

The Act which the Governor Vetoes.

(C. F. No. 2) An Act to Provide for a Convention of Delegates for the Formation of a Constitution and State Government.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That an election shall be held in each precinct in the several counties, at the usual places of holding the general election, on Monday, the 6th day of January, A.D., 1862, at which time and place the electors may vote for or against a convention to take the preparatory steps for the admission of Utah Territory into the Union as a State, and for such persons as they may wish to elect delegates thereto, according to the following apportionment:

Washington county	-	-	-	3
Iron	"	-	-	3
Beaver	"	-	-	3
Millard	"	-	-	3
Juab	"	-	-	3
San Pete	"	-	-	6
Utah	"	-	-	7
Cedar	"	-	-	2
Shambip and St Mary's counties	-	-	-	1
Tooele county	-	-	-	3
Great Salt Lake county	-	-	-	9
Davis and Desert counties	-	-	-	5
Weber county	-	-	-	6
Box Elder and Greasewood counties	-	-	-	3
Cache and Malad counties	-	-	-	7
Summit and Green River counties	-	-	-	1

65

Sec. 2. The election shall be conducted in accordance with the laws of the Territory regulating elections so far as applicable; and so soon as the votes are counted, the county clerk shall furnish a certificate of election to each person found elected, which shall entitle the person holding it to a seat in the convention, and which shall also show the number of votes for and against a convention. The delegates shall meet in the Court House, in Great Salt Lake City, on the third Monday of January, A.D. 1862, and, if it shall appear by the returns from the several counties that the majority of the people are in favor of a convention, they shall qualify, by taking an oath, to support the Constitution of the United States, which may be administered by any person qualified to administer oaths. They shall proceed to organize by choosing a president, secretary and doorkeeper, and such other officers as they may deem necessary and proper. The convention, when thus organized, is hereby declared fully authorized to adopt a Constitution and form of State Government, with a view to the admission of Utah into the Union as a State, on an equal footing with the original States, to define the boundaries of the new State, and designate the name by which it shall be known, and to memorialize the Congress of the United States for its admission, and to take such other lawful and prudent measures as they may deem necessary for the accomplishment of so desirable an object; and also to authorize our delegate in Congress to present the Constitution, Memorial and other appropriate documents, to the President and Congress of the United States, and to use his best efforts to procure a favorable action thereon.

Sec. 3. The convention shall submit the Constitution and attending public documents to the people for their approval, at such time and places and in such manner as it shall prescribe, and it shall transmit to the delegate in Congress their action thereon.

Sec. 4. This act shall be in force from and after its passage.

Executive Communications.

EXECUTIVE OFFICE, G.S.L. City, U.T.,
December 21, 1861.

SIR—A bill (C. F. No. 2) entitled "An Act to provide for a convention of delegates for the formation of a Constitution and State Government," which passed the House of Representatives of the Territory, on the 17th inst., and was concurred in by the Council on the 18th inst., was submitted to me, on the 19th, for Executive action; and, having been by me duly considered, is herewith returned to the Council, in which it originated, without my approval.

Subjoined are my reasons for my course in this behalf: The time which intervenes the passage of the Act and that fixed in the Act itself, viz—January 6, 1862—on which, to take the sense of the Electors of the Territory, "for or against" a convention, and authorizing them to vote for such persons as they may wish to elect delegates to such convention, is too short to allow the act to be officially submitted to the Congress of the United States for the action of that body thereon, without which submission, in my opinion, it can not take effect, as will be seen by reference to the last clause of the 6th section of the act of Congress, entitled "An Act to establish a Territorial Government for Utah," approved 9th September, 1850, which clause is herein embodied, viz—"All laws passed by the Legislative Assembly and Governor shall be submitted to the Congress of the United States, and, if disapproved, shall be null and of no effect."

The same objection lies to the bill, so far as it relates to the time fixed, to wit—the third Monday of January, 1862—on which to hold the proposed convention; besides which reasons, the subject is, in my opinion, of too much consequence to put it so hastily before the electors of the Territory, and requiring action thereon, without even giving a large number of them any notice of the passage of

the act, and the whole, not a sufficiency of time wherein to canvas the expediency of such an important step at this time.

Another objection, in my opinion, lies to the bill, viz: it proposes to fix the boundaries of the State, while that power belongs exclusively to the Congress of the United States.

Finally, recurring to the practice of the early Territories of the United States. I find that such Territories memorialized Congress for an act enabling them to elect delegates and hold a convention to form a constitution preparatory to admission into the Union, and that such a course was not attended with difficulties with which a departure therefrom has been attended in later years; and to this end, and to avoid difficulties like unto those which form a serious page in late Territorial history, and, as a course most likely to facilitate the end which the Legislative Assembly seem to desire, and to bring the whole matter before Congress and this people. I recommend that the Assembly make application to Congress for the passage of an act enabling it to elect delegates to hold a convention and form a constitution preparatory to the admission of the Territory of Utah into the Union, in accordance with the Organic Act.

I am, Sir, in high consideration,
Yours respectfully,

JOHN W. DAWSON,
Governor of Utah Territory.
To HON. D. H. WELLS,
President of the Council
of the Legislative Assembly
of Utah Territory.

EXECUTIVE OFFICE, G.S.L. City.
December 21, 1861.

SIR—The Memorial of the Legislative Assembly of the Territory, which relates to the admission of Utah Territory into the Union, passed by the Council on the 18th inst., and concurred in by the House of Representatives on the 19th inst., having been submitted to me for executive action, is herewith returned to the Council without my approval; nor does such an instrument need the approval of the Executive of the Territory to give it effect.

However, were my approval necessary, I could not give it to this Memorial, because it is not accompanied by a State Constitution, without which there would be nothing on which to base Congressional action thereon.

A State Constitution is an indispensable prerequisite to such an application for admission, that Congress may judge if it be republican in form and not incompatible with the Federal Constitution.

Very respectfully, yours,
JOHN W. DAWSON.
HON. D. H. WELLS, President.

The New Market-House.

The large and commodious city market-house, which has been in process of erection during the summer, has at length been completed, and was opened on the 19th instant. There are only five stalls yet occupied, but those were, on Monday morning when we visited the market, well supplied with meats of all kinds, and with an extensive and varied assortment of provisions as could be found in any of the markets in eastern cities. Messrs. Jennings, Hailstone, Taylor, Smith and Picknell, the respective occupants, having seemingly made great exertions to provide themselves with whatever could be obtained, and which epicures might wish to purchase during the holidays.

There was some difference in quantity and quality, but more in display. Mr. Jennings, with his usual go aheaditiveness, taking the lead, having a little the best assortment, and some of the best beef, pork, mutton, etc., ever offered for sale in this Territory. It could not well be excelled. Some of the others were not far behind, and the individual who considered his stall the least attractive, expressed his determination to have it much more so in the course of a few days.

A good market has long been wanted in this city, and the one now provided by the city fathers is not only an honor to them but to the city and country. A new order of things in marketing business may now be expected.

TO CORRESPONDENTS.—During the last two months, we have been in the receipt of several communications from correspondents, which, if circumstances had favored, we should have taken pleasure in publishing. As it would be considered out of time to insert them now, especially those having reference to events only interesting at the time they transpired or for a short time thereafter, the writers must not, and will not, of course, think that they have been discarded for want of merit.

We shall expect to hear often from our correspondent, who has of late gone to the cotton country, and trust that he will not be disheartened if, when he shall have made the experiment, the alluvial soil of the vales of the Rio Virgen and Santa Clara does not prove to be as productive as that of the oasis in Millard county, which was the subject of a late communication.

Proclamation.

Whereas, on the afternoon of the 23d inst. on Main street, in Great Salt Lake City, Utah Territory, a person, unknown to me, but in my presence, made a most wanton and unprovoked assault upon the person of the Hon. Henry R. Crosby, one of the Associate Justices of the Supreme Court of said Territory, with a pistol, and then and there discharged at the said Henry R. Crosby, five several pistol shots, with intent to murder him, he, the said Crosby, being then and there in the peace of the Territory.

Now, therefore, to the end that the said criminal may be brought to justice, the law vindicated, and the dignity of the Territory maintained, I, John W. Dawson, Governor of the Territory of Utah, do hereby offer \$100 reward, to be paid out of the Territorial Treasury for the arrest and legal identification of the unconvicted criminal who committed the said assault; and, I hereby urge each and every magistrate, conservator of the peace, and other officer having in charge the administration of the laws, to use their best and most speedy efforts to bring to justice the person who committed said outrage.

The City and Territorial authorities have been set at defiance—a Federal officer murderously assaulted, and, until the criminal shall be brought to justice, those who are charged with the administration of the criminal laws are most earnestly enjoined to use every effort in their power for the apprehension and conviction of said criminal.

JOHN W. DAWSON, Governor.
Executive Office, G. S. L. City,
Dec. 24, 1861.

—Spencer's new repeating breach-loading rifle was tried by a board of army officers, by order of Gen. McClellan recently. They made a satisfactory report, and recommended its introduction into the service.

Married:

In this city, on Dec. 12, 1861, by Elder John Tooele Major WM. PIIT and Miss MARY JANE COLLINS DYER, formerly of Swansea, South Wales.
* Mill. Star please copy.

In this city, Nov. 2, by Bishop A. Hoagland, Mr. SMITH B. THURSTON, of this city, and Miss MARY ISOM, late of Birmingham, England.

In this city, Nov. 8, by Bishop A. Hoagland, Mr. DANIEL A. HUSKEY, of Mill Creek, and Miss SARAH LOUISA BRIDGES, late of Birmingham, England.

In this city, Oct. 27, by Elder John M. Chibester, Mr. WM. PULSIPHER and Miss ESTER CHIBESTER.

In this city, Oct. 27, by Bishop D. Pettigrew, Mr. RICHARD J. MILLS and Miss CHARLOTTE GILES, both from Walsall, Staffordshire, England.

In Nephi city, Oct. 19, by Elder Peter Stubbs, Mr. GEORGE SHELL and Miss SARAH HOYLE.

Died:

In this city, of consumption, Oct. 14, 1861, MATTHEW FORBES WILKIE, Printer, aged 27 years, 4 months and 7 days.

Deceased was born in Glasgow, Scotland, and after embracing the gospel emigrated to this Territory in the year 1854. He worked in the DESERET NEWS Office, as a Composer, from the 1st of January 1855 till the 10th of May following, when with Elders G. Q. Cannon and Joseph Bull he started for San Francisco, Cal., where he assisted in publishing the Book of Mormon in the Hawaiian language, and subsequently worked in the office of the "Western Standard" till sometime in the spring of 1857, when, in consequence of declining health, he left and spent the summer traveling and preaching in the mountainous regions of that State and in Carson valley, returning to Great Salt Lake City in the fall of that year. Soon after his return he went east with those who volunteered to watch Buchanan's army, under Gen. Johnston, and induce it to go into winter quarters in the mountains, where, during the cold weather, the blood-thirstiness of the officers and men might, as well as that of the rulers of the nation, have time to abate. On his return from the east he worked in the "News" Office till the move south, when he went to Parowan, and subsequently to San Francisco again, from which place he returned to this city in the fall of 1859, in a feeble state of health and continued to decline slowly till death relieved him from his sufferings, which for a long time had been very severe. Having been faithful in the discharge of his duties as a Saint, and continued in the faith until the end, he fell asleep and rests in peace.

At Draper, Great Salt Lake County, Oct. 8, of dyspepsia, PARSHALL TERRY, aged 83 years and 8 days.

Father Terry had been a member of the Church of Jesus Christ of Latter Day Saints upwards of twenty-three years, was with the Saints in Missouri, was driven from there with them to Illinois in 1838, and from Nauvoo in 1846, and came to this Territory in 1849. His posterity are numerous, consisting of thirteen children eighty-eight grand-children and twenty-three great-grand-children, most of whom, together with his aged widow reside in this Territory.

In this city, Oct. 9th, HANNAH, daughter of Francis and Eveline Boggs, aged 8 years, 10 months and 21 days.

In Ogden city, Sept. 1, LEMUEL HERRICK, aged 69 years, 6 months and 17 days.

In Mill Creek Ward, Nov. 30, of lung fever, SARAH, relict of David Burrows, aged 61 years, 4 months and 4 days.

In this city, Dec. 13, of mountain fever, GEORGE ROGERS, late of Somers Town, London, England; aged 32 years.

In Mill Creek Ward, Nov. 2, PHEBE, wife of Alvah Alexander, aged 57 years, 4 months and four days.

Near Ogden, Davis county, Sept. 7, JOHN RICHARDS, Jun., aged 22 years and 2 months.

At Kaysville, Oct. 27, of typhoid fever, ELIZA ANGLIA, daughter of Joseph and Mary Egbert, aged 15 years, 2 months and 16 days.

New Advertisements.

THOMAS TAYLOR

WILL be found at the Store formerly occupied by Hyde & Price,
OPPOSITE THE POLICE OFFICE,
EAST TEMPLE STREET,
Where he will be pleased to wait on his Friends and Customers with

DRY GOODS, GROCERIES, ETC.,
which he will sell low for Cash or Grain. 261

EAGLE WORKS
IRON FOUNDRY
& MACHINE SHOP,
EAST SIDE, 10th WARD, GREAT SALT LAKE CITY.

WM. J. SILVER,
JNO. FORBES.

STRAYED.
FROM Mr. D. Spencer's Range, West Mountain, one yoke of OXEN. One ox in good condition, branded on the left horn, C V S, also D on the left horn; the other a little poorer, branded C V S on the right horn, D on the left, spotted, white ground, red spots on the sides. Whoever will give some information, or bring them to Mr. D. Spencer, G. S. L. City, will be well rewarded. The D's are crossed with a file. 261

NOTICE.
THE Undersigned has OPENED a COURSE of INSTRUCTIONS IN CHEMISTRY, NATURAL PHILOSOPHY and the HISTORY OF ROME. The Classes for these Studies meet every Monday at six, and Friday at five p.m., at the School-room of Dr. Doremus, opposite the Tabernacle, half block west of the "Deseret News" Office. Languages are taught as usual. 261

FIVE DOLLARS REWARD.
STRAYED, and supposed to be on the "Big Range," near Kay's creek, a yellow HORSE, about 4 years old, branded large O on the left shoulder; for recovery of which, the above reward will be paid by J. B. LATEY, at William Jennings's Store. 262

NOTICE.
IS hereby given that I have in my possession, on Dry creek, G. S. L. County, a BAY MARE, about four years old, branded M B on right hip. She has a colt by her side. If any one claims the ownership of said mare, they will please come forward and prove property. 26-1 PHILANDER REIL.

WANTED.
ANY amount of HIDES and SHEEP SKINS, for which good pay and a good price will be made by WM. HOWARD, at his Boot and Shoe and Harness and Saddle Shop, on East Temple street. 261

NOTICE.
THE JORDAN IRRIGATING COMPANY will hold a MEETING in the 17th Ward School-house, on Monday next the 30th inst., at six o'clock p.m., to enter into arrangements for the proper control and distribution of the irrigating water, etc. The dam across Jordan river, and all things connected therewith is completed, and no time should be lost in preparing ditches for the conveyance of water, under such regulations as will be satisfactory, if possible, to the whole company. 26-1

A. H. RALEIGH,
Agent for said Company.

GOING AHEAD.
G. C. RISER wishes to inform his Friends and the Public generally that he has commenced business in the BOOT and SHOE Line, at the Old Stand of R. Sharkey, East Temple street, two doors south of Wm. Jennings' Store. Hides, Park, Wood and all kinds of produce taken in exchange. 26-1

LOST.
FROM the Jordan range, a red COW, three years old last spring, white streaks on the flanks, and both sides white, bag and under the belly and bush of the tail white, yellow horns with church brand on. She strayed off March 26th; expected to calve the latter part of this month. Whoever will bring the said cow to my residence in the 15th Ward, in this city, will be rewarded. 261 JOHN F. ELLIS.

STRAYED.
FROM the South Church Pasture, a red OX, with a white spot in the forehead and one white leg, six years old, the off horn broken, and branded S Y on the horn. Whoever will bring the same to A. Johnson, 15th Ward, shall receive five dollars reward. 26-1

CAME INTO
MY Enclosure, a red bull CALF. No mark or brand. The owner can have it by paying charges, at the residence of John Oakley, 8th Ward. 261

TAKEN UP.
BY the Subscriber, in the 16th Ward, a red Heifer CALF, about 8 months old; no mark or brand visible. The owner is requested to come and prove property, pay charges and take it away. 26-1 SAMUEL HAMER.

\$5 REWARD.—STRAYED OR STOLEN.
FROM the Range, near L. Pettett's, on Jordan, one dark brown Spanish MULE, mane and tail newly roached, branded D G on high shoulder; also has several Spanish brands on high hip. The above reward will be paid for his recovery by DANIEL GRONIG, Baker, East Temple Street. 26-1

STRAYED.
FROM between Joe Dugan's and Jordan, about six weeks ago, a small sorrel MULE, with a long rope round its neck. Any one that can give information or will deliver the same at Chislett & Clark's Store, shall be rewarded accordingly. 26-1 CHRISTOPHER STOKES.

ESTRAY NOTICE.
I HAVE in my possession in the CITY STRAY POUND, one black OX, with brown back. One red brockie face OX. One brindle OX, broke face. One red HEIFER, white on the face, belly and hind legs. One red HEIFER. One red STEER, white face, and white on belly, hind legs and bush of tail. One red CALF, white on belly and bush of tail. One large red COW, white on belly. One bay MULE. One brown MULE. One red, line-back OX, white face and belly, branded D on left horn. The owners thereof are requested to prove property, pay charges and take them away. STEPHEN W. ALLEY, Pound Keeper. Dec. 23d, 1861.—262