

and members of the General Assembly, as provided for in this Constitution. Said election shall be conducted in accordance with the existing laws of the Territory of Utah, and the returns made to the Secretary, or either of the Assistant Secretaries, of the Convention framing and adopting this Constitution, who shall, so soon as the returns are received, and in the presence of the President or any three members of said Convention, open and examine them and determine whether a majority of votes are "for" or "against" this Constitution, and, if "for," furnish to each person having the highest number of votes for any State office or Representative to Congress a certificate of his election.

SEC. 6. The first meeting of the General Assembly shall be as directed by proclamation by the Governor elect, and subsequent sessions shall be held as provided by law.

ARTICLE VIII. OF THE MILITIA.

SEC. 1. The Militia of this State shall be composed of all able-bodied male citizens between the ages of 18 and 45 years, except such as are or may hereafter be exempt by the laws of the United States or of this State, and shall be armed, equipped, and trained as the General Assembly may provide by law.

SEC. 2. All commissioned officers of the militia shall be elected as the General Assembly shall prescribe, and shall be commissioned by the Governor of the State.

ARTICLE IX.

MISCELLANEOUS PROVISIONS.

SEC. 1. In order that no inconvenience may arise in passing from a Territorial to a State Government, it is declared that the present organization, laws, and everything pertaining to the Territorial Government of Utah shall remain in full force and virtue in law, until superseded by the action of the State Government under the provisions of this Constitution.

SEC. 2. All officers of this State shall continue in office until superseded by their successors.

SEC. 3. The officers created by virtue of this Constitution shall take an oath or affirmation to support the Constitution of the United States and of this State and to faithfully perform the duties of their office.

SEC. 4. The General Assembly shall encourage education.

ARTICLE X.

PROVIDING FOR AMENDMENTS TO THIS CONSTITUTION.

If at any time the General Assembly deem it necessary and for the best interest of the State that this Constitution be revised, altered, or amended, they shall cause such proposed revisions, alterations or amendments, to be published in the same manner as provided for notices of elections, and submitted to the votes of the electors of the State at their next general election; and if two thirds of the votes cast are in favor of such proposed provisions, alterations, or amendments, the same shall thereafter become part of this Constitution otherwise this Constitution shall remain unaltered.

MEMORIAL

To the Honorable the Senate and House of Representatives of the United States of America, in Congress assembled.

Gentlemen:—We, your Memorialists, the Members of the General Assembly of the "State of Deseret," respectfully state that our peculiarly isolated position, the well proven inadequacy of a Territorial organization to meet the wants of a numerous and rapidly increasing population, a disposition to lessen Governmental expenditures, and an earnest desire to enjoy those inherent, inalienable and constitutional rights guaranteed to every American citizen, have induced the citizens of Utah to unanimously and constitutionally organize a State Government, preparatory to their admission into the Union, as the "State of Deseret;" wherefore you memorialists most respectfully solicit your Honourable Body to favorably consider this our petition, and, at as early a day as other important duties will permit, take action, admitting the "State of Deseret" into the Union on an equal footing with the original States. And as in duty bound your memorialists will ever pray.

Adopted by the General Assembly of the "State of Deseret" on the twenty-second day of January, A.D., 1867.

ALL ARE TALKING OF UTAH.

AIR—"As we go marching to Georgia."

Who'd ever think that Utah
Would stir the world so much?
Who'd ever think the Mormons
Were widely known as such?
I hardly dare to scribble,
Or such a subject touch;
For all are talking of Utah.

CHORUS.

Hurrah! hurrah!
The Mormons have a name;
Hurrah! hurrah!
They're on the road to fame;
Don't matter what they style us,
It's all about the same;
For all are talking of Utah.

'Tis Utah and the Mormons
In Congress, pulpit, press;
'Tis Utah and the Mormons
In every place, I guess:
We must be growing greater—
We can't be growing less,
For all are talking of Utah.
Hurrah! hurrah! &c., &c.

They say they'll send an army,
To set the Mormons right;
Regenerate all Utah,
And show us Christian light,
Release our wives and daughters,
And put us men to flight;
For all are talking of Utah.
Hurrah! hurrah! &c., &c.

They say that Utah cannot
Be numbered as a State;
They wished our lands divided,
But left it rather late:
'Tis hard to tell of Mormons,
What yet may be their fate;
For all are talking of Utah.
Hurrah! hurrah! &c., &c.

Whatever may be coming,
We cannot well foresee,
For it may be the railroad,
Or some great prodigy;
At least the noted Mormons
Are watching what's to be,
For all are talking of Utah.
Hurrah! hurrah! &c., &c.

I now will tell you something
You never thought of yet;
We bees are nearly filling
The hive of Deseret;
If hurt, we'll sting together,
And gather all we get;
For all are talking of Utah.
Hurrah! hurrah! &c., &c.

G. S. L. City, Jan. 11, 1867.

An Act authorizing the Auditor of Public Accounts to enforce the collection of delinquent Territorial taxes, and for other purposes.

SEC. 1.—Be it enacted by the Governor and Legislative Assembly of the Territory of Utah: That the Auditor of Public Accounts is hereby authorized to enforce the collection and payment into the Territorial Treasury of all the taxes now due or that may hereafter become due the Territory, by commencing civil suits against delinquent Assessors and Collectors or ex-Assessors and Collectors on their bonds.

SEC. 2.—The County Court shall prescribe the rate per cent. for assessing and collecting Territorial and County taxes: Provided, that in no case shall more than fifteen per cent. on the amount collected be allowed for assessing and collecting.

SEC. 3.—The County Court shall, at any regular session, including the December term of the current year, hear and adjust all claims made for remittance, extension, abatement or commutation: Provided, that after the December term of said Courts no remittance, extension, commutation or abatement shall be allowed by the County Courts; and the Clerks of the County Courts shall, within three months after making any alterations as aforesaid, forward a transcript thereof to the Auditor of Public Accounts, who shall file the same in his office.

SEC. 4.—The Clerks of the County Courts are hereby required to keep an accurate account of all receipts and expenditures of their respective counties, also of all debts payable to or by said counties, and annually, in the month of May, cause a true statement of the same in detail to be posted up in their offices, and keep said notices posted up during the year. A neglect of this duty by any Clerk of the County Courts shall render him liable to a fine in any sum not exceeding five hundred dollars.

SEC. 5.—A "Joint Resolution authorizing the Territorial Treasurer to collect delinquent taxes," "approved Jan. 20, 1865," is hereby repealed.

Approved Jan. 13, 1867.

Miscellaneous.

DESCRIPTION OF FORT PHILIP KEARNEY, THE SCENE OF THE LATE MASSACRE.

[From the Army and Navy Journal.]
This new post, in the centre of the Mountain District, Department of the Platte, and also in the heart of the chief hunting ground of the hostile Sioux and Cheyennes, being also expressive of the first substantial occupation of the new short route to Montana, deserves notice. The expedition which was sent to establish it left Fort

Kearny, May 19, under command of Col. H. B. Carrington. Eighteenth United States Infantry. Fort Reno was re-inforced, additional defences erected, and two companies were advanced to the Big Horn River, that post receiving the name of C. F. Smith. Fort Philip Kearny has been erected by Col. Carrington, under his personal planning and daily supervision. It is in the Forks of the Piney Creeks, on a natural plateau 800 by 600 feet, with a natural slope or glacis on all sides.

The stockade is of pine, hewn to a touching surface, pointed, loop-holed, and after the general plan of Mahan. At two corners are block-houses of 18 inch pine logs. The parade-ground is 400 feet square, and was surveyed and laid out before the turf was cut by any wagon-track. Walks 12 feet wide cross the parade, bending around a circle of 15 feet radius, where a flag-staff of 110 feet displays the national colors. A graded street of 20 feet borders the parade. The additional 200 by 600 feet is a Quarter-master's yard, with warehouses and shops.

East of the fort, and taking in Little Piney, is a corral for stock, hay, wood, &c., with palisade 10 feet high, and quarters for teamsters, citizen employes, &c. Twelve double cabins, a blacksmith and wagon shop, and a portion of the stabling for mules, have been completed.

Two Quartermaster and Commissary buildings, 84 by 25 feet, with ten-foot ceiling, and similar buildings, in point of size, for four companies of infantry, have been completed and occupied. Guard-house and band quarters, 60 by 25 feet, are also in use. The hospital, 84 by 25 feet, with high ceiling, is, before this, ready for occupation.

Four hundred and fifty tons of hay have been cut; two steam saw-mills are in operation; over twelve thousand pine logs have been cut, hauled and used, and every part of the work has been in the face of Indians who have repeatedly attacked hay and timber parties, and have made dashes at the pickets within half a mile of the post.

The work has never stopped except for the Sabbath; and it is not within all the powers of the Indians of the northwest to assail the place.

The magazine, on the parade, is 16 by 16 feet, eight feet in the clear, of fourteen inches thickness of timber, water-proof, and thoroughly ventilated, having double doors and turf glacis sloping from the eaves.

The flag-staff is octagonal for eight feet, of eighteen inches diameter, painted black. The next twelve feet has sixteen facings dying out to a perfect round, returning to a square at the crosspieces.

The gates are twelve feet wide, of heavy plank, with a small wicket in the right valve, through which one man only can pass, stooping. All have locks, and the wickets are closed at retreat.

Coal is found at the east gate of the wall, and pine, hemlock and spruce are without limit.

We have been thus particular about this new fort, so rapidly approaching completion, as a prominent army officer, who recently made it an official visit, pronounced the stockade the best he had met, except one built by the Hudson Bay Fur Company. The command reached the site of the fort July 15, so that all has been done in three months. So constant have been Indian trespasses that the men alternated guard duty, and had but every other night for sleep; this not unfrequently disturbed by night firing upon the pickets.

The main work of the expedition has been successfully accomplished, and the permanent occupation of the route is a fixed fact. Supplies for a year are in store, and the ground-work is assured for a secure and rapid emigration to this new Territory.

SLOW MARRIAGE CEREMONY.

Recently, not many miles distant from Washington, a couple whom we will indicate as Mr. J.—and Miss H.—were to be married, and the somewhat slow-going Elder—was called upon to perform the ceremony. The parties all being ready, the Elder proceeded as follows: "Gentlemen and ladies, I hold in my hand authority from the State of Maryland to unite Mr. J.—and Miss H.—in the bonds of matrimony. Doubtless you all expect some sort of ceremony this evening, but my voice is weak, my health is bad, and I have had disease of the throat for a year or more. Different churches have different forms, and different people have different forms;

for my part, I have no form. I do not remember any form. In some countries it is not so easy to get married as in this once free and happy country; and in some States they marry without a licence. In some countries it is required that the marriage shall take place at the hour of midnight; just as the clock strikes twelve the company take their lamps and go forth to meet the bridegroom, and then they all go into the house, and the door is shut, and if you come then, you may cry your eyes out, and you may wear your knees out praying, but you'll never get in, for the door is shut. But this is not the case in our once free and happy country. As I said before, my lungs are weak, and I must make the ceremony as short as possible. My friends, it gives me much pleasure to see a young and loving couple like this, with their hearts united in the bonds of affection, come to be joined in marriage; and you must recollect, my young friends, that you cannot live together always—one of you will be taken by the cold, icy fingers of death and laid in the dark and narrow grave, and the other will be left to weep over the dear remains. Marriage is an old institution; it is spoken of in the first part of the Bible. It is an old institution; it is an honorable institution; it is a moral institution. All of you like it, and you all encourage it—all of the young people like it. The old would like to be young again that they might once more feel the influence of Cupid's darts. Come on, all of you. I do not remember any ceremony, but I reckon I know enough to join these two together. I suppose before I proceed I must ask the usual questions. Is there any one present who knows any just cause why Mr. J. and Miss H. may not lawfully be joined in the bonds of matrimony? (After a pause.) No one says anything, as I suppose there is no reason. Mr. J. and Miss H., will please give your right hand! Mr. J., will you take the lady whose hand you hold to be your lawful and wedded wife? Will you love, cherish, and protect her? "Yes, sir." Miss—, will you take the gentleman whose right hand you hold, to be your lawful and wedded husband? Will you love, honor, and obey him in all his reasonable requests? "I will." I now pronounce you husband and wife, man and wife, or man and his helpmate, which I much prefer." The ceremony was concluded with a long prayer, in which he prayed for all mankind, collectively and individually, and at the end the contracting parties and the guests joined with considerable heartiness in the "Amen."

THE COHOES MASTODON.—The Albany Journal says: The remains of the mastodon lately disinterred with so much labor and expense, at Cohoes, have reached their new home in the State Geological Museum. Mr. Alfred Wild, of the Harmony Mills, disregarding the eagerness of institutions elsewhere to secure the possession of relics so rare in their comparative completeness, from the first had devoted the permanent possession of them to the State, and has made an unconditional gift of them to the Cabinet of Natural History. While in transit to this city, they were allowed to be exhibited a while at Troy in aid of local Sunday Schools. But the drying effect of the air in softening and disintegrating some of the bones, rendered it necessary to put them speedily under the scientific care of Prof. Hall. It may be necessary to subject the tusk to boiling in glue or in oil to restore them to some measure of their original hardness. The latter method was employed in bringing back, almost to their original perfection, the ivory ornaments brought by Layard from Nineveh. Some time must elapse before the necessary reconstruction of the skeleton will allow of its being displayed in the exhibition halls of the Museum.

New York is the more indebted to the generosity of Mr. Wild, from the consideration that, although five out of six known skeletons of the mastodon were found within the State, every one of them, except this, has been transferred to cabinets in Europe or in other States. Those discovered in New York have been so far complete, that scientific men have declared that the scientific name of the species might most properly be the *Mastodon Eboracensis*. The Albany Institute, in behalf of science, has gratefully acknowledged Mr. Wild's gift by appropriate resolutions.

—The oldest lunatic on record.—Time out of mind.