

ARTICLE IX.—FINANCE AND STATE DEBT.

SEC. 1. The legislature shall provide by law for an annual tax, sufficient to defray the expenses of the State.

SEC. 2. The State shall not assume or guarantee the debts of, nor loan money or its credit, to or in aid of, any county, city, town, village, school district, private corporation or any individual, nor be interested in the stock of any company, association or corporation.

SEC. 3. The State debt shall not at any time exceed three per centum of the taxable property of the State; to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness.

SEC. 4. No subdivision of the State shall be allowed to become indebted, in any manner or for any purpose, to an amount, including existing indebtedness, in the aggregate exceeding the following percentages of the taxable property therein, to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness, viz: school districts, two (2) per centum; counties, two (2) per centum; cities, five (5) per centum; provided, that cities of five thousand (5000) inhabitants and upwards (to be ascertained by the preceding United States census) may, for the purpose of furnishing water, increase their indebtedness to an additional amount of not exceeding five (5) per centum of the taxable property, as aforesaid, upon a two-thirds vote of the qualified voters at an election called for that purpose. Any city, county or school district incurring any indebtedness as aforesaid shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty-five years from the time of contracting the same.

ARTICLE X.—TAXATION.

SEC. 1. The legislature shall by law provide for a uniform and equal rate of taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal and possessory; *Provided*, that mines and mining claims bearing gold, silver and other precious metals, except the surface improvements thereof, shall be exempt from taxation for a period of ten years from the date of the adoption of this Constitution, and thereafter may be taxed as provided by law.

SEC. 2. The property of the United States, and the property of this State, and such property as may belong to any county or municipal corporation or as may be used exclusively for agricultural, horticultural, and scientific societies, chartered or controlled by the State, or for school, religious, cemetery, or charitable purposes, shall be exempt from taxation; and ditches, canals, dams, reservoirs and flumes owned and used by individuals or corporations for irrigating lands owned by such individuals or corporations, or by the individual members thereof shall not be taxed so long as they shall be owned and used exclusively for such purposes.

SEC. 3. The legislature shall not impose taxes for the purpose of any county, city, town, or other corporation, but may by law vest in the corporate authorities thereof respectively the power to assess and collect taxes for all purposes of such corporations.

ARTICLE XI.—EDUCATION.

SEC. 1. The legislature shall provide for a uniform system of public schools, the supervision of which shall be vested in a State Superintendent and such other officers as the legislature shall provide. The superintendent shall be chosen by the qualified electors in the State in such manner as the legislature shall provide; his powers, duties and compensation shall be prescribed by law.

SEC. 2. The legislature may establish free schools; *Provided*, that no sectarian or denominational doctrine shall be taught in any school supported in whole or in part by public funds. Nor shall any professor, instructor or teacher be preferred, employed or re-elected in said schools on account of his religious faith or belief, or his affiliation or sympathy with any denomination, creed or sect.

SEC. 3. All legislation in regard to education shall be impartial, guaranteeing equal rights and privileges to all persons, irrespective of race, color or religion.

SEC. 4. The proceeds of all lands that have been or may be granted by the United States to this State for the support of schools, shall be and remain a perpetual fund, the interest of which, together with all the rents of the unsold lands, and such other means as the legislature may provide, shall be appropriated to the support of the public schools throughout the State.

SEC. 5. The University of Deseret shall be the university of this State, and be under the control of the legislature; the proceeds of all lands that have been granted by Congress for university purposes, shall be and remain a perpetual fund, the interest of which, together with the rents of unsold land, shall be appropriated to the support of said University.

SEC. 6. The legislature shall foster and encourage moral, intellectual and scientific improvement. They shall make suitable provisions for the education of the blind and mute, and for the organization of such institu-

tions of learning as the best interests of general education in the State may demand.

ARTICLE XII.—THE MILITIA.

SEC. 1. The legislature shall provide by law for organizing and disciplining a militia of this State in such manner as they shall deem expedient, not incompatible with the Constitution and laws of the United States, nor the Constitution of this State.

SEC. 2. Officers of the militia shall be elected or appointed in such manner as the legislature shall from time to time direct, and shall be commissioned by the Governor.

SEC. 3. The legislature shall provide for calling forth the militia to execute the laws of the State, to suppress insurrections and repel invasions.

ARTICLE XIII.—PUBLIC INSTITUTIONS.

SEC. 1. Institutions for the care and benefit of the insane, the blind, the deaf, and dumb, and such other benevolent institutions as the public good may require, shall be fostered and supported by the State, subject to such regulations as may be prescribed by law.

SEC. 2. A State prison shall be established and maintained in such manner as may be prescribed by law, and provision shall be made by law for the establishment and maintenance of a house of correction for juvenile offenders.

SEC. 3. The respective counties of the State shall provide, as may be prescribed by law, for those persons who, by reason of age, indigence, or misfortune, may have claim upon the sympathy and aid of society.

ARTICLE XIV.—BOUNDARY.

The boundary of the State of Utah shall be as follows: Commencing at a point formed by the intersection of the thirty-second degree of longitude west from Washington, with the thirty-seventh degree of north latitude, thence due west along said thirty-seventh degree of north latitude to the intersection of the same with the thirty-seventh degree of longitude west from Washington; thence due north along said thirty-seventh degree of longitude to the intersection of the same with the forty-second degree of north latitude, thence due east along said forty-second degree of north latitude to the intersection of the same with the thirty-fourth degree of longitude west from Washington; thence due south along said thirty-fourth degree of longitude to the intersection of the same with the forty-first degree of north latitude; thence due east along said forty-first degree of north latitude to the intersection of the same with the thirty-second degree of longitude west from Washington; thence due south along said thirty-second degree of longitude to the place of beginning.

ARTICLE XV.—MISCELLANEOUS PROVISIONS.

SEC. 1. The seat of government shall be at Salt Lake City, until the legislature may otherwise determine.

SEC. 2. No person shall be eligible to any elective office who is not a qualified elector.

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 of this State.

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 for officers 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 this Constitution.

SEC. 9. The Legislature, at their first session, shall prescribe the methods of conducting all general and special elections in this State, and for canvassing all votes cast at such elections and declaring the results thereof.

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. Bigamy and polygamy being considered incompatible with a republican form of government, each of them is hereby forbidden and declared a misdemeanor. Any person who shall violate this section shall, on conviction thereof, be punished by a fine of not more than one thousand dollars and imprisonment for a term not less than six months nor more than three years, in the discretion of the court. This section shall be construed as operative without the aid of legislation, and the offenses prohibited

by this section shall not be barred by any statute of limitation within three years after the commission of the offense; nor shall the power of pardon extend thereto until such pardon shall be approved by the President of the United States.

ARTICLE XVI.—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 entered on their respective journals, with the yeas and nays taken thereon, and referred to the legislature then next to be elected, and shall be published for three months next preceding the time of such 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. *Provided*, That section 12 of Article XV shall not be amended, revised, or in any way changed until any amendment, revision or change as proposed therein shall, in addition to the requirements of the provisions of this article, be reported to the Congress of the United States and shall be by Congress approved and ratified, and such approval and ratification be proclaimed by the President of the United States, and if not so ratified and proclaimed said section shall remain perpetual.

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 that 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.

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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 whatsoever 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, with like effect as though 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, the Registration Officers appointed by the Utah Commission in the several counties are hereby each requested to add to the notices which they are required by law to post in each precinct, designating the offices to be held at the general election to be held on the first Monday in August, 1887, the further notice, as follows, to wit:

"At the same time and place, the question of the ratification or rejection of the State Constitution adopted by the Constitutional Convention in Salt Lake City, July 7th, 1887, will be submitted to the registered voters of the precinct; those who are in favor of ratification will write or cause to be written or printed on the bottom of their ballots the words 'Constitution, yes,' and those in favor of rejection, 'Constitution, no.'"

If the registration officers or either of them shall refuse or neglect to post the notice herein provided for, the county clerks of the respective counties are hereby requested to post a notice to the same effect in each precinct on the 16th day of July, 1887.

SEC. 6. The Judges of Election, or either of them, appointed by the Utah Commission in each precinct to canvass and count the votes are hereby requested, after the polls are closed, to canvass and count the ballots cast for and against this Constitution and make returns of the same forthwith, by the most safe and expeditious conveyance, to Heber M. Wells, Salt Lake City, the Secretary of this Convention, marked "Constitution Election Returns." Upon the receipt of said returns, or within fourteen days after the election, if the returns are not sooner received, it shall be the duty of the President and Secretary of this Convention and the Probate Judge of Salt Lake County, or any two of the persons named in this section, to canvass the returns of said election in the presence of all who may choose to attend, and immediately publish an abstract of said returns in one or more of the newspapers published in the Territory of Utah, and forward a copy of said abstract, duly certified by them, to the President of the United States, the President of the Senate, the Speaker of the House of Representatives and the Delegate in Congress from Utah Territory.

SEC. 7. Until otherwise provided by law, the apportionment of senators and representatives shall be as follows:

Representative Districts.

No. 1.—All of Rich County and Logan, Hyde Park, Smithfield and Providence precincts, Cache County.

No. 2.—Balance of Cache County.

No. 3.—Box Elder County.

No. 4.—Ogden precinct, Weber County.

No. 5.—Balance of Weber County.

No. 6.—Morrison County, Davis County and Pleasant Green, Hunter and North Precincts, in Salt Lake County, and Hennesville precinct, Summit County.

No. 7.—Summit County (except Hennesville, Peoa, Woodland and Kamas), and Mountain Dell and Sugar House Ward in Salt Lake County.

No. 8.—All of Tooele County; Tintic precinct, Juab County; and Bingham precinct, Salt Lake County.

No. 9.—First Salt Lake City precinct.

No. 10.—Second Salt Lake City precinct.

No. 11.—Third and Fourth Salt Lake City precincts, and Brighton and Grainger precincts, in Salt Lake County.

No. 12.—Fifth Salt Lake City precinct, including Fort Douglas.

No. 13.—North Jordan, West Jordan, South Jordan, Fort Herriman, Riverton, Bluff Dale, South Cottonwood, Union and Sandy precincts, in Salt Lake County.

No. 14.—Farmer's, Mill Creek, East Mill Creek, Big Cottonwood, Little Cottonwood, Butler, Granite, Draper and Silver precincts, in Salt Lake County.

No. 15.—Lehi, Cedar Fort, Fairfield, Alpine, Goshen, Santaquin, Spring Lake, Payson and Spanish Fork precincts, in Utah County.

No. 16.—American Fork, Pleasant Grove, Provo Bench, Lakeview and Provo precincts, in Utah County.

No. 17.—Springville, Thistle, Pleasant Valley Junction, Benjamin and Salem precincts, in Utah County; all of Emery County and Winter Quarters precinct, in Sanpete County.

No. 18.—All of Uintah and Wasatch counties, and Kamas, Woodland and Peoa precincts, in Summit County.

No. 19.—Nephi, Mona, Levan and Juab precincts, of Juab County, and all of Millard County.

No. 20.—Thistle, Fairview, Mount Pleasant, Spring City, Moroni, Fountain Green and Ephraim precincts, in Sanpete County.

No. 21.—Chester, Wales, Manti, Pettville, Mayfield, Gunnison, Fayette and Freedom precincts, in Sanpete County, and all of Sevier County.

No. 22.—All of Beaver and Piute counties.

No. 23.—All of Iron and Garfield counties, New Harmony Precinct, of Washington County, and Bluff City and McElmo precincts, in San Juan County.

No. 24.—All of Kane, and the balance of Washington County.

Senatorial Districts.

No. 1.—1st and 6th Representative Districts.

No. 2.—2nd and 3rd Representative Districts.

No. 3.—4th and 5th Representative Districts.

No. 4.—7th and 9th Representative Districts.

No. 5.—10th and 12th Representative Districts.

No. 6.—11th and 14th Representative Districts.

No. 7.—8th and 13th Representative Districts.

No. 8.—15th and 16th Representative Districts.

No. 9.—17th and 18th Representative Districts.

No. 10.—19th and 20th Representative Districts.

No. 11.—21st and 22d Representative Districts.

No. 12.—23d and 24th Representative Districts.

SEC. 8. A copy of this Constitution, certified to be correct by the President and Secretary of this Convention, shall be published by them on or before the fifteenth day of July, 1887, in one or more of the newspapers in Utah Territory. The President and Secretary shall, also, immediately after its ratification, forward copies of this Constitution, duly certified, to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and the Delegate in Congress from Utah Territory, and shall deliver or forward a copy, certified as aforesaid, to each of the delegates who may hereafter be elected by this Convention.

SEC. 9. The terms of all officers named in this Constitution except judicial and senatorial, elected at the first election, shall continue from the time of qualification until the expiration of two years from and including the first Monday in December next succeeding their election and until the qualification of their successors.

SEC. 10. 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 at the end of two years from the first Monday in December next succeeding their election, and the term of the other half shall expire in four years from the first Monday in December next succeeding their election, so that one half, as nearly as may be, shall be elected biennially thereafter. *Provided*, That in drawing lots for all senatorial terms, the senatorial representation shall be allotted 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. 11. Unless otherwise provided by Congress, the first election for all officers named in 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 in the manner provided by law. 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. 12. The Justices of the Supreme Court, elected at the first election, shall hold office from and including the first Monday of the second month next succeeding their election and continue in office thereafter two, four and six years respectively, from and including the first Monday in December next succeeding their election. 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. 13. 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 not herein otherwise provided for shall be as prescribed by law.

SEC. 14. 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.

SEC. 15. This Constitution shall be deemed ratified by the people of Utah if at any election to which it is submitted a majority of the votes cast on the question of its adoption be in the affirmative.

SEC. 16. Hons. Franklin S. Richards, Edwin G. Woolley and William W. Ritter are hereby elected delegates from this convention to proceed to Washington, D. C., and with the Hon. John T. Caine, Delegate in Congress from Utah, present this Constitution to the President of the United States and to the Senate and House of Representatives in Congress assembled, and urge the passage of an act of Congress admitting the State of Utah into the Union.

Done in Convention and signed by the Delegates at Salt Lake City, Territory of Utah, this seventh day of July, 1887.

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