of approval on it, gave opponents of the New Deal enough confidence

¹Ibid., September 7, 1933.
²Ibid., October 23, 1933.
³Ibid.
⁴Ibid., November 4, 1933.
⁵Ibid., November 8, 1933.
so they could feel more sure in criticizing aspects of the New Deal program. Mayor Louis Marcus of Salt Lake City made a bitter attack on P.W.A. aid in Salt Lake City commission meeting. The Republican Mayor called P.W.A. "an obstacle rather than an aid to public works." He said P.W.A. red tape prevented solvent cities from aiding unemployment. He also felt that the Hopkins-controlled C.W.A., which had been set up the day before Marcus' attack on P.W.A., would replace the P.W.A. as far as Salt Lake City was concerned.¹

In the realm of agriculture, problems had conditioned the farmers of the state to be in a mood to accept the Agriculture Adjustment Act of the New Deal. Just prior to Thanksgiving 1933, the farm revolt spread to Utah, where turkey farmers joined with farmers of seven nearby states in declaring they were not offering "holiday birds" for sale at the then existing prices. They contended that quoted eastern market prices were unjustifiably low; and, in view of the 30 per cent increase in production costs and better public purchasing power, the growers contended that they should have at least twenty-five cents a pound to make production costs.² These farmers who had voluntarily joined to increase returns on production were ready to join with the federal government to raise farm income.

The A.A.A. did come in for the major criticism of failing to accept certain stabilization plans which the farmers desired to have enacted. An example was the sugar stabilization plan offered, but rejected by Agriculture Secretary Wallace. Utah's two Representatives, Murdock and

¹Ibid., November 9, 1933.
²Ibid., November 16, 1933.
Robinson, attacked Wallace for his action. Robinson branded the delay as due "to an ignorance of the importance of the sugar beet industry in the United States."

In early administration of public works the State Supreme Court, by a three to two decision, made possible fuller co-operation and participation in P.W.A.-financed projects. The court ruled that the Granger Bill enacted by the 1933 special session of the Legislature was constitutional. This bill, sponsored by Walter K. Granger of Cedar City, had set up machinery whereby municipalities could secure funds by issuance of revenue bonds for public service projects. The act also provided that in no case should the principle or interest of such bonds be made a charge on the tax revenue of the political subdivisions issuing the bonds. In other words, the city would have no obligation to pay the principle and interest of such bonds except out of the net earnings of the plant constructed. The bill exempted revenue bonds by holding that such bonds were not a debt within the meaning of the Constitutional provision limiting bonded indebtedness. By this decision more than $3,000,000 worth of public works planned by cities could be undertaken through bonds and loans of the P.W.A. The decision also stimulated a greater number of such projects to be undertaken.

In December of 1933, the New Deal further solidified its strength in Utah with Roosevelt's order to purchase silver at sixty-four and one-half cents an ounce. The Utah officials and mining men were lauding the move as a stimulus to all business in the state; aid to jobless; and a great

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1Ibid., November 17, 1933.
2Ibid., December 14, 1933.
victory for labor, business, and industry. The order was followed by an announcement that one silver mine in Utah would reopen for operation after Christmas and that another enterprise would employ 300 to 400 men immediately. The doubling and trebling of some stocks on the Salt Lake Mining Exchange was also a positive reaction within the state to Roosevelt's order.

Utah was enthused by the announcement and the Deseret News reflected this when it announced that retail trade showed the best record in five years,¹ and on Christmas Day the headlines read, "YULETIDE FINDS ALL WORLD MERRY."

The Salt Lake Chamber of Commerce and other organizations, in addition to private citizens and mining officials, sent telegrams of thanks and appreciation to President Roosevelt and to Utah’s Congressional delegation.² On New Year’s Day the Governor in his New Year’s message extended best wishes to the people of Utah and expressed assurance for a happy coming year under the New Deal. The Salt Lake City and County Commissions and the Chamber of Commerce also joined in pointing to the success of the New Deal and to the bright outlook for thriving times.³

With this aid to the Utah economy through the government silver program the people were ready to seek more aid as the News, in an editorial, advocated old-age pensions because the aged had earned them.⁴

Another aspect of the New Deal was also due for praise for every bank in the State of Utah open on December 30, 1933, qualified for the

¹Ibid., December 23, 1933.
²Ibid., December 22, 1933.
³Ibid., January 1, 1934.
⁴Ibid., December 27, 1933.
Federal Deposit Insurance Corporation benefits and the act setting up the Corporation was being roundly praised by Utahans. This was a very popular aspect of the New Deal and gave new confidence to the people.

The state electorate generally praised Roosevelt's first State of the Union Message of January 1934, and felt Roosevelt's attitude toward fiscal problems was "realistic." Even though the power plant for Salt Lake City had been defeated in 1933, the Consumers Welfare and Research League was not ready to write the issue of public power off as dead. They passed a resolution in mass meeting calling for State ownership of all power utilities in Utah. They also passed a resolution lauding President Roosevelt for his power stand and another asking Governor Blood, in the event of a special session, to place on the agenda liquor control and tax on public utilities. This positive publicity certainly did not hurt the acceptance of Federal T.V.A. by the Utah electorate.

By January 1934, the New Deal had not fallen into complete disrepute even among business groups, for in a meeting before 150 business and industrial leaders, several speakers hailed the New Deal as "fully within the Constitution" and as "a preserver of American principles." The speakers included a Salt Lake capitalist and a Logan banker, the latter felt comfortable being a Democrat.

1Ibid., January 4, 1934.
2Ibid., January 5, 1934.
3Ibid.
4Ibid., January 17, 1934.
The New Deal was also gaining in popularity among labor groups who had, early in 1933, condemned the Robinson-Wagner Bill which was designed to put several hundred thousand men back to work at $1.00 per day, as a "Raw Deal and insufficient."¹

In 1934, Governor Blood, Gus P. Backman, and William F. Knerr, the latter a member of the State Industrial Commission, speaking before the Utah State Federation of Labor, could without fear sound a chorus of praise for Roosevelt and the New Deal. Backman called the recovery program "the closest thing to Christianity ever promulgated." Mr. Knerr said "rugged individualism is gone forever." He condemned the attitude of the U.S. Chamber of Commerce and International Bankers toward Roosevelt's recovery program, and insisted unless this attitude changed it would be necessary for the common people to "socialize the banking system."²

The changed attitude of labor had come about through labor's acceptance of N.R.A. and the C.W.A. As the C.W.A. began to cut back workers and it appeared as if the program was headed for discard the Deseret News, in an editorial, praised the efforts of C.W.A. and said, "the spirit of the CWA should never end--the government should stand ready to spend money for the employment of idle labor."³ In April of 1934, when the F.E.R.A. took over the unfinished C.W.A. projects as the C.W.A. was closed out, Utahans were ready to embrace the new relief program.⁴ Utah was given some recognition in the administration of

¹Ibid., March 23, 1933.
²Ibid., January 9, 1934.
³Ibid., January 27, 1934.
⁴Ibid., April 16, 1934.
F.E.R.A. as Robert H. Hinkley, the administrator of the State F.E.R.A., was given a position as director of the Western States F.E.R.A. At the request of Governor Blood, Hinkley also remained in charge of relief work in Utah.

The News was also ready with praise for the F.E.R.A., for it reported that beggars were not seen on the Salt Lake City streets and the answer to the cause was the F.E.R.A. Transient Relief Agency, "One of the government agencies set up by the present administration that is beyond criticism... it has solved a problem that has been a black spot for years."

By June of 1934, after over a year of the New Deal, the Deseret News was still not ready to turn to the right and completely disapprove the New Deal and liberal programs, for the News in an editorial said, "A most encouraging item of news is the statement... made by the President of the American Dental Association, Dr. Arthur C. Wherry, ... that socialized dentistry must come..." A

The results of the Literary Digest poll of 1934 to determine whether citizens favored, on the whole, the Roosevelt policies also showed that Utah favored the New Deal rather highly. Utah's vote was 5,736 favoring the President and 2,411 opposed.

The New Deal was still attractive enough in 1934 that Don B. Colton was felt to be a good Republican candidate for the Senate because he had

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1Ibid., May 7, 1934.
2Ibid., June 1, 1934.
3Ibid., June 13, 1934.
4Ibid., June 6, 1934.
5Literary Digest, 118 (July 7, 1934), 3.
taken a stand for a progressive program and would support Roosevelt in all efforts to furnish housing and labor for unemployed.\footnote{Deseret News, July 10, 1934.}

In July of 1934, the New Deal began to receive more criticism as plans were announced for the P.E.R.A. to establish four factories in Utah to manufacture mattresses and quilts to distribute to the unemployed. The products were to be manufactured by use of idle factories and unemployed workers.\footnote{Ibid., July 13, 1934.}

The Salt Lake Chamber of Commerce made a strenuous objection to the national government going into private business and stepping further on the toes of private industry by manufacturing mattresses and quilts. The Chamber said it did not object to the distribution of the bedding and only felt that it should be manufactured by already existing private enterprise.\footnote{Ibid.}

Despite the objections of the Chamber of Commerce, the program went forward as did the New Deal itself go forward. By the end of the first anniversary of P.W.A., R. A. Hart, the State P.W.A. engineer, announced that P.W.A. projects approved in Utah amounted to $27,500,000.\footnote{Ibid., August 21, 1934.} With this kind of federal aid the state continued to support the New Deal in broad application, even to the extent of accepting the news "without alarm," that Roosevelt would use his reciprocal trade agreement power to cut the tariff on Cuban sugar about fifty cents a hundred pounds.\footnote{Ibid., August 23, 1934.}

The conservative Utah Manufacturing Association did, however, get into the act of criticizing the policy of the government of going into
business in competition with private business, the specific case being the mattress manufacturing.¹

While business interests criticized the New Deal the farmers were cheering the A.A.A. H. L. Collins, federal livestock and crop statistician of Denver, reported, following an inspection tour of the eleven Western states, that farmers of the West were cheering the government hay program that had raised hay prices 100 per cent over the twelve previous months.²

Nationally, however, the A.A.A. and other agencies as well as the brain trust were coming in for some criticism. When syndicated columnist David Lawrence, in a speech to American Bankers Association, condemned the New Deal Brain Trust, the Deseret News came to the defense of Roosevelt by saying that if the administration had slipped in not strengthening Civil Service it had made stringent rules to keep servants of government from political activity in the Home Owners Loan Administration, P.W.A., A.A.A., and other agencies. The News said, "Of course it might be said that if political victors have been seeking spoils, the slate of business has not been too clean during the last twenty-five years."³

In Utah the Salt Lake City Commission, all of whom were Republicans, did join the national criticism and took a swipe at the New Deal and spoils in politics as it charged that the F.E.R.A. was being operated as a Democratic political machine and that waste and overhead in its administration was extensive. It charged that dealing with the F.E.R.A. had

¹Ibid., September 11, 1934.
²Ibid., October 16, 1934.
³Ibid., October 29, 1934.
been most unsatisfactory. It felt that on several occasions projects had been almost completed when workmen were taken off the job, thus forcing the city to appropriate money to complete the projects.¹

The Deseret News was undaunted though by this criticism of bureaucratic faults. In the 1934 Christmas issue of the Deseret News the theme was State Planning and the issue was treated entirely sympathetically. There was also a page devoted to national planning. The issue praised the F.E.R.A. record in a wide variety of activities and reported a catalogue of public work accomplishments in Utah.²

However, by mid-May of 1935, following more than two years of the New Deal the Deseret News was experiencing a shift away from sympathy with the New Deal. In an editorial outlining the La Follette and Harriman plans for recovery the News favored the plan by Henry I. Harriman, retiring president of the United States Chamber of Commerce. It would have made drastic reductions of expenditures as soon as possible, with a stabilizing of currency.³ At this very time the New Deal was experiencing a shift to the left with more federal spending, and so the New Deal was apparently falling out of step with some of the more conservative elements who had favored its first two years. The administration was coming closer to the thinking of the more liberal elements. Even with the shift to the left in the thinking of the administration and the swing to the right of some of the conservative elements within the State of Utah, the News was still able to praise the Social Security Act of 1935.⁴

¹Ibid., November 15, 1934.
²Ibid., December 15, 1934.
³Ibid., May 16, 1935.
⁴Ibid., June 27, 1935.
The News could not, however, bring itself to join liberals in the Court criticism. With the A.A.A. pending a court ruling, the Farm Bureau of Utah joined the American Farm Bureau in a drive for a Constitutional amendment to preserve the A.A.A.\(^1\) The News in an editorial, however, said concerning the ruling of the Boston Circuit Court of Appeals decision at Boston on the processing tax in which the court found the tax unconstitutional, that the nation had got along without N.R.A. It could get along without A.A.A.\(^2\)

Even though the Deseret News felt the nation could get along without A.A.A. the farmers did not agree. In the Utah farm vote on retention of the A.A.A. corn-hog adjustment program, the vote favored retention of the program by a twelve to one margin. Some counties favored the program unanimously. The Agriculture Department officials had expected approval of the program, but not by such a large majority.\(^3\)

With the ruling from the Boston court, the Central Milling Company, which operated a mill in Cache County, also attacked the A.A.A. processing tax. In a suit filed at Salt Lake City, the company sought an injunction to prevent the Secretary of Agriculture from collecting any tax on the processing of wheat,\(^4\) but they had very little sympathy from farmers. Naturally the farmers who had received benefit payments from the A.A.A. in the fiscal year from July 1, 1934 to June 1, 1935, amounting to $1,600,673.78 objected to the unconstitutional ruling on the A.A.A.\(^5\)

\(^1\)Ibid., July 9, 1935.
\(^2\)Ibid., July 17, 1935.
\(^3\)Ibid., October 29, 1935.
\(^4\)Ibid., July 19, 1935.
\(^5\)Ibid., July 25, 1935.
Following the Boston Circuit Court ruling on the A.A.A., the farmers of the nation began actively to support the A.A.A. In Utah beet growers joined with other growers of the nation in supporting the New Deal's farm program because as they said, it provided "economic as well as political democracy."\(^1\)

With the Supreme Court ruling of January 6, 1936, that held A.A.A. unconstitutional, Utah farmers joined those of the nation in a concerted campaign for state and federal legislation to permit adjustment of agricultural crops similar to that provided by the A.A.A. program. The Utah Farm Bureau, through its president, Joseph A. Anderson, said, "we are very much disappointed in this adverse ruling."\(^2\)

Utah's Congressional delegation was urged by the Farm Bureau in twenty-two of the state's twenty-nine counties to support some agriculture adjustment measures designed to replace A.A.A.

Tracy R. Welling, executive secretary of the Utah State Farm Bureau, reported that Utah farmers had received over $10,000,000 direct benefits from A.A.A. He also said that the Utah farmers had received $10,000,000 more in 1935 than in 1932.\(^3\)

At this time things were going bad in segments of the population other than those on the farm. A riot at the F.E.R.A. headquarters in Salt Lake City was stopped after a fifteen minute battle between deputy sheriffs, police officers, and a crowd of 200; eight men were arrested and charged with participation in a riot, which was a felony. The riot

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\(^1\)Ibid., December 5, 1935.

\(^2\)Ibid., January 6, 1936.

\(^3\)Ibid., January 9, 1936.
was in protest of a 50 per cent slash in relief. These cuts were in compliance with the President's mandate to "quit the business of relief." Federal aid was being gradually cut for those not working on relief projects with counties and states taking over. The relief of unemployables was to be completely in local hands by November.\textsuperscript{1}

The aged were also having their problems as the participation of Utah in the federal plan of old-age pensions was running into snags. It was discovered that the State public welfare bill, passed by the 1935 Legislature apparently prohibited the State Department of Public Welfare from administering the federal plan of old-age assistance. This caused a problem because Utah had planned to use the Public Welfare Department to administer old-age relief. The problem arose in the last paragraph of the 1935 act which said: "that administration of unemployment reserves or compensation of old-age annuities or the application of public employment exchange shall not be a function, duty, or responsibility of the Department of Public Welfare."\textsuperscript{2} This resulted in demands for a special session, but the Governor steadfastly refused and with valiant efforts on the part of the Utah Congressional delegation and lobbyists from the State, the Utah program of social security was accepted.

Even with the shift to the left by the New Deal and temporary problems within the state, the News could still find aspects of the New Deal to praise as it said of the N.Y.A., "nothing better can be done for ambitious young people. . . ."\textsuperscript{3}

\textsuperscript{1}Ibid., August 22, 1935.
\textsuperscript{2}Ibid., August 19, 1935.
\textsuperscript{3}Ibid., September 12, 1935.
Perhaps the swing to the right by some groups in the population can be explained by an editorial in the News which said that "... many factors lend support to the widening belief that the final recovery from the depression is at hand."¹

Statistics released by the F.E.R.A. Division of Research failed to substantiate the contention that recovery was at hand, but they did show that the trend in relief cases was downward. The report said that for the second quarter of 1935, 29,404 cases was the monthly average in relief, while in the first quarter of 1935 the average was 31,798.²

With the closing out of F.E.R.A. in November of 1935 the W.P.A. took over. Harry L. Hopkins, administrator of W.P.A., gave orders to employ 15,000 heads of families in Utah by November 25.³ The goal of the W.P.A. was to have every employable working. On November 12, Tooele County reported that it was the first county in Utah to have every employable in the county working.⁴ By late November it was reported that Utah's monthly W.P.A. payroll had increased to nearly $1,000,000 a month and that at least 2,100 employables within the state were still unemployed.⁵ With the instigation of W.P.A. New Deal popularity remained high.

By 1935 the Literary Digest poll on the public favor of the Roosevelt policy showed that Utah and eleven Southern states were the only states that still favored Roosevelt's policies.⁶

¹Ibid., October 3, 1935.
²Ibid., October 28, 1935.
³Ibid., November 1, 1935.
⁴Ibid., November 12, 1935.
⁵Ibid., November 29, 1935.
⁶Literary Digest, 120 (December 21, 1935), 5.
By 1936 the Deseret News had almost completely realigned itself and was fast becoming the darling of the conservatives. In an editorial the News said, "an enormous National debt means increased taxation. The American people are crying out against this and demanding that National spending and borrowing be curtailed and the Nation placed upon a stable and economic financial basis."\(^1\)

The News also resented the attack on the Supreme Court and said so: "we have had enough of sloppy legislation. The high mortality of measures that have reached the Supreme Court should be enough to produce serious cogitation in the halls of Congress. . . ."\(^2\)

The News was still ready to stand behind Social Security eight months later as it defended Roosevelt's Social Security Program against attacks made by "politicians striking wildly at everything the Roosevelt Administra-

With the New Deal under severe attack during the 1936 campaign, Harry Hopkins, speaking in Salt Lake City, said that the original idea for work relief programs carried on by the federal government was born in Salt Lake City and was launched by Brigham Young. The large audience gave Hopkins an enthusiastic reception, interrupting him several times with vigorous applause.\(^3\) Utahans were glad to have this added reason for warmly embracing W.P.A.

Prior to the 1936 election the eventual Roosevelt victory in Utah was foreshadowed in the Provo City election on a public municipal power

\(^1\)Deseret News, January 20, 1936.  
\(^2\)Ibid., February 10, 1936.  
\(^3\)Ibid., August 7, 1936.  
\(^4\)Ibid., September 10, 1936.
plant. In the election a 128 vote majority favored the municipal plant. The Utah Power and Light Company immediately took steps through a request for a restraining order to prevent the city from entering into a contract to construct the plant. In response to the Utah Power and Light Company's request the State Supreme Court issued a temporary restraining order giving Provo City until October 31 to show cause why it should not be restrained from building the plant.1 In the injunction against Provo City in the building of the municipal plant the Supreme Court ruled in a three to two decision that the city could proceed with the project,2 though this ruling did not end litigation as the plan remained tied up in court through 1938.

Following the campaign, and reelection of Roosevelt in 1936, some conservatives were partly pacified by Roosevelt's budget message with his plan for no tax increase for 1937 and hope for a balanced budget.3

In compliance with the hope for a balanced budget the Deseret News called on Utah to take the initiative in calling a halt to public spending.4

The advice fell on deaf ears, for Governor Blood joined other governors in an almost solid front against reduction in federal programs—if it meant placing a greater burden on the states. Governor Blood said the relief roles were growing at "a surprising rate. Seasonal employment has failed thus far to reduce the number on relief, and Utah is using all

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1Ibid., October 14, 1936.
2Ibid., December 31, 1936.
3Ibid., January 14, 1937.
4Ibid., March 17, 1937.
available funds for this program. "1 The Governor had a point for the state could not hope to support a program of the magnitude of the W.P.A. and still remain solvent.

In the first year of its existence, W.P.A. workers in Utah built, repaired, or improved over 700 miles of roads; the program also included the creation and repair of nearly 150 public buildings; there were also installations of sanitary systems and flood and erosion control projects. The W.P.A. also constructed ninety-eight miles of sidewalks and paths, with curbs and gutters being built along nine miles of road. It also placed eleven miles of guard rails on mountainous roads. Other accomplishments included building and expansion of recreational facilities, plant disease eradication, and the distribution of more than 4,000 garments and 590 tons of foodstuff from surplus commodity supplies to needy persons.2 These programs, besides the work provided, were also of creative value and were of much greater magnitude than could be carried on by individual states and without the work such projects furnished there would be severe unemployment, so the states were reluctant to have cuts in federal aid.

From March 4, 1933, when Roosevelt took office, until January 1, 1937, the Federal Government poured a total of $158,216,132 into the State of Utah. Loans made up $61,246,367 of the total.3 Utah wanted this to continue.

In 1936 the Salt Lake Chamber of Commerce and other Utah groups were still interested in federal money for the state. Gus P. Backman,

1 Ibid., April 19, 1937.
2 Ibid., April 10, 1937.
3 Ibid., April 2, 1937.
general secretary of the Chamber, and Calvin W. Rawlings journeyed to Washington to lobby for federal department approval of a number of Utah projects.¹

Utah's industrialists, state officials, and civic organizations also strove desperately to maintain federal aid to highway appropriation at its peak. The appropriation that had been $238,000,000 stood in danger of reduction because of the President's recommendation to balance the budget. The Chamber of Commerce, which had been asking for a balancing of the budget, directed communications to all other Western Chambers of Commerce requesting support in the campaign to prevent the reduction.² Governor Blood also requested additional federal assistance for unemployed in the face of growing unemployment in the state.³ In a strongly-worded letter to the Salt Lake City Commission Darrell J. Greenwell, state W.P.A. administrator, joined those appealing for more federal aid when he urged the commission to avoid a threatened acute unemployment problem by sponsoring more W.P.A. projects.⁴ Faced with the challenge of unemployment and loss of payroll the City Commission did decide on steps toward formation of new W.P.A. programs.⁵

With reports from Washington that two Utah C.C.C. camps were in danger of being eliminated by the President's budget balancing, the Salt Lake Chamber of Commerce initiated a fight to defeat the possible elimination of the Utah camps.⁶ When the fight to preserve the camps was finally

¹Ibid., May 10, 1936.
²Ibid., November 30, 1936.
³Ibid.
⁴Ibid., January 13, 1937.
⁵Ibid., January 14, 1937.
⁶Ibid., January 11, 1937.
rewarded with success for C.C.C. backers, the Salt Lake Chamber of Commerce wired praise to J. Will Robinson and Abe Murdock for their support of bills passed to provide an additional $50,000,000 for C.C.C. camps.¹

While the fight to save C.C.C. and road funds was being won, the conservatives focused their attack on the W.P.A. Senator King told the Senate he would ask for a congressional investigation of the administration of relief under Harry Hopkins and the Works Progress Administration.²

In the state, W.P.A. State Director Darrell J. Greenwell faced up to the attack and challenged critics of W.P.A. to prove their statements that "jobs were going begging." He said that if jobs were going begging the W.P.A. officials would like to know of them so employables could fill any vacant jobs. He also cautioned for extreme care in certifying the unemployed so as not to court more criticism for W.P.A.

Senator King had not had his last say on W.P.A. for he announced that he would sponsor a bill to wipe out W.P.A. He said, "I am unwilling to turn any more money over to the W.P.A. in view of the revelation of its incompetency and political activity."³

In 1939 W.P.A. was being widely criticized nationally and investigated by Congress. With emergency conditions in Wasatch County due to large numbers of employees being laid off at the mines, the W.P.A. was hiring the largest number of people ever employed in that county on W.P.A. projects, while it was prevented by instructions from Washington from

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¹Ibid., April 6, 1937.
²Ibid., May 13, 1938.
³Ibid., December 23, 1938.
employing any more.\(^1\) With the emergency and the efforts of W.P.A., this program came in for less criticism in Utah; and perhaps, partly, because of his outspokenness against the W.P.A. incumbent Senator King was defeated in the 1940 Democratic primary.

**New Deal and Labor**

The New Deal also figured prominently in the labor movement. In Utah the employer opposition to organization of labor led to employer associations. One of these associations, the Utah Associated Industriests, which organized in 1918, was widely given the credit as the originator of the famous American plan open shop movement which spread nationwide after World War I and worked havoc among labor organizations.\(^2\)

In Utah, employers had put up stubborn resistance to labor unions. The railroad unions had a long struggle for recognition, and the coal miners of Utah had a particularly hard time. It was not until 1933 that coal companies gave up their persistent refusal to recognize coal miners' unions, and this was under the public support for N.R.A. and the right to bargain. With the enactment of the National Industrial Recovery Act in 1933 followed by the U.I.R.A. a new era in labor for Utah was launched. The N.R.A. with section 7a helped launch unions on a movement throughout the United States with thousands of workers wanting admittance to unions. Utah, even with its reputation for open shops, was no exception.

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\(^1\)Letter of Murdock to Blood, January 3, 1939, Blood papers.

The growth in unions in Utah is shown by the increase in union affiliates from twenty-seven affiliates with a membership of 965 on November 30, 1933 to seventy-one union affiliates with a membership of 5,926 in February 1935.\(^1\) With the demise of N.R.A., labor was anxious to secure the rights of section 7a through another act of congress. On May 16, 1935, the Wagner Labor Disputes Bill was passed and became a great boon to labor and advanced the gains of labor under the New Deal.

In Utah the most notable and immediate consequence of the Wagner act was the October 10, 1936 general strike in Utah mines, which closed Bingham, Lark, Park City, and Eureka mines. The strike which resulted in violence and beatings of strikebreakers and overturning of automobiles,\(^2\) caused the Summit County Sheriff to ask Governor Blood for militia to help keep control.\(^3\) On December 16 the strike finally came to an end after sixty-seven days. At Park City 500 strikers voted three to one to return to work and accept the twenty-five cent per day pay raise. The next day the Bingham Lark strike was settled on the same terms as 800 men prepared to return to work.\(^4\) The settlement was viewed as a victory for labor and for Governor Blood who had mediated and helped to settle the strike.\(^5\)

The constitutionality of the Wagner act came under attack; and, amid the court controversy, the Supreme Court finally handed down a ruling sustaining the Wagner act in an unanimous decision.\(^6\)

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1\^Ibid., p. 46.\(^2\)Deseret News, December 7, 1936.\(^3\)Ibid., December 8, 1936.\(^4\)Ibid., December 18, 1936.\(^5\)Ibid., December 16, 1936.\(^6\)Ibid., April 12, 1937.
The Deseret News, which during the controversy over the Court had been defending the Court and the Constitution, said that in spite of the Court ruling it seemed that the act failed to afford the employer appropriate safeguards. "Federal control of labor conditions should be bilateral in scope regulating employee and employer alike. . . ."¹

With the Court's favorable ruling on the Wagner act, labor in Utah made moves to take advantage of the provisions. In a move to bring retail store workers into unions, shoe salesmen were organized into a union, with clothing store salesmen slated to be next on the list of prospective union organizations.²

There was also a marked expansion of the Teamsters and Chauffers Local with the addition of over 150 new members among taxi drivers; increased union activity in the state in newly-formed Locals of the Building Service Employees International; and significant growth of the International Union of Mine, Mill, and Smelter Workers.³ Automobile mechanics were also organized, and more than 225 of them went on strike in Salt Lake City and began picketing the various repair shops.⁴ This strike resulted in charges against mechanics who continued to work in the shops where the strikes were in progress and who failed to register with the State Industrial Commission as required by the Labor Act passed in the 1937 Legislature. The two named as defendants in the "anti scab" case pleaded not guilty to the charges and the impending trial was being followed with great interest by both labor and employers as the case was to be the first test of the new law.⁵

¹Ibid., April 14, 1937.
²Ibid., May 4, 1937.
³Ibid.
⁴Ibid., May 15, 1937.
⁵Ibid., May 18, 1937.
This case was dismissed because of insufficient evidence and the judge refused to decide the question raised in the case.\(^1\) This left the constitutionality of the act still in doubt. It was later decided in a case resulting out of a worker accepting work at the Purity Biscuit Company without first registering during a strike. The ruling held that the law was unconstitutional.\(^2\)

During the labor fervor and the unrest of 1937, there also occurred the taxi strike which resulted in violence and threats of "taxi warfare" before a settlement was worked out.\(^3\)

Labor worked to solidify their gains and the employers opposed unionization as they set up company shops and coerced employees to join. This resulted in the calling in of the National Labor Relations Board to mediate. It also resulted in elections with the choice to the employees of being with affiliated unions or company unions.\(^4\)

The business interests opposed the labor movements and blamed the New Deal and the administration attitude toward labor for the unrest. Labor interests moved closer to the Roosevelt Administration in their sympathies.

Utah seemed in harmony with the New Deal labor policy as Utah was rewarded with a certificate by Francis Perkins, secretary of labor, for outstanding progress in the enactment of labor legislation. It was pointed out that Utah had a full armament of labor laws including a minimum wage law for children, unemployment compensation, a state labor

\(^1\)Ibid., May 29, 1937.
\(^2\)Ibid., January 19, 1938.
\(^3\)Ibid., June 29, 1937.
\(^4\)Ibid., June 16, 1937.
relations act, the anti-scab law, workmen's compensation laws revised by
the 1937 Legislature, registration of labor unions and legislation of
the "checkoff."¹

Perhaps the more conservative Legislature of 1939 was in part a
reaction against the liberal pro-labor Legislature of 1937 and the labor
unrest of 1937.

Utah, prior to 1933, had not been a labor state, but during the New
Deal labor enjoyed its heyday in Utah. The Democratic party, during the
1930's, became identified with labor unions and the unions supported
almost exclusively Democrats for public office in the state. This was
the one period in the state's history when labor could present a show of
strength and for the most part present a semblance of a bloc labor vote
for New Deal Democrats.

Summary of New Deal Acceptance

Of the major programs of the New Deal, Utah accepted readily the
A.A.A. Tracy Welling, executive secretary of the Farm Bureau, said:
"the farmers of this state and this nation are near jubilant over the
honest and determined attempt of the Democratic Administration to give
them tangible assistance. . . ."²

The N.R.A. was well accepted at first and labor even after the demise
of the act still held out for section 7a and were finally rewarded with
the Wagner act. This act was a boon to labor in Utah and was deeply
appreciated by the labor unions who were experiencing a heyday in the 1930's.

¹Ibid., November 6, 1937.
²Letter of Welling to Blood, September 15, 1934, Blood papers.
The C.C.C. was very popular, even arch-conservative Senator King said he was doing all he could to halt any reduction of C.C.C. camps in Utah.  

The Social Security program was well received, even the Deseret News was enthusiastic over it and a Logan banker, Fredrick P. Champ, did notable work in securing approval of Utah's social security laws.  

Mine owners and officials tended to lean toward the Republican party prior to 1932, and they were not much swayed by the New Deal even though it had favored mining with direct action raising the price of gold from $20.67 to $35.00, acts which raised the price of silver from twenty-three to seventy-seven cents an ounce, and legislation placing a four cent per pound excise on copper. The mine officials opposed the New Deal labor legislation, and because of the New Deal sympathy to labor, most mine officials were either Republican or anti-New Deal Democrats.  

On the other hand, labor in the state was pro-New Deal. The prohibition issue in 1928 and 1932 had helped turn the mining towns and miners to the Democratic party and the labor policy of the New Deal further added to and strengthened this trend. In 1937 labor reached its height in Utah in both favorable legislation from the State Legislature and in winning labor disputes and gaining new membership, particularly the C.I.O.  

By 1934, industry in Utah as well as the nation was coming to a position of diametrical opposition to the New Deal. Part of this estrangement was a result of the New Deal labor policy, but there were other contributing causes.  

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1Letter of King to Blood, May 23, 1934, Blood papers.  
2Telegram of Thomas to Blood, March 18, 1936, Blood papers.  
3Deseret News, September 14, 1936.
With the rank and file of the population, the New Deal won favor in Utah with its early banking legislation and its recovery programs through relief work such as C.C.C. and W.P.A. which were both very popular.

The administration agriculture program was received with mixed emotions as the sugar industry criticized the Roosevelt Administration's sugar policy, but on the other hand livestock men who had not fared well for years were thankful for the long-term low interest loans from the government which are so necessary in livestock feeding. They were also grateful for the government cattle buying activities of 1934. The Utah Farm Bureau did accept the A.A.A. and gave full support to the Soil Conservation and the Surplus Commodity Corporation experiment, and so the largest farm organization in the state proved to be a strong backer of the New Deal farm policy and helped the Democratic party's political strength in the 1930's with the farm population which had been traditionally Republican in the State of Utah. Many livestock men who had been Republicans became New Dealers and so did many other farmers as the farm population found it very profitable to keep New Dealers in office to maintain their W.P.A. jobs and government loans.

The New Deal programs for the youth, such as C.C.C. and N.Y.A. had much support in Utah as did the social security measures and helped win votes in Utah for Democratic candidates.

All indications seem to be that the New Deal was very well accepted in the State of Utah by the lay citizen. In 1936 when the Mormon Church came out for Republican presidential candidate Alf Landon in opposition to Roosevelt, the very fact that Roosevelt was able to win the four electoral votes of Utah was indication of his great popularity and the
popularity of New Deal measures. The fact that Roosevelt received 69 per cent of the popular vote in 1936, which was the next highest vote percentage that Utah had ever given a Presidential candidate,¹ and this in the face of strong opposition of the Mormon Church, which included 65 per cent of the state's population, was a strong indication that the New Deal was more than just accepted—it was enthusiastically embraced.

This popularity of the New Deal had a profound influence on politics in the state and in part is an explanation of political developments in Utah during the 1930's, both in elections and in programs put into effect.

APPENDIX

Table 1. Relative strength of the two parties in the Utah State Legislature 1933 - 1939

<table>
<thead>
<tr>
<th>Year</th>
<th>House Democrats</th>
<th>House Republicans</th>
<th>Senate Democrats</th>
<th>Senate Republicans</th>
</tr>
</thead>
<tbody>
<tr>
<td>1933</td>
<td>50</td>
<td>10</td>
<td>13</td>
<td>10</td>
</tr>
<tr>
<td>1935</td>
<td>56</td>
<td>4</td>
<td>19</td>
<td>4</td>
</tr>
<tr>
<td>1937</td>
<td>56</td>
<td>4</td>
<td>22</td>
<td>1</td>
</tr>
<tr>
<td>1939</td>
<td>45</td>
<td>15</td>
<td>21</td>
<td>2</td>
</tr>
<tr>
<td>1940</td>
<td>42</td>
<td>18</td>
<td>19</td>
<td>4</td>
</tr>
</tbody>
</table>

Source: Secretary of State of Utah, Biennial Reports, 1933 - 1939.

Table 2. Utah's electoral vote in presidential elections 1932 - 1940

<table>
<thead>
<tr>
<th>Year</th>
<th>Democrat</th>
<th>Republican</th>
<th>Socialist</th>
<th>Communist</th>
<th>Union</th>
<th>Prohibition</th>
</tr>
</thead>
<tbody>
<tr>
<td>1932</td>
<td>116,750</td>
<td>84,795</td>
<td>4,087</td>
<td>946</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1936</td>
<td>150,248</td>
<td>64,455</td>
<td>432</td>
<td>280</td>
<td>1,121</td>
<td>43</td>
</tr>
<tr>
<td>1940</td>
<td>154,277</td>
<td>93,151</td>
<td>20</td>
<td>191</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 3. Counties voting for Roosevelt in presidential elections 1932 - 1940

<table>
<thead>
<tr>
<th></th>
<th>1932</th>
<th>1936</th>
<th>1940</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total counties</td>
<td>29</td>
<td>29</td>
<td>29</td>
</tr>
<tr>
<td>Democrat</td>
<td>22</td>
<td>28</td>
<td>23</td>
</tr>
<tr>
<td>Republican</td>
<td>7</td>
<td>1</td>
<td>6</td>
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</tbody>
</table>


Table 4. Per cent of total vote for Roosevelt, Utah and national, 1932 - 1940

<table>
<thead>
<tr>
<th></th>
<th>Utah</th>
<th>Nation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1932</td>
<td>1936</td>
</tr>
<tr>
<td>Democrats</td>
<td>56.5</td>
<td>69.3</td>
</tr>
<tr>
<td>Republicans</td>
<td>41.1</td>
<td>29.8</td>
</tr>
<tr>
<td>Others</td>
<td>2.4</td>
<td>.9</td>
</tr>
</tbody>
</table>

Source: Edger E. Robinson, They Voted for Roosevelt (Stanford, Calif.: Stanford University Press, 1947), p. 41

Table 5. Counties for and against repeal in 1933 referendum

<table>
<thead>
<tr>
<th>For repeal</th>
<th>Against repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beaver</td>
<td>Salt Lake*</td>
</tr>
<tr>
<td>Carbon</td>
<td>Summit</td>
</tr>
<tr>
<td>Dagget</td>
<td>Tooele</td>
</tr>
<tr>
<td>Duchesne</td>
<td>Utah*</td>
</tr>
<tr>
<td>Iron</td>
<td>Weber*</td>
</tr>
<tr>
<td>Juab</td>
<td></td>
</tr>
</tbody>
</table>

* urban counties

Source: Secretary of State of Utah, Biennial Reports, 1932 - 1934.
Table 6. Vote for Utah governor in elections 1932 - 1940

<table>
<thead>
<tr>
<th>Year</th>
<th>Party</th>
<th>Candidate</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1932</td>
<td>Democrat</td>
<td>H. H. Blood</td>
<td>116,031</td>
</tr>
<tr>
<td></td>
<td>Republican</td>
<td>Wm. Seagmiller</td>
<td>85,913</td>
</tr>
<tr>
<td></td>
<td>Socialist</td>
<td>H. L. Porter</td>
<td>2,707</td>
</tr>
<tr>
<td></td>
<td>Communist</td>
<td>M. P. Bales</td>
<td>1,010</td>
</tr>
<tr>
<td>1936</td>
<td>Democrat</td>
<td>H. H. Blood</td>
<td>109,656</td>
</tr>
<tr>
<td></td>
<td>Republican</td>
<td>R. E. Dillman</td>
<td>80,118</td>
</tr>
<tr>
<td></td>
<td>Socialist</td>
<td>A. L. Porter</td>
<td>470</td>
</tr>
<tr>
<td></td>
<td>Communist</td>
<td>Walter Talbot</td>
<td>200</td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td>Harman Paery</td>
<td>24,754</td>
</tr>
<tr>
<td>1940*</td>
<td>Democrat</td>
<td>H. B. Maw</td>
<td>129,755</td>
</tr>
<tr>
<td></td>
<td>Republican</td>
<td>Don Colton</td>
<td>117,393</td>
</tr>
</tbody>
</table>

* 1940, 813 of 831 districts reporting. Salt Lake Tribune, November 7, 1940.

Source: Secretary of State of Utah, Biennial Reports, 1932 - 1938.
Table 7. Vote for Utah congressional delegation in elections 1932 - 1940

<table>
<thead>
<tr>
<th>Year</th>
<th>Party</th>
<th>U.S. Senate</th>
<th>U.S. House of Representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>1st District</td>
</tr>
<tr>
<td>1932</td>
<td>Democrat</td>
<td>E. D. Thomas</td>
<td>116,909</td>
</tr>
<tr>
<td></td>
<td>Republican</td>
<td>Reed Smoot</td>
<td>86,066</td>
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* 1940, 813 of 831 districts reporting. *Salt Lake Tribune*, November 7, 1940.

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