

qualified elector, and no female citizen shall be eligible to serve as juror.
Sec. 3. The general election shall be held on the first Monday in August of each year, unless otherwise provided by law.
Sec. 4. The legislature shall provide for the speedy publication of all laws.
Sec. 5. The compensation of all State officers shall be as prescribed by law. Provided, No change of salary or compensation shall apply to any officer, except a judge of the supreme or circuit court, during the term for which he may have been elected.
Sec. 6. All executive officers of the State shall keep their respective offices at the seat of government.
Sec. 7. A plurality of votes given at any election, by the people shall constitute a choice, where not otherwise provided by the constitution.
Sec. 8. No person holding any office of honor or profit under the government of the United States, shall hold office under the government of this State, except postmasters whose annual compensation does not exceed three hundred dollars, and except as otherwise provided in the constitution.
Sec. 9. The returns of every election, except the first for governor and other State officers, shall be sealed up and transmitted to the seat of government by the returning officers, directed to the president of the senate, who, during the first week of the session, shall open and publish them, and declare the result in the presence of a majority of the members of each house of the legislature. The person having the highest number of votes shall be declared duly elected, but if any two or more shall be highest and equal in numbers of votes for the same office, one of them shall be chosen by the joint vote of both houses.
Sec. 10. All officers, executive, judicial and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath or affirmation: "I, _____, do solemnly swear (or affirm) that I will support the Constitution of the United States, and of the State of Utah, and will faithfully discharge the duties of the office of _____ according to the best of my ability."
Sec. 11. Until otherwise provided by law, the several counties, as they now exist, are hereby recognized as legal subdivisions of this State.
Sec. 12. All property, real and personal, owned by either husband or wife before marriage, and that acquired by either of them afterwards, by purchase, gift, devise or descent, shall be the separate property of each.

ARTICLE XVII.—AMENDMENTS.

Sec. 1. Any amendment or amendments to this constitution, if agreed to by a majority of all the members elected to each of the two houses of the legislature, shall be referred to the legislature then next to be elected, and shall be published for three months next preceding the time of election, and if in the legislature next elected as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the legislature to submit such proposed amendment or amendments to the people, in such manner and at such time as the legislature shall prescribe, and if the people shall approve and ratify such amendment or amendments, by a majority of the qualified electors voting thereon, such amendment or amendments shall become a part of the constitution.
Sec. 2. If at any time the legislature, by a vote of two-thirds of the members elected to each house, shall determine that it is necessary to cause a revision of this constitution, the electors shall vote at the next election for members of the legislature, for or against a convention for the purpose, and if it shall appear that a majority of the electors voting at such election shall have voted in favor of calling a convention, the legislature shall, at its next session, provide by law for calling a convention, to be held within six months after the passage of such law; and such convention shall consist of a number of members not less than that of the two branches of the legislature.

ARTICLE XVIII.—SCHEDULE AND ELECTION.

Sec. 1. That no inconvenience may arise by reason of a change from a territorial to a State government, it is declared that all rights, actions, prosecutions, judgments, claims and contracts, as well of individuals as of bodies corporate, both public and private, shall continue as if no change had taken place, and all process which may issue under the authority of the Territory of Utah previous to its admission into the Union shall be as valid as if issued in the name of the State of Utah.
Sec. 2. All laws of the Territory of Utah, in force at the time of the admission of this State, not repugnant to this constitution, shall remain in force until they expire by their own limitations, or are altered or repealed by the legislature.
Sec. 3. All fines, penalties and forfeitures accruing to the Territory of Utah, or to the people of the United States in the Territory of Utah, shall inure to this State, and all debts, liabilities and obligations of said Territory, shall be valid against the State, and enforced as may be provided by law.
Sec. 4. All recognizances heretofore taken, or which may be taken, before the change from a territorial to a State government, shall remain valid, and shall pass to and be prosecuted in the name of the State; and all bonds executed to the governor of the Territory, or to any other officer or court, in his or their official capacity, or to the people of the United States in the Territory of Utah, shall pass to the governor or other officer or court, and his or their successors in office, for the uses therein respectively expressed, and may be sued on and recovery had accordingly; and all revenue, property, real, personal, or mixed, and all judgments, bonds, specialties, choses in action, claims and debts, of whatever description, and all records and public archives of the Territory of Utah, shall issue and vest in the State of Utah, and may be sued for and recovered in the same manner and to the same extent by the State of Utah as the same could have been by the Territory of Utah. All criminal prosecutions and penal actions which may have arisen, or which may arise before the change from a territorial to a State government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State. All offenses committed against the laws of the Territory of Utah before the change from a territorial to a State government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Utah, which shall have the same effect as if such change had not taken place; and all penalties incurred shall remain the same as if this constitution had not been adopted. All actions at law and suits in equity, and other legal proceedings, which may be pending in any of the courts of the Territory of Utah at the time of the change from a territorial to a State government, may be continued and transferred to and determined by any court of the State having jurisdiction; and all books, papers and records relating to the same shall be transferred in like manner to such court.
Sec. 5. For the purpose of taking the vote of the electors of this Territory for the ratification or rejection of this constitution, a special election shall be held in the several counties of this Territory, on Monday, the twenty-second day of May, A.D. 1882, which shall be conducted in the following manner: The county clerks of the several counties shall cause notices of said election to be posted up in each election precinct in said county, at least ten days before the day of said election, and the superior justice of the peace of each precinct shall act as judge of said election, or in case of his absence or inability to act, a judge may be elected by the six electors first assembled at the polls. The judge shall appoint a clerk, whose duty it shall be to keep a list of the names of all persons voting, which list shall form a part of the returns of said election. All votes cast shall first be delivered by the elector to the judge, who shall deposit the same in the ballot box in the presence of the elector and clerk. Ballot boxes and stationery shall be furnished by the county court, and the canvassing of votes and returns of said election of the several precincts shall be as provided in an act entitled "An Act providing for the registration of voters, and to further regulate the manner of conducting elections in this Territory," approved February 22d, 1878, except as herein otherwise provided. The term elector, as used in this section, shall be understood to mean any citizen of the United States, over twenty-one years of age, residing in the Territory.
Sec. 6. Each elector shall vote by a ballot, whereon shall be written or printed "Constitution, yes," or "Constitution, no."
Sec. 7. The county clerks of their respective counties shall forthwith make returns of said election, and transmit the same by the most safe and expeditious conveyance, to Arthur Stansbury, the secretary of this convention, enclosed in an envelope marked "Election Returns."
Sec. 8. Upon receipt of said returns, or within fourteen days after the election, if the returns be not sooner received, it shall be the duty of a board of canvassers, to consist of the president and secretary of this convention, and the probate judge of Salt Lake County, or any two of the persons herein named, to canvass the returns of said election in presence of all who may choose to attend, and immediately publish an abstract of the same in one or more of the newspapers in the Territory of Utah, and forward a copy of said abstract, duly certified by them, to the President of the Senate, Speaker of the House of Representatives, and the Delegate in Congress from Utah Territory.
Sec. 9. Until otherwise provided by law, the apportionment of senators and representatives in the different counties shall be as follows: Cache, Rich, Box Elder and Weber counties, three senators to the legislature; Wasatch, Uintah, Summit and Morgan counties, one; Salt Lake, Davis and Tooele counties, four; Utah and Juab counties, two; Sanpete, Sevier and Emery counties, one; Millard, Beaver, Iron, Garfield and Piute counties, one; Washington, Kane and San Juan counties, one; Cache and Rich counties shall elect three representatives to the legislature; Box Elder County, one; Weber County, two; Wasatch and Uintah counties, one; Summit County, one; Morgan, Salt Lake and Davis counties, seven; Tooele County, one; Utah and Juab counties, four; Sanpete, Sevier and Emery counties, two; Millard County, one; Beaver and Piute counties, one; Iron, Garfield and San Juan counties, two; Washington and Kane counties, one.
Sec. 10. A copy of this constitution, certified to be correct by the president and secretary of this convention, shall be published by them as soon as practicable in one or more of the newspapers in this Territory. The president and secretary shall, immediately after its ratification, forward a copy of this constitution, duly certified, to the President of the United States, President of the Senate and Speaker of the House of Representatives, and shall deliver or forward a copy, certified as aforesaid, to each of the delegates who may hereafter be elected by this convention.
Sec. 11. The term of State officers, except judicial, elected at the first election, shall continue from the time of qualification until the expiration of two years from the first Monday in January next succeeding the election and until the election and qualification of their successors.
Sec. 12. The State senators to be elected at the first election under this constitution shall draw lots, so that the term of one-half of the number, as nearly as may be, shall expire on the first Monday in August next succeeding their election, and the term of the other half shall expire in three years from the first Monday in August next succeeding their election, so that one-half, as nearly as possible, shall be elected biennially thereafter. Provided, That in drawing lots for all senatorial

terms, the senatorial representation shall be allowed so that in the counties having two or more senators, the terms thereof shall be divided as equally as may be between the long and short terms, and in case of increase in the number of senators they shall be so annexed by lot to one or the other of the two classes as to keep them as nearly equal as practicable.
Sec. 13. The term of members of the house of representatives elected at the first election shall expire at the end of one year from the first Monday in August next succeeding their election.
Sec. 14. Unless otherwise provided by Congress, the first election under this constitution shall be held on the first Monday in the second month next succeeding the passage of an enabling act or the approval of this constitution by Congress, and such election shall be conducted and returns thereof made and the qualifications of electors shall be as herein provided for the ratification or rejection of this constitution. The first session of the legislature shall commence, and all officers herein provided for shall enter upon the duties of their respective offices, on the first Monday of the second month next succeeding said election.
Sec. 15. There shall be, elected at the first election, under this constitution, three justices of the supreme court, who shall hold office from and including the first Monday in the month next succeeding their election and continuing in office thereafter, two, four and six years respectively, from the time they shall meet as soon as practicable after their election and qualification, and, at their first meeting, shall determine by lot the term of office each shall fill, and the justice drawing the shortest term shall be chief justice, and after the expiration of his term, the one having the next shortest term shall be chief justice.
Sec. 16. All officers under the laws of the Territory of Utah, at the time this constitution shall take effect, shall continue in office until their successors are elected and qualified. The time of such election and qualification shall be as prescribed by law.
Sec. 17. After the admission of this State into the Union, and until the legislature shall otherwise provide, the several judges shall hold courts in their respective circuits at such times and places as they may respectively appoint; and until provisions shall be made by law for holding the terms of the supreme court, the governor shall fix the time and place of holding such court.

We, the undersigned, President and Secretary of the Constitutional Convention begun and held at Salt Lake City on the fourth day of April, A.D. 1882, hereby certify that the foregoing is the identical instrument adopted by said Convention as the Constitution of the State of Utah.

Jos. F. SMITH, President.
ARTHUR STANSBURY, Secretary.
Salt Lake City, April 27, 1882.

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