

# APPENDIX

TO

## Journals of Senate and Assembly

OF THE

SEVENTEENTH SESSION

OF THE

LEGISLATURE OF THE STATE OF NEVADA,

1895.



CARSON CITY, NEVADA:  
STATE PRINTING OFFICE. : : : J. G. MCCARTHY, SUPERINTENDENT.  
1895.

SECOND BIENNIAL MESSAGE  
OF  
ROSWELL K. COLCORD,  
GOVERNOR OF NEVADA.

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1895.

## SECOND BIENNIAL MESSAGE.

STATE OF NEVADA,  
EXECUTIVE DEPARTMENT,  
CARSON CITY, January 1, 1895. }

*To the Honorable, the Senate and Assembly:*

GENTLEMEN: I have the honor to submit for your consideration a brief summary of the affairs of the State, together with such suggestions and recommendations as in my judgment should command your attention.

### FINANCES.

The finances of the State are in that satisfactory condition which an honest, intelligent and economical administration of its resources cannot fail to establish. The State continues to do business on a cash basis, and does not owe a dollar aside from its bonded debt to its own school funds. This debt on January 1, 1895, amounted to \$150,000, as against \$180,000 on January 1, 1891, showing a reduction of \$30,000 during the present administration. Our school funds now amount to the magnificent sum of \$1,300,374 26, exclusive of unpaid balances on land contracts, of which amount \$1,130,000 are invested in United States four per cent. bonds of 1907 and Nevada State interest-bearing bonds; \$100,000 worth of these United States bonds were purchased in 1894, and there is now on hand subject to investment the sum of \$98,654 32. An abstract of the report of the State Treasurer is herewith submitted, which exhibits in detail the operations of his department:

State debt January 1, 1894—	
Nevada 4 per cent. State bonds.....	\$189,000 00
Accrued interest.....	12,948 87
Outstanding warrants .....	14,764 50
Total .....	\$216,711 17
Cash in the State Treasury applicable to the payment of State debt .....	190,305 98
Leaving the indebtedness in excess of coin on hand.....	\$26,405 19

State debt January 1, 1896—		
Nevada 4 per cent. State bonds.....		\$150,000 00
Outstanding warrants .....		3,415 82
Deficiency claims.....		4,213 09
Total .....		\$157,628 91
Cash in the State Treasury applicable to the payment of State debt.....		146,065 18
Leaving the indebtedness in excess of coin on hand.....		\$11,563 73
Balance in cash in the State Treasury on January 1, 1893.....		\$400,162 08
Receipts during 1893.....	\$456,573 03	
Receipts during 1894.....	453,461 23	
Total .....		910,034 26
Disbursed during 1893.....	\$457,424 11	
Disbursed during 1894 (ordinary).....	419,509 74	
Purchase of U. S. bonds in 1894.....	114,000 00	
Total .....		\$1,310,196 29
Balance cash on hand January 1, 1895.....		990,933 85
		\$319,262 44

## APPORTIONED.

General Fund .....	\$139,191 16
State School Fund.....	78,645 88
General School Fund.....	69,799 58
State Interest and Sinking Fund.....	3,234 00
Territorial Interest and Sinking Fund.....	1,359 52
Insane Interest and Sinking Fund.....	1,097 54
State Library Fund.....	227 85
State Prison Fund.....	455 11
University Fund, 90,000-Acre Grant.....	7,868 26
Interest Account, 90,000-Acre Grant.....	1,061 43
State University Fund.....	12,140 18
Contingent University Fund.....	858 93
District Judges' Salary Fund.....	3,323 00
Total .....	\$319,262 44

## STATEMENT OF CASH AND SECURITIES.

On January 1, 1893, bonds in State Treasury as follows—		
U. S. 4 per cent. bonds.....		\$500,000 00
Nevada 4 per cent. bonds.....		183,000 00
Nevada 5 per cent. bonds (irredeemable).....		380,000 00
		\$1,063,000 00
Nevada 4 per cent. bonds purchased in 1893.....		30,000 00
Nevada 4 per cent. bonds purchased in 1894.....		7,000 00
U. S. 4 per cent. bonds purchased in 1894.....		100,000 00
		\$1,200,000 00
Nevada 4 per cent. bonds redeemed in 1893.....	\$24,000 00	
Nevada 4 per cent. bonds redeemed in 1894.....	46,000 00	
		70,000 00
Total amount in bonds.....		\$1,130,000 00

Belonging to State School Fund—		
U. S. 4 per cent. bonds.....	\$550,000 00	
Nevada 4 per cent. bonds.....	95,000 00	
Nevada 5 per cent. bonds.....	380,000 00	
		\$1,025,000 00
To University 90,000-Acre Grant—		
U. S. 4 per cent. bonds.....	\$39,000 00	
Nevada 4 per cent. bonds.....	44,000 00	
		83,000 00
To State University—		
U. S. 4 per cent. bonds.....	\$11,000 00	
Nevada 4 per cent. bonds.....	11,000 00	
		22,000 00
		\$1,130,000 00
Cash on hand January 1, 1895.....		
		\$319,262 44
Bonds on hand January 1, 1895.....		
		1,130,000 00
Total in cash and securities.....		
		\$1,449,262 44

## ASSESSMENT OF PROPERTY.

Your attention is respectfully called to the very important subject of property valuation for the purposes of taxation. You are aware that the law creating a Board of Equalization was repealed at the last session of the Legislature and that the State rate of taxation was increased from 75 cents to 90 cents on the \$100. While I do not anticipate any action by your honorable body upon this subject, I desire to go on record as an advocate of State supervision of the equalization of property valuation for the purposes of taxation. This system has been adopted and is in successful operation in nearly every other State in the American Union, and I predict that it is only a question of time when our State will be compelled to fix upon a similar plan, either through a State Board of Equalization, a State Assessor, or some other supervisory method whereby the present vicious system of undervaluation and a high rate of taxation can be controlled.

It has been the custom of the County Boards, in fixing their county rate, to estimate the amount of money necessary to carry on the county government for the current year. They fix their rate upon this basis, and the Assessor works to this rate by fixing a valuation upon property just sufficient to raise a stated amount of revenue, irrespective of the actual cash value of the property and irrespective of the State's necessities.

Each year the State needs a certain amount of money to carry on the operations of the government. To collect the



taxes the State appoints each county its agent, through its county officers, to secure the property within the county and to collect the taxes due thereon.

The whole assessment system is based on the supposition that each taxed person will submit a statement, under oath, to the Assessor, of the property owned by him. In effect, therefore, each citizen is a trustee charged to make return to the Assessor of the amount of property he has which is taxable and to see that it is assessed as the law determines it shall be, to wit: At its actual cash value. Each taxpayer is or ought to be concerned that the county pays its just proportion of the taxes. Each time that he permits his property to be assessed at less than its value he is guilty of defrauding the citizens of the other counties, whose necessities compel a fair assessment.

The machinery to effect a correct valuation of property is ample. If a county is assessed at less than its value, each citizen is responsible therefor. He takes part in the election of the Assessor, and he helps to form that public opinion which either incites the Assessor to value the property at its true standard or upholds him in his dereliction of duty.

The local Boards of Equalization are elected with the purpose to raise or lower individual assessments so as to bring property to its true standard in money. When, therefore, the citizens fail to insist that there shall be equality of assessment between the rich and the poor, and when the local Boards of Equalization sit idly by and fail to exercise the power so clearly theirs, where do the grounds for complaint lie?

I am not unmindful of the fact that both the law and the Board were subjects of severe adverse criticism and abuse, but it is believed that if those who condemned the law had carefully investigated and thoroughly informed themselves of its provisions and workings they would have changed their views. The argument was made that the raising of the assessment roll of a whole county was unjust, because it worked a hardship on the small taxpayer. This may have been true in some cases, but the blame, if any, belonged not to the State Board of Equalization, but to the local Assessors and the County Boards of Equalization. They were the officers who were responsible for the injustice, if any, by not assessing the larger property owner equally in proportion to the smaller.

It was also charged that the State Board as organized by the Legislature of 1891 was inclined to favor wealthy corporations. The best proof of the fallacy of that charge is herewith submitted in the following tables, comparing the work of the State Board of Equalization for 1892 with that of the local Assessors and County Boards for 1893, with respect to railroad assessments, to-wit:

## RAILROAD ASSESSMENTS.

A table comparing the work of the State Board of Assessors and Equalization for 1892 with that of the local County Boards for 1893:

Total value Central Pacific Railroad Co.'s property for the year 1892, as assessed by the State Board of Assessors and Equalization.....	\$8,051,170 40
Ditto for 1893 as assessed by local County Boards.....	6,850,863 00
Difference in favor of State Board's assessment for 1892.....	\$1,200,307 40
Average value, per mile, Central Pacific Co.'s main track and rolling stock, as assessed by the State Board of Assessors and Equalization, 1892.....	\$16,100 00
Ditto for 1893, as assessed by local County Boards.....	13,459 39
Difference, per mile, in favor of State Board's assessment for 1892.....	\$2,640 61
Total value Virginia and Truckee Railroad Co.'s property for the year 1892, as assessed by the State Board of Assessors and Equalization.....	\$995,615 87
Ditto for 1893, as assessed by local County Boards.....	760,081 00
Difference in favor of State Board's assessment for 1892.....	\$235,534 87
Average value, per mile, Virginia and Truckee Co.'s main track and rolling stock, as assessed by the State Board of Assessors and Equalization, 1892.....	\$14,662 50
Ditto for 1893, as assessed by local County Boards.....	11,296 32
Difference in favor of State Board's assessment for 1892.....	\$3,366 18
Total value Carson and Colorado Railroad Co.'s property for the year 1892, as assessed by the State Board of Assessors and Equalization.....	\$779,082 50
Ditto for 1893, as assessed by local County Boards.....	505,367 00
Difference in favor of State Board's assessment for 1892.....	\$273,715 50
Average value, per mile, Carson and Colorado Co.'s main track and rolling stock, as assessed by the State Board of Assessors and Equalization, 1892.....	\$3,910 00
Ditto for 1892, as assessed by local County Boards.....	2,477 85
Difference in favor of State Board's assessment for 1892.....	\$1,432 15

Total value of Eureka and Palisade Railroad Co.'s property for the year 1892, as assessed by the State Board of Assessors and Equalization.....	\$361,057 50
Ditto for 1893, as assessed by local County Boards.....	285,610 00
Difference in favor of State Board's assessment for 1892.....	\$75,447 50
Average value, per mile, Eureka and Palisade Co.'s main track and rolling stock, as assessed by the State Board of Assessors and Equalization, 1892.....	\$3,680 00
Ditto for 1893, as assessed by local County Boards.....	2,954 88
Difference in favor of State Board's assessment for 1892.....	\$725 12
Total value Nevada Central Railroad Co.'s property for the year 1892, as assessed by the State Board of Assessors and Equalization.....	\$233,335 00
Ditto for 1893, as assessed by local County Boards.....	188,650 00
Difference in favor of State Board's assessment for 1892.....	\$44,685 00
Average value, per mile, Nevada Central Railroad Co.'s main track and rolling stock, as assessed by the State Board of Assessors and Equalization for 1892.....	\$2,357 50
Ditto for 1893, as assessed by local County Boards.....	1,925 00
Difference in favor of State Board's assessment for 1892.....	\$432 50
Total value Nevada, California and Oregon Railroad Co.'s property for the year 1892, as assessed by the State Board of Assessors and Equalization.....	\$92,761 57
Ditto for 1893, as assessed by local County Boards.....	72,900 00
Difference in favor of State Board's assessment for 1892.....	\$19,861 57
Average value, per mile, Nevada, California and Oregon Co.'s main track and rolling stock, as assessed by the State Board of Assessors and Equalization, 1892.....	\$2,875 00
Ditto for 1893, as assessed by local County Boards.....	2,306 33
Difference in favor of State Board's assessment for 1892.....	\$568 67
Total value of Ruby Hill Railroad Co.'s property for the year 1892, as assessed by the State Board of Assessors and Equalization.....	\$3,018 75
Ditto for 1893, as assessed by local County Boards.....	4,025 00
Difference in favor of local County Board's assessment for 1893.....	\$1,006 25
Average value, per mile, Ruby Hill Co.'s main track and rolling stock, as assessed by the State Board of Assessors and Equalization, 1892.....	\$575 00
Ditto for 1893, as assessed by local County Boards.....	780 00
Difference in favor of County Board's assessment for 1893.....	\$205 00



Grand total of all railroad property in the State as valued by the State Board of Assessors and Equalization for the year 1892.....	\$10,516,041 59
Ditto as valued by local County Boards for 1893.....	8,667,496 00
Difference in valuation in favor of State Board's assessment for the year 1892.....	\$1,848,545 59

These figures were compiled from the report of the State Board and the sworn statements of the local Assessors as returned to the State Controller and as shown by their assessment rolls. They are therefore absolutely correct. After a two years' service as a member of the Board of Assessors and Equalization of the State, which enabled me to make a very careful investigation of the relative value of the various kinds of property in our State, I am of the opinion that the valuation placed upon the railroad property by that Board was fully as high as it should have been in comparison with other property values.

I have dwelt at considerable length upon this subject for the reason that I regard it as one of the most important in connection with the financial system of our State government, and one that must of necessity receive consideration at the hands of the Legislature in the near future. It is gratifying to me to learn that Surveyor-General Jones, our Governor-elect, is fully in accord with me upon this matter, and therefore I feel assured that any action you may take looking to a correction of the present unjust and unsatisfactory method of assessing property will not only meet with the hearty approval and co-operation of my successor, but with that of the people as well.

#### PROMOTION OF UNIFORMITY OF LEGISLATION.

In my message to the last Legislature I urged the necessity of Nevada joining with our sister States in taking this advanced step towards securing a uniformity of legislation in the United States. I am again in receipt of communications from chairmen of several of the State Commissions and the American Bar Association requesting co-operation in the attempt to harmonize and unify our complex system of State laws. It would be well to have this matter referred to your Judiciary Committees for consideration, inviting their especial attention, with the hope that some wise and judicious legislation may be the result of their deliberations.

In view of the material growth and development of our country, this subject of uniform legislation presents a problem worthy of the best thought and highest energy. It cannot be gainsaid but that the prevailing conflict and uncertainty of the laws of the various States, particularly upon the subject of marriage and divorce, descent and distribution, execution and acknowledgement of conveyances, the probate of wills and the transmission and collection of commercial paper through the banks, imperatively demand an immediate remedy. This can only be secured by voluntary action among the States through their Legislatures. About one-half of the States have already enacted laws creating a Board of Commissioners for this purpose, consisting of three members, to serve for five years without compensation, upon appointment by the Governor. It is made the duty of these commissioners, in conference or by correspondence, to examine the aforementioned and kindred subjects, to assimilate, as far as possible, the body of the law of the various States thereon, and to secure, at the hands of the Legislatures, provisions intended to promote a uniformity of law between the States. By such co-operation and co-ordinate legislation uniform statutes could be agreed upon by all, and would lead to the accomplishment of great and valuable reforms. During the past two years much good has been achieved and great beneficial results are promised in the near future. Already Massachusetts and many of the neighboring States have adopted a law for the uniformity of the acknowledgement and execution of written instruments. This law leaves it optional to use the form at present existing or the form prescribed by the uniform statute. This statute reads as follows:

AN ACT TO ESTABLISH A LAW UNIFORM WITH THE LAWS OF OTHER STATES FOR THE ACKNOWLEDGMENT AND EXECUTION OF WRITTEN INSTRUMENTS.

*The People of the Commonwealth of Massachusetts, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Either the forms of acknowledgment now in use in this State, or the following, may be used in the case of conveyances or other written instruments, whenever such acknowledgment is required or authorized by law for any purpose: Begin in all cases by a caption specifying the State and place where the acknowledgment is taken.

1. In the case of natural persons acting in their own right:

On this—day of—, 18—, before me personally appeared A B (or A B and C D), to me known to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that he (or they) executed the same as his (or their) free act and deed.

2. In the case of natural persons acting by attorney:

On this—day of—, 18—, before me personally appeared A B, to me known to be the person who executed the foregoing instrument in behalf of C D, and acknowledged that he executed the same as the free act and deed of said C D.

3. In the case of corporations or joint-stock associations:

On this—day of—, 18—, before me appeared A B, to me personally known, who, being by me duly sworn (or affirmed), did say that he is the President (or other officer or agent of the corporation or association) of (describing the corporation or association), and that the seal affixed to said instrument is the corporate seal of said corporation (or association), and that said instrument was signed and sealed in behalf of said corporation (or association) by authority of its Board of Directors (or Trustees), and said A B acknowledged said instrument to be the free act and deed of said corporation (or association).

(In case the corporation or association has no corporate seal omit the words, "the seal affixed to said instrument is the corporate seal of said corporation (or association), and that," and add, at the end of the affidavit clause, the words, "and that said corporation (or association) has no corporate seal." (In all cases add signature and title of the officer taking the acknowledgment.)

SECTION 2. The acknowledgment of a married woman when required by law may be taken in the same form as if she were sole, and without any examination separate and apart from her husband.

SECTION 3. The proof or acknowledgment of any deed or other written instrument required to be proved or acknowledged in order to enable the same to be recorded or read in evidence, when made by any person without this State and within any other State, Territory or District of the United States, may be made before any officer of such State, Territory or District authorized by the laws thereof to take the proof and acknowledgment of deeds, and, when so taken and certified as herein provided, shall be entitled to be recorded in this State, and may be read in evidence in the same manner and with like effect as proofs and acknowledgments taken before any of the officers now authorized by law to take such proofs and acknowledgments, and whose authority so to do is not intended to be hereby affected.

SECTION 4. To entitle any conveyance or written instrument, acknowledged or proved under the preceding section, to be read in evidence or recorded in this State, there shall be subjoined or attached to the certificate of proof or acknowledgment, signed by such officer, a certificate of the Secretary of State of the State or Territory in which such officer resides, under the seal of such State or Territory, or a certificate of the clerk of a court of record of such State, Territory or District in the county in which said officer resides or in which he took such proof or acknowledgment, under the seal of such court, stating that such officer was, at the time of taking such proof or acknowledgment, duly authorized to take acknowledgments and proofs of deeds of lands in said State, Territory or District, and that said Secretary of State or clerk of court is well acquainted with the handwriting of such officer, and that he verily believes that the signature affixed to such certificate of proof or acknowledgment is genuine.

SECTION 5. The following form of authentication of the proof or acknowledgment of a deed or other written instrument when taken without this State and within any other State, Territory or District of the United States, or any form substantially in compliance with the foregoing provisions of this Act, may be used: Begin with a caption specifying the State, Territory or District and county or place where the authentication is made. I, —, Clerk of the — in and for said county, which court is a court of record, having a seal (or, I, —, the Secretary of State of such State or Territory), do hereby certify that — by and before whom the foregoing acknowledgment (or proof) was taken, was, at the time of taking the same, a notary public (or other officer) residing (or authorized to act) in said county, and was duly authorized by the laws of said State (Territory or District) to take and certify acknowledgments or proofs of deeds of land in said State (Territory or District), and, further, that I am well acquainted with the handwriting of said —, and that I verily believe that the signature to said

certificate of acknowledgment (or proof) is genuine. In testimony whereof, I have hereunto set my hand and affixed the seal of said court (or State), this—day of—, 18—.

SECTION 6. The proof or acknowledgment of any deed or other instrument required to be proved or acknowledged in order to entitle the same to be recorded or read in evidence, when made by any person without the United States, may be made before any officer now authorized thereto by the laws of this State, or before any Minister, Consul, Vice Consul, Charge d'Affaires, or Consular Agent of the United States resident in any foreign country or port, and when certified by him under his seal of office it shall be entitled to be recorded in any county of this State, and may be read in evidence in any court in this State in the same manner and with like effect as if duly proved or acknowledged within this State.

Approved April 14, 1894.

From it you will readily see that if it was universally adopted each State, in addition to its own forms, would also have a form which would be good in any State. I take pleasure in recommending the adoption of a similar law by you, and in respectfully requesting the creation for Nevada of a Commission for the Promotion of Uniformity of Legislation in the United States. So oppressive have the evils become, arising from this lack of uniformity in State laws, that the business interests of the country have joined in the appeal for a remedy. This appeal should be heard. With the hearty concurrence of the several State Legislatures uniform legislation can be successfully accomplished.

#### THE AUSTRALIAN BALLOT LAW.

The present system of voting, adopted at the session of 1891, with the amendments enacted at the session of 1893, has stood the test of two general elections. The prevalent apprehensions that it would be attended with difficulties and great inconveniences, tending to materially interfere with and obstruct the free exercise of the elective franchise, have fallen to the ground, unwarranted. It is with the more urgent matters of corruption and intimidation that you, as legislators, must concern yourselves. Every intelligent American citizen demands, as one of his inviolable rights, an electoral system guaranteeing to him the greatest freedom and independence in casting a ballot representing his convictions, the certainty of an honest count and a true return of the will of the voters as expressed through the ballot box. It has been the aim of our Legislatures to secure this right to the voter. Our laws relating to elections fill a volume of seventy pages and they are full of provisions for the protection of the elector and the punishment of those who seek to improperly influence the judg-



ment of the voter, and yet, in a measure, they have failed of their purpose. While deprecating too frequent changes in any important law, I feel it my duty to advise a careful revision of our election laws, and to suggest several amendments to be incorporated therein. Public opinion wields a potent influence in all matters of reform, and in Nevada, as well as in our sister States, it condemns the notorious use of money in elections and insists on the wise enactments of laws to promote the purity of the ballot. With this end in view I respectfully invite the attention of the members to a law on page 12 of the Statutes of California, 1893, entitled "An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof." This law is rigidly drawn. It is a brave advance toward honest methods in conducting elections, and, if properly administered, it will be a mighty blow to corruption. Not only are candidates compelled to file certified statements of their receipts and expenditures, but political committees, and their agents, are obliged to do likewise. The management of the whole campaign thereby becomes a matter of public record; the sources of the committee's revenues and the objects of their expenditure are within the reach of all. This publicity tends to the discouragement of bribery and of contributions of large sums of money by corporations or individuals to campaign funds. The law also provides for the severe punishment of all known offenses against the elective franchise. Its passage will afford the same opportunity for political preferment to the man of limited means as to one who has, or can control or command, greater wealth. It is urged that this law places a premium on perjury; that it gives the trickster a clear field in politics and relegates all honest candidates therefrom, and, finally, that under its provisions a conviction could not be secured owing to the interference of partisan bias and prejudice. One suggestion is, to my way of thinking, a sufficient reply to all of these arguments. There must be a standard of justice in politics as in other matters. We must form just ideas and endeavor to contrive the methods by which they may be realized. The purpose of the law is to repress corrupt practices, and the Legislature should act when there is an end to be attained and it is competent, as it is in this case, to so legislate that that end



may be attained. Every law of this kind passed, with its accompanying agitation and discussion, is effective in rightly shaping the public mind on this subject. Let the Legislature enact a wise law, similar to the one cited. Let the statute speak clearly and to the point, and leave it to the Courts, their officers and the people to enforce it. New York and Massachusetts have laws of this kind, and they have worked well.

Much confusion was occasioned in the recent election through there being no provision in our election laws for the withdrawal of candidates after nomination. I would suggest the addition of a section similar to this:

SECTION —. A person who has been nominated as a candidate for any State, County, Township, or other public office, in accordance with the provisions of this Act, may cause his name to be withdrawn from nomination by a request in writing signed by him and acknowledged before an officer qualified to take acknowledgments, and filed with the Secretary of State, County Clerk, or the person with whom the nomination was filed, within at least twenty-four hours succeeding four o'clock of the last day fixed by law within which nomination papers may be filed for the nomination of candidates for such office.

I would also suggest that the construction of the meaning and effect of the words "physical disability," as given in the opinion thereon by Attorney-General Torreyson, be clearly and distinctly defined in the election law.

I recommend that violation of the election laws be made a cause of challenge; and, on such challenge being made, that the voter be required, before his vote is received, to swear that he has not been influenced in any unlawful way in the casting of his vote.

I further recommend the adoption of the simpler and more convenient method of using the inexpensive rubber stamp in the booths for making the cross-mark opposite the candidates voted for, instead of the lead pencil. This will lessen the danger of a designating mark being placed upon the ballot.

As a still further means of preventing bribery and fraudulent registering and voting, and of preserving the purity of the ballot-box, I would suggest that a law be enacted making it the especial duty of all Judges in the State, at the first session succeeding any and every election, to give the election laws in special charge to the Grand Juries of their respective Courts, with earnest injunction for strict investigation of the entire subject matter.

From several counties in the State come complaints of voters in the recent election having been transferred from

county to county up to the day of election, and of having unlawfully registered and voted. Such colonization, if done, was in open violation of our statutes. True, transfers may be given at any time prior to the day of election. This is a most equitable provision. A refusal to so transfer might, in many instances, rob an elector of his constitutional right. Our registration laws contain precautionary safeguards, wisely thrown around this issuance of transfers up to the eve of election. The fault rests with the Registry Agent. A mere presentation of a certificate of transfer does not of itself entitle the holder thereof to registration. Before adding his name to the official registry list as a voter, it must satisfactorily appear to the Registry Agent receiving the certificate, and to whom application is made for the second registration, that the applicant will have resided such length of time (to wit: thirty days) within such county prior to the next ensuing election, as is, or may be, provided by law to entitle him to vote. A severe penalty is already provided for a violation of the registration laws by a Registry Agent. The laxity of its enforcement is where the trouble lies.

I have made these suggestions as the result of a careful observation of the working of our election laws, and an examination of those of other States. A considerate move on your part would be the appointment of a joint special committee to examine, amend, revise and codify our laws on this subject, and the report of the committee, when acted upon, should be published in pamphlet form for general distribution.

#### CONSTITUTIONAL CONVENTION.

There has been much discussion of late, both by the press of the State and among our most thoughtful and best informed citizens, on the important subject of a convention for the revision of the entire Constitution of our commonwealth. In 1890 at the general election the question of whether such a convention should be called, or not, was submitted to the qualified electors of the State. The State Board of Canvassers, at their meeting in December following, made no abstract of the vote on the question and filed no certificate of returns thereof with the Secretary of State. The reasons for their action are found in the following opinion filed with the Secretary of State at that time:

The power of the Supreme Judges as canvassers is defined by the Constitution and Statute. The only authority given is to "open and canvass the election returns for Member of Congress, Governor and other State officers." This authority cannot be extended by implication so as to embrace the election returns for other officers or questions. The only implication that can arise is that the Judges have implied or incidental power to perform all acts appropriate or necessary to the execution of the power expressed, that is to say: to do whatever may be necessary to make a complete canvass of the returns for Member of Congress, Governor and other State officers. Any canvass by the Judges in the matter under consideration, would be in excess of their authority, and of no more binding obligation upon any one than similar action by private citizens. The facts connected with the present returns now on file in the office of the Secretary of State, require that no action should be taken by the Judges as canvassers, unless they have lawful authority to act, because some of these returns upon their face are uncertain and defective, and others are not authenticated, so far as they relate to the abstract of the vote for or against a Constitutional Convention, and no authority is invested in the Judges to require correction or amendment.

C. H. BELKNAP, Chief Justice.

M. A. MURPHY, } Associate Justices.  
R. R. BIGELOW, }

If the findings in the above-quoted opinion are right, and the authority vested in said Board "cannot be extended by implication so as to embrace the election returns for other officers or questions," in what condition do they leave our Constitution as to the various amendments heretofore added to it, the vote for said amendments having been canvassed by a Board whose "authority cannot be extended by implication so as to embrace the election returns for other officers or questions"? Is a vote by the people for or against an amendment to the Constitution any more or less a question than a vote by the people for or against a Constitutional Convention? This is not only an extraordinary, but an extremely serious, condition of affairs, and one that should receive the immediate and deliberate action at your hands that it merits. The Legislature which convened on the 19th day of January, A. D. 1891, cited the Secretary of State before them with the complete returns on this question of calling a Constitutional Convention. They in their wisdom refused to canvass the same. It was then claimed, and is still claimed, that the face of the returns showed that a majority of the electors who cast their ballots at that election voted in favor of calling a convention, and that the will of the people, as expressed at the ballot-box, was nullified. It is still urged that our Constitution needs amendment; that the majority of the voters of the State have long so thought, and that the wholesale rejection of the twenty-five amendments at the recent election was not due to a non-desire for revision, but to the fact that correction and remedy by amendment

is wholly impracticable. It does not rest with me to advise you in this matter, but if any action is taken in this direction, bear in mind the following section from Article XVI. of our Constitution, viz :

SECTION 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 entire Constitution, they shall recommend to the electors, at the next election for members of the Legislature, to vote for or against a convention ; 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 holden within six months after passage of such law ; and such convention shall consist of a number of members not less than that of both branches of the Legislature. In determining what is a majority of the electors voting at such election, reference shall be had to the highest number of votes cast at such election for the candidates for any office or on any question.

Take only such action as you in your prudence may deem best for the people of Nevada, and if you decree in favor of a re-submission of the question to the voters, carefully guard the future by providing all such laws as may be essential for its complete execution, and as will in the end assure a perfect Constitution—one worthy of the dignity of a great State, and a safe guaranty to her citizens of all the inalienable rights and blessings of a free people.

#### AGRICULTURE AND IRRIGATION.

Our mining interests are suffering, trammelled by hindrances within the reach of legislation, which, in justice to our people and the people of the whole country as well, should have long since been removed. While awaiting the righting of this unconscionable wrong, which must inevitably come, let Nevadans give more thought to the care, protection and advancement of the agricultural industries of the State. Although agriculture will not be considered, for many years at least, the State's chief source of wealth and the ultimate reliance of its people, yet I can see no reason why she should not extend her agricultural domain so as to take high rank as a farming State. It is stated on the highest authority that already the value of the products of husbandry in the heart of the mountain system of the West, Colorado, Wyoming, Utah and adjoining States, exceeds that of the products of mining. Nevada has natural advantages even greater than some of these States. These advantages but await recognition. She furnished the most tangible evidences as to the character of her products and the agricultural possibilities of her



lands, to the millions of sightseers at the World's Columbian Exposition and the California Midwinter Fair. These magnificent displays evoked naught but admiration and wonder, and the list of awards (alluded to elsewhere in my message) attest in a highly satisfactory manner the superior excellence of the exhibits.

The dairy interest is no longer an experiment in this State. It has attained a very large prominence in Nevada agriculture. The great progress that dairy husbandry has made is largely due to the efforts of some of our influential citizens. When properly conducted it is unquestionably a most profitable branch of farming. Nevada butter is unexcelled in quality and our cheese is of a superior grade. To this industry a good home market is presented at its very door, and, with energy and intelligence combined, there is no reason why our dairymen should not extend its market indefinitely. Butter and cheese are admirably adapted for transportation, and besides, in its production our citizens are furnished with the most healthful of all foods. Large sums of money are annually sent abroad for just such products, that can be produced more cheaply at home. Poultry, eggs, ham and bacon may also be classed in this category, and emphasizes the necessity of encouraging and fostering the raising of poultry and domestic animals, and similar branches of agriculture. Any legislation that will assist in building up the dairying interests or prepare the way for progressive agriculture will merit the confidence of our whole people.

Inasmuch, however, as nearly all of our agricultural lands require irrigation the subject of water rights is the all important one to be considered. It does seem that, with an abundant flow of water for the irrigation of our lands, some means whereby it could be utilized might be discovered, and these lands, at least, rendered capable of supporting an average population. While all admit that there is plenty of water, if greater economy is employed in its use, it is true that whenever an attempt is made to acquire new rights by impounding water for future use, the party so doing is involved in litigation with the prior right claimant. In the absence of legislation by Congress upon the subject of interstate waters, it is difficult to formulate local laws that will adequately meet the issue. The man who succeeds in accomplishing this task will not only receive the highest commendation of our farmers but the honors of a



grateful people will be awarded him. As our State embraces a large part of the arid region, and realizing that the fruits of an economic irrigation system will be of supreme importance to us, I earnestly advise irrigation supervision and engineering at the State's hands. More strenuous efforts should be made to utilize the water that flows into the State, as well as that of the small streams within our borders, and her productive area would be more than doubled through the use of these waters. This can be done by the Courts and Congress lending a helping hand, by carefully ascertaining existing conditions, how the means at hand can be best employed to economically conserve the available water supply, and by investigating the extent to which further irrigation work can be carried on with success and profit to individual or State.

In this connection let me call the attention of those interested in this subject to the fact that an office of irrigation inquiry has been established at Washington, D. C., under the supervision of the Department of Agriculture. This division has assiduously collected the methods and results of irrigation as practiced more or less successfully in the States and Territories of the arid domain. The work of the office will be continued and extended "to cover the simplest method of accurate water measurement, the proper quantity of water needed for each kind of crop raised, and an investigation into the adaptability of the best mechanical appliances for the purposes of the irrigation farmer." This bureau was established to give reliable information on the subject of irrigation to the public and it is to be hoped that our farmers will avail themselves of the opportunity afforded.

#### LIVE STOCK.

Our stock interests generally are in a prosperous condition, taking into consideration the depression prevalent during the year. Since the unusual winter of 1889-90 they have materially advanced. The losses have not been heavy from the inclemencies of the seasons, the water supply has been good and the grazing correspondingly so. No infectious disease, to any alarming extent, has existed, accordingly the quality has materially improved and the live stock of Nevada may be said to be in an exceptionally healthy condition. This should not prevent you, gentlemen, from investigating the quarantine regulations in force in the various Western States and Territories, and from

remodeling and strengthening our laws on this subject as you in your good judgment may deem best. Contagious diseases come silently and without warning, and therefore all legislation relating to this question should be ample and clearly defined.

The Bureau of Animal Industry of the Department of Agriculture at Washington, D. C., credits Nevada for the year 1893 with live stock, and its value, as follows:

Kind.	Number.	Average Value.	Total Value.
Horses .....	55,793	\$23 60	\$1,316,764 00
Mules .....	1,604	39 25	62,965 00
Milch cows .....	18,196	29 30	533,143 00
Stock cattle .....	259,078	12 97	3,360,732 00
Sheep .....	544,077	2 14	1,164,162 00
Hogs .....	11,590	8 75	101,366 00
Totals .....	890,338		\$6,539,132 00

This showing indicates of what vast importance our live-stock interests are. Though it bears the stamp of high approval, it does not give Nevada her full share of credit, for, from calculations based on facts gathered from those best informed, even this showing is behind the actual value of our stock industry for 1893. It is a very material advance over the figures for 1892, as reported to the State Board of Equalization for said year by the County Assessors, and from authentic sources I gather that the increase for the year 1894 is even greater. We have many advantages over other States that render stock raising profitable, and yearly it is rapidly becoming more valuable. It is a factor in our State's resources demanding especial consideration, being the means of so much wealth and prosperity, and it should have whatever needed encouragement and protection that can be given it, though I am free to confess I know of no urgent legislation necessary save in the way of quarantine restrictions, and that only as a precautionary measure.

#### STATISTICAL REQUIREMENTS.

Under Sections 1856-7 and 2203, General Statutes of Nevada, County Assessors are required to report to the Surveyor-General a true tabular statement of the agricultural pursuits and products of the county and other statistical information. To all intents and purposes these

requirements are a dead letter. It is a clear case of a valuable law rendered inoperative by neglect. The National Government and nearly every State in the Union maintains a statistical department, or provides for the collection of the useful statistics and their presentation to the general public. The fruits of experience are by this means gathered and made available. Every citizen concerned in the progress and development of the industries of the State, producers and consumers, as well as non-residents desirous of making investments in new fields, appreciate the importance of these statistical tables. They will be found to be strong aids in raising and upholding the work of superior agricultural education so efficiently started by our Experiment Station. Much information aiding and encouraging our farmers and stockraisers in their effort to better their condition may be derived therefrom. Numerous demands from home-seekers and investors reach the various departments inquiring as to the acreage, production and rate of yield of the principal crops, as to the number and produce of farm stock, and as to many other kindred points of economic value. From these statistics these questions are answered. They are the only means available, and so important and useful are they, that they should be carefully and reliably collected and compiled, treated and published with equal circumspection and accuracy. It is a step in the right direction and meets with my hearty approval. In order that better results may be obtained I earnestly recommend that you embody the above-named sections into one law, and that you require the Assessors to report to the State Controller instead of the Surveyor-General, who shall include a digest thereof in his annual report. This secures a reaching of the public at the end of each year. If benefits are to be derived or knowledge imparted therefrom, they should be from the labors and results of the year past, that those interested may profit during the year present, for truly "he gives twice who gives promptly."

I further recommend that oath be required of the Assessor, that he has been diligent and faithful in obtaining and compiling the statistics and valuations embraced in the report and that the same are correct and complete to the best of his knowledge and belief; also that a severer penalty be added to the law for a violation of its provisions by any officer named therein.

## APPOINTMENTS TO FILL VACANCIES.

In strict compliance with Section 1682, page 468, General Statutes of Nevada, I have the honor to report the following appointments, made in accordance with the laws of the State, to fill vacancies in offices occurring during the years 1893-94:

January 26, 1893—W. S. Bailey, H. M. Yerington, and W. O. H. Martin, members of the Board of Directors of the State Agricultural Society, to fill existing vacancies.

January 31, 1893—W. D. Phillips, member of the Board of Directors of the State Agricultural Society, to fill existing vacancy.

March 18, 1893—Thomas Tate, appointed to fill vacancy caused by the death of A. Bradley, County Commissioner, Nye county.

March 24, 1893—J. A. Lewis of Reno, member of the State Board of Health, to fill vacancy caused by the resignation of W. H. Patterson.

May 13, 1893—A. Livingston of Carson, member of Board of Directors, Agricultural District No. 1, to serve until December 1, 1896.

August 3, 1893—A. W. Brann, Angus McLeod and W. R. Penrose, members of the Board of Directors, Agricultural District No. 5, to fill existing vacancies.

September 6, 1893—Thomas K. Hymers, member Board of Directors State Agricultural Society, to fill vacancy caused by death of W. H. Gould.

September 19, 1893—L. L. Elrod of Carson, member Board of Directors, Agricultural District No. 1, to fill existing vacancy.

November 1, 1893—John A. Shreve, County Commissioner, Esmeralda county, to fill vacancy caused by resignation of George L. Albright.

February 1, 1894—T. K. Hymers, Theo. Winters and Jos. E. Jones, members Board Directors State Agricultural Society, to fill existing vacancies.

April 3, 1894—Daniel R. Collins, County Commissioner, White Pine county, to fill vacancy caused by resignation of Abe Travis.

April 17, 1894—George W. Richard, State Treasurer, to fill vacancy caused by death of Hon. John F. Egan.

September 27, 1894—George H. Cunningham, member Board of Directors State Agricultural Society, to fill vacancy caused by death of Hon. M. D. Foley.



## MISCELLANEOUS APPOINTMENTS.

In accordance with law it becomes my duty to lay before the Legislature, at the earliest day practicable, a statement of all appointments made by me since the preceding session, to wit:

February 9, 1893—W. B. Durall of Elko, a delegate to represent Nevada at the Bimetallic Convention at Washington, D. C.

February 11, 1893—Wm. M. Stewart, Horace F. Bartine, John P. Jones, F. G. Newlands and C. D. Van Duzer, delegates to represent Nevada at the Bimetallic Convention at Washington, D. C.

February 21, 1893—George T. Mills, Fish Commissioner of the State of Nevada, to serve four years from date.

February 23, 1893—Charles W. Friend of Carson, Director of the Weather Service of the State of Nevada, to serve for four years from date.

March 14, 1893—J. W. Haines of Genoa, George Russell of Elko, and James A. Yerington of Hawthorne, Commissioners to the World's Columbian Exposition at Chicago, Ill., from the State of Nevada, to serve until September 1, 1893.

March 17, 1893—E. Strother of Virginia City, R. Sadler of Eureka, C. A. Jones of Reno, R. M. Clarke of Carson City, P. M. Bowler, Jr., of Hawthorne, W. D. Jones of Austin, A. C. Cleveland of Cleveland, Frank Williams of Carlin, W. A. Massey of Elko, and Jno. Gallagher of Yerington, delegates to represent Nevada at the Trans-Mississippi Congress, held at Ogden, Utah, April 24, 1893.

March 18, 1893—Mrs. Henry Rives of Eureka, a member from Nevada on the Columbian Liberty Bell Commission.

March 18, 1893—S. L. Lee of Carson City, W. H. Patterson of Reno, and J. H. Henderson of Elko, members of the State Board of Health, to serve for two years from date.

April 11, 1893—C. D. Van Duzer of Reno, re-appointed Attorney and Agent before the General Land Office and Department of the Interior at Washington, D. C., for the State of Nevada, to serve until January 1, 1895.

April 21, 1893—T. H. McMillan and Con Ahern of Virginia City, delegates to represent Nevada at the Trans-Mississippi Congress at Ogden, Utah.

July 20, 1893—R. B. Higbee, H. F. Bartine, James A. Yerington, Wm. M. Stewart, F. G. Newlands, John P.



Jones, and Thomas Wren, delegates to represent Nevada at the Silver Convention at Chicago on August 1, 1893.

September 15, 1893—C. H. Taylor of Reno, James Newlands of Dayton, J. E. Jones of Eureka, E. C. McLellan of Elko, J. H. Shiel of Lovelock, and H. F. Dangberg, Jr., of Genoa, delegates to represent Nevada at the National Irrigation Congress held at Los Angeles, California.

January 3, 1894—Evan Williams, S. P. Davis, R. P. Keating, J. W. Adams, F. M. Heitman, John Young, Theo. Winters, Alex Wise, Alex McCone, D. R. Collins, B. H. Reymers and W. T. Smith, delegates to represent Nevada at the Trans-Mississippi Congress, San Francisco, February 13-16, 1894.

August 9, 1894—R. J. Hinton, D. Bonelli, A. M. Welles, and L. H. Taylor, delegates to represent Nevada at the National Irrigation Congress at Denver, Colorado, September 3-10, 1894.

November 12, 1894—F. G. Newlands, T. J. Bell, Charles Calvin, Alex Wise, Wm. McMillan, I. C. C. Whitmore, E. R. Dodge, W. D. Jones, Lem Allen and P. M. Bowler, Jr., delegates to represent Nevada at the Trans-Mississippi Congress at St. Louis, November 26-30, 1894.

November 17, 1894—H. M. Yerington, W. E. Sharon, F. G. Newlands, A. McDonell and W. E. F. Deal, delegates to represent Nevada at the Miners' Convention at San Francisco, November 19, 1894.

#### REQUISITIONS.

The following requisitions were issued from the Executive Department during the past two years:

May 13, 1893—On Governor Pennoyer of Oregon, for the return of one W. C. Laird, charged with the crime of grand larceny, alleged to have been committed in Washoe county, Nevada.

September 23, 1893—On Governor Markham of California, for the return of one Thomas Deegan, charged with the crime of embezzlement, alleged to have been committed in Storey county, Nevada.

September 30, 1893—On Governor Markham of California, for the return of one Milton A. Sharpe, charged with the crime of escaping from the State Prison, where he had been legally confined, under and by virtue of a lawful judgment and commitment, for the crime of robbery, committed in Esmeralda county, Nevada.

February 10, 1894—On Governor Markham of California, for the return of one Joseph D. Magee, charged with the crime of embezzlement, alleged to have been committed in Elko county, Nevada.

July 10, 1894—On Governor West of Utah, for the return of one Stewart Leeper, charged with the crime of assault with intent to kill, alleged to have been committed in Washoe county, Nevada.

October 9, 1894—On Governor Markham of California, for the return of one of Berton Gafford, charged with the crime of assault with intent to kill, alleged to have been committed in Washoe county, Nevada.

November 19, 1894—On Governor Hughes of Arizona, for the return of one John Byrnes and one John Norden, charged with the crime of grand larceny, alleged to have been committed in Lincoln county, Nevada.

#### EXTRADITION.

A demand for extradition of fugitives from justice was honored by the Executive Department as follows:

July 23, 1894—From Governor West of Utah, for the return of one Maitland Dunn and one Tom Morgan, charged with the crime of assault with intent to commit murder, alleged to have been committed at Warm Creek, Millard county, Utah.

#### REWARDS.

In pursuance of Section 4703, page 1045, of General Statutes of Nevada, the following rewards have been offered for apprehension of criminals during years 1893-94, viz:

September 6, 1893—\$200, for Walter L. Barth, who escaped from State Prison September 3, 1893—unpaid.

October 4, 1893—\$250, for Milton A. Sharpe, who escaped from State Prison August 15, 1889—paid.

#### MINES AND MINING.

The total abandonment of silver as money by the General Government has caused a further depression of our mining interests, and although the facts remain that the extent and value of our mines are beyond conjecture, and that a vast portion of our domain is known to contain veins and deposits of valuable ores, still the important industry of mining continues to languish. This is principally on

account of the depreciation of silver, which is, under the laws of Congress, denied its proper uses as money, and I fear there is but little hope of immediate relief. We must not, however, despair and give up, and abandon our mines and mining claims, for deliverance is sure to come, we hope, ere long. In the meantime let us husband our resources and reduce our personal expenses by strict economy in living. We all live too extravagantly. Then when relief does come, in the shape of free coinage of silver, cheaper transportation, the opening up of other mining and agricultural districts by the building of new railroads and the establishment of manufactories in our midst, we will be in a position to reap the reward which we have so justly earned by our patience during the season of deprivation and general depression. There is no questioning the range and worth of our mineral resources, and our mines will be profitably worked long after the present generation has passed away. Large capital heretofore engaged in the development of our mines has been temporarily withdrawn; facilities for transportation have not been improved or extended; all of which tends to bring about very dull times in our mining districts, but our citizens are brave, patient and persevering, and with their continued energy will in time bring about a more prosperous condition of affairs among our mining communities. I know of nothing the Legislature can do at the present time, in the way of enacting laws upon this subject, that will relieve the situation, and have not called your attention to the subject with that in view.

It is very gratifying to me to be able to note the discovery and partial development of valuable gold mines during the past year in Humboldt, Esmeralda and Lincoln counties. The mines at Kennedy, Humboldt county, and at Silver Star, Esmeralda county, have already been sufficiently developed to justify the belief that they are both rich and permanent. It is not at all improbable that the energy and perseverance of our hardy miners may prove Nevada to be a gold, as well as a silver-producing State.

#### THE PUBLIC SCHOOLS.

The excellence and efficiency of our public schools are noteworthy and speak well for Superintendent Ring and the teachers of the State. They are the great heritage of the age and upon them the future of Nevada depends.

Their welfare should never be neglected, for free schools and free people are terms now inseparably linked, and wherever schools are free, no matter under what form of government, the people are the masters of the situation, holding the reins of government in their hands. They are the people's schools and any legislation spreading their influence and usefulness will receive the hearty approval of all good citizens. I therefore earnestly advocate that the required school books should be supplied to the pupils free of cost, and ask that you immediately enact laws to that effect. No schools are absolutely free until their advantages are positively free—till the children of the poorest family in the State are placed on an equal footing with their more wealthy neighbors in this regard. Such legislation cannot fail to be productive of good results. It will of necessity increase the attendance of scholars, and this of itself would be of sufficient benefit to warrant any expenditure requisite to put the law into practical operation. Delaware reports most gratifying results after a three years' trial of the plan of providing free text books. The total amount disbursed in that State for the first year in supplying free school books amounted to but \$22,985, and since then the sum expended annually has been greatly diminished. Nevada with her magnificent permanent school fund should not hesitate a moment in thus extending the advantages of popular education. In my judgment such a law would not only be expedient but eminently wise. The law of 1893 requiring the examination papers for teachers' certificates to be prepared by the State Board has proven a wise and excellent provision and is a grand success. These examinations are now uniform throughout the State, and the fruits thereof are already apparent in the improved qualifications of the teachers.

#### THE STATE PRISON.

The report of Warden Bell shows a very satisfactory state of affairs at the Prison, with the exception of the lack of employment for the prisoners. He has kept within the appropriation; has a surplus of about two thousand dollars to return to the Treasury, and has already turned in about nineteen thousand dollars on account of United States prisoners and other items, as is shown in his financial statement. This is very gratifying. On December 1, 1893, there were ninety-four prisoners confined in the Prison, as



against seventy-seven on December 1, 1894. Of this number in 1893, sixty-nine were State and twenty-five were United States prisoners, and on December 1, 1894, there were seventy-three State and four United States prisoners. The falling off of United States prisoners is due to the fact that now they are committed to one of the County Jails, as it is claimed that they can be kept there at less expense to the Government. Under the law passed at the sixteenth session of the Legislature the services of a Deputy Warden are dispensed with, making a saving of about twenty-five hundred dollars a year; and, inasmuch as the number of prisoners has been greatly reduced, with no probability, it is to be hoped, of an immediate increase, I think the services of a prison physician could well be dispensed with, and the plan of calling one when needed, as is done at the Orphans' Home, be adopted. There are more inmates at the Home than at the Prison. The salary of the Prison physician is fifteen hundred dollars per annum. The reports of the Superintendent of the Orphans' Home show expenditures for physicians and medicines for the year 1891, \$208; for 1892, \$257; for 1893, \$116; for 1894, \$138. These figures are facts which cannot be successfully controverted. I submit that there can be no sound reason given for continuing the present system of compelling the taxpayers to pay \$20 per annum for each prisoner, in addition to the cost of their care and maintenance. As a health-giving institution the Nevada State Prison is remarkable, owing, probably, to the warm mineral springs within its grounds, in which the prisoners bathe freely. This, combined with wholesome food and work enough for exercise, preserves the health of the prisoners to a wonderful degree. It is seldom that there are men on the sick list, except at the meetings of the Board of Pardons, and then, as a rule, it is more imaginary than real. The problem of finding employment for the prisoners is a serious one. The best suggestion I can offer is that they prepare stone for the macadamization of roads, and that it be given to any county or district that will accept it. There is no reason why we should not have first-class roads for at least five miles in every direction leading from the Capital. It would be a good investment for the citizens of the counties, and a blessing to the prisoners. The supply of stone is practically inexhaustible, and it has proven to be most excellent material for road-building, evidenced by the road from



Carson to the Prison. This roadway has been covered with this stone, by prison labor, to the city limits, and thence to the main street by the City Trustees, the stone having been furnished by the Warden upon the order of the Commissioners, free of charge. It is dry and smooth at all times, while all other roads out of the city are generally deep mud in the winter season, and equally deep sand in the summer. During the past summer the Warden was requested to furnish a cut-stone fountain for the grounds at the University, and a similar one for the park in the town of Reno. Warden Bell submitted the proposition to the Board of Prison Commissioners, who decided unanimously that, as both were for the public use and benefit, and as it would furnish employment for the prisoners, it would be perfectly right to donate the stone, dressed and fitted, ready to be set up, which was done. I respectfully refer you to the Warden's report, which will furnish a complete statement of the management of the Prison during the past two years. On the third Wednesday in January, 1895, the Prison Commissioners will meet and elect a Warden, who will take office on the first day of February following. This is as it should be, and the Legislature will be spared the worry and contention of the contest, as well as the loss of a week's time, as has been the custom for years past in the election of a Warden. In conclusion, I would advise that the charge for keeping United States prisoners be reduced from one dollar to seventy-five cents per day. With a continuation of the present careful business management an appropriation of \$60,000 will be sufficient for all requirements during the next two years.

#### THE ORPHANS' HOME.

\* This is the one State institution of all others which appeals to the sympathies of the entire community, and therefore should receive the closest attention and most careful consideration. At the present time there are at the Home eighty-five inmates, forty-four boys and forty-one girls, all between the ages of two and seventeen years. While a feeling of sadness will come over one on visiting these fatherless and motherless children, their bright, cheerful appearance would indicate that they are really a very happy family. So thoroughly devoted are they to their papa and mamma, as they call Superintendent Grimmon and his wife, that it would seem almost cruel to deprive

them of their foster parents, to whom they have become so devotedly attached. Especially is this the case with those who have suffered the loss of both real parents. Full grown men must expect to suffer in consequence of political changes, and I sometimes think that those who engage in politics as a calling ought to, but if I were to be consulted in this matter I should certainly say spare these children by making no change in the management of the Orphans' Home. Such a course would, in my judgment, best subserve the interests of the State and of the children as well. The Governor is not a member of the Board of Orphans' Home Commissioners, and I desire to thank them for their kindness in offering me, at all times, every facility for investigating and consulting with them freely regarding the management of the Home. My knowledge, therefore, as to its conduct and requirements, is from personal observation. I trust that before the annual appropriation is decided upon a careful investigation will be made by a joint committee of your honorable bodies. The buildings are old and considerably out of repair, and it will be absolutely necessary to provide more room to accommodate even the present number of inmates, which, in all probability, will increase rather than diminish. Under ordinary conditions, such as prevail in most of the other States, it should not be the policy to enlarge or increase the accommodations in institutions of this kind, as they should be able to keep the number of their inmates down to a certain limit by providing homes for the children in families by apprenticing or adoption, but in our sparsely settled State such opportunities are very rare. These repairs and improvements should be commenced in the early spring, and about five thousand dollars will be required to complete the work. I presume it will also be necessary to increase the regular appropriation for the next two years in order to properly provide for the maintenance of the increased number of inmates.

The fact must always be borne in mind that the State, on the one hand, is bound to see that every one of its unfortunates is aided to the extent of supplying them with the reasonable necessities of life, and, on the other hand, it is the duty of all able-bodied persons so situated to do all in their power to supply their own wants, but these helpless children can do but little towards their own support. Therefore they must be cared for wholly by the State until old enough to help themselves. Certainly no fault can be

found with the State for what it has done and is now doing for them. Their education is being as carefully looked after as that of our public school children, and in connection therewith their manners and deportment are receiving special attention at the hands of their teacher, Miss Summerfield, a most excellent instructor and an accomplished woman. At present there are seventy-five scholars in her room. This is more than any one teacher can take care of and do justice to her pupils and to herself, and an assistant teacher is now a necessity.

The law requiring the Board to advertise for bids for furnishing groceries, meats, etc., every six months should be changed so that these contracts can be made annually, as in the case of the State Prison, and of the Asylum at Reno. Merchants will bid lower on a year's business than they will on supplies for six months, and in order to prevent a combination the word "shall" in the present law, ("the Board *shall* advertise,") should be changed to "may," the same as that in the law governing the Prison Board.

I have given you my views freely, but I trust that you will make a thorough examination for yourselves regardless of my opinion and thereafter give this subject your early and earnest attention.

#### THE STATE UNIVERSITY.

So strong is the appeal that comes to you from our University this year for more substantial aid and support that it will be a difficult matter to resist it. The increase in attendance of students from one hundred and seventy-three to two hundred and thirty, during the term just passed, is remarkable. The gradual advancement of scholarship, the manifestations of confidence and interest, and the universal impression throughout the State, as well as abroad, that the University is in a prosperous and progressive condition will serve to impress upon your minds the fact that this is a favorable opportunity for a strenuous effort on the part of all interested to secure for the University increased power and a broader field for usefulness in the future. The college is well equipped for teaching all who apply for admission and while it purposes to receive and care for all, as a matter of fact it can only furnish rooms for a very small percentage of those now enrolled.

At the close of the spring term of the year 1894 President Jones tendered his resignation. After a very careful

investigation regarding the qualifications of the various applicants, the Board of Regents finally succeeded in securing the services of one, who, however, was not an applicant for the place, Dr. J. E. Stubbs, a very eminent educator from the State of Ohio. Since the inauguration of President Stubbs the renewed interest taken and the improvement made in all the departments have been very marked. All the former Presidents are able educators, but the new head of the University in addition to his high educational attainments possesses the very essential qualifications which heretofore have been lacking, that of a high order of executive ability and remarkable energy and perseverance. These qualities necessarily quicken the pulse and stimulate the nerves of all from faculty to freshman. A very important change has recently been made which materially reduces the cost of living for the students, since which time the demand for board and rooms on the grounds exceeds by far the capacity of both dining-room and dormitory, and in order to accommodate those already in attendance and others who will surely apply, more room is an absolute necessity. It is not necessary for me to enter into details, but simply to call your attention to the able and exhaustive report and recommendations of the President and the Board of Regents, which explain the situation fully. I bespeak for this report the careful consideration it deserves and if the demands therein contained seem just and reasonable I trust such action will be taken as will place the University, the pride of our State, upon a plane of usefulness befitting an institution of its character. What a grand opportunity is here afforded to some of the multimillionaires, who have graduated from our State, to assist our boys and girls who are struggling so hard to secure an education. Five thousand dollars would take seven students through the entire four years course. Think of it.

#### STATE MINING LABORATORY.

The cost of maintaining the State Mining Laboratory for the free analysis of soils, minerals, ores and waters amounts to about \$3,000 per annum, for which, in my judgment, no adequate equivalent is received in return by the people. I referred to this matter in my message to the last Legislature, as follows:

By an Act of the Legislature, approved March 14, 1891, the Regents of the State University were authorized and instructed to erect a building to be used as a laboratory, for the purpose of analyzing ores, minerals,



soils and waters free of charge to the citizens of the State, for the construction and equipment of which an appropriation of \$8,000 was made. The Board has performed this duty in a very satisfactory manner, by the erection of a handsome and commodious three-story brick building, and thoroughly equipped it with all necessary appliances for the work required, and all within the appropriation. Professor R. D. Jackson, Professor of Mining and Metallurgy of the State University, was appointed Principal. A careful perusal of his report will probably enable you to form an opinion as to the wisdom and advisability of appropriating money for the purpose of carrying out the work, as contemplated by the adoption of this measure. The building itself is a splendid addition to the University group, and the rooms and equipments could now scarcely be dispensed with in connection with University laboratory work, but I am free to admit that its success for the purposes for which it was erected is, to say the least, problematical. Not because of any fault of the building, its equipment, or the Principal, for all are first-class in every respect, but because of the doubt and uncertainty as to whether it has been, or is likely to be, of any material benefit to the people of the State. There is thus far so little evidence of its utility or beneficial results derived, that I cannot consistently recommend any appropriation for its support as a State laboratory.

Since then I have not only discovered nothing which would change my opinion as then expressed, but I am more fully convinced that this building with its contents should be turned over to the University proper, not only as a matter of economy, but it would give more room and better facilities for conducting the laboratory work of the University. This work is of the same general character and, if deemed advisable, certain samples from individuals could be received and the pupils required to analyze the same in the regular course of their school work.

#### THE ASYLUM FOR THE INSANE.

Perhaps the most unerring gauge of the advanced civilization of a State is the adequacy of its provisions for the care of its indigent and insane. Measured by this standard Nevada will not suffer in comparison with other States, and I am sure that when your committee visit this institution their report will bear out this statement. The buildings, furniture, grounds, farm and machinery are all in first-class condition, and there is nothing which will require any unusual outlay during the next two years. The management during the past term has been a continuation of that of the preceding one, careful, economical and conservative. There are more inmates than ever before, there being one hundred and ninety-one. Constant improvements have been carried on during the two years in the way of repairs, refurnishing, painting, etc., and notwithstanding this, about ten thousand dollars of the amount appropriated for its support remain unexpended and will revert to the treasury. An appropriation of seventy thousand dollars

for the next two years will be ample for all its requirements. This is fifteen thousand dollars less than the amount usually allowed. A continuation of the application of strict business principles, together with increased products from the farm, will still further reduce the cost to the State of maintaining the Asylum. The farm, comprising something over two hundred acres, together with about thirty acres of leased land, has now all been brought under a high state of cultivation, and within the next two years will produce all the fruit and vegetables required, with a surplus of hay and potatoes. A great saving has been made by the fattening of our own beef and doing our own slaughtering, in place of contracting for meat supplies. Most of the pork, ham, bacon, poultry, eggs, butter, and all the milk are produced on the farm, the results of the labor of the inmates. It appears to me that with the ample supply of water for irrigation purposes owned by the State, and the raising of such crops as are suited to the wants of the patients, this farm ought, in a year or two more, to support two hundred patients with an appropriation of thirty thousand dollars a year, which would be twelve and one-half dollars per month for each inmate. This would compare very favorably with the cost of conducting similar institutions in other States. I would, however, oppose any reduction of the appropriation below such an amount as would be necessary to keep the buildings in thorough repair at all times and to provide all needed furnishings and supplies. All things considered, it may be truthfully asserted that Nevada's Asylum for the Insane, situated as it is on the banks of the Truckee river, with its model farm, fine orchard, beautiful buildings and grounds, is one of the best appointed and best conducted institutions of the kind in the country. The Superintendent's report, not yet at hand, will furnish you all facts, figures and recommendations in detail.

#### THE STATE LIBRARY.

By an Act of the Legislature, approved February 20, 1893, the Secretary of State is made *ex officio* State Librarian on and after the Tuesday following the first Monday in January, 1895. It will be incumbent upon you, gentlemen, at this session, to provide for the proper care of and the attendance upon the Library, for it will be quite impossible for the Secretary of State to personally perform

the duties demanded of the Librarian. The Library has become one of the most beneficial branches of our public service, and one of great value and importance, containing as it does over thirty thousand volumes, about two thousand of which are miscellaneous. The Law Department is of rare value to the legal fraternity, many lawyers coming from all parts of the State and frequently from as far as San Francisco to consult its references, so complete is this section in every detail. The large addition of miscellaneous reading matter has rendered it extremely serviceable to the general reading public, so much so that, in my judgment, it would be well to employ two clerks, which could be done at but little expense, and open this Library from nine o'clock A. M. until ten o'clock P. M., daily. The public also should be allowed the privilege of taking out books of the miscellaneous kind by the payment of a trifling sum monthly, say enough to cover cost of wear and tear. This, of course, should be done under the sole supervision of the Secretary of State. Under the present law all State officers have the right to take out books either in person or upon their orders. This, I think, should be changed so as to give the Librarian absolute control of the issuance of all books, as the law holds him responsible as custodian. I am informed that there is but one copy of the full proceedings of the first Constitutional Convention of Nevada now in existence. I would suggest that this book be purchased for the Library at once as it can probably be secured for a trifling sum, and will be of great value to future generations.

The management of the State Library during the past four years by Lieutenant-Governor Poujade has been most excellent. He has re-arranged the entire library, added new shelving, classified the books and prepared a complete catalogue of all the volumes, so that any book called for can be produced at a moment's notice.

#### STATE BOARD OF AGRICULTURE.

I ask a close examination at your hands of the very complete financial statement and general report of the President and Secretary of the State Board of Agriculture. In connection with this report will be found a brief history of the organization and management of Nevada's exhibit at the California Midwinter International Exposition. The Board undertook this work at a time when the Legislature was not in session and there were no funds available for

the purpose. Notwithstanding this they succeeded by their energy and tenacity of purpose in placing before the million visitors at that exhibition one of the very best general displays to be seen on the grounds. The funds for the purpose were raised by private subscription with the understanding and expectation that the citizens so contributing would be reimbursed by the State, and I hereby recommend that an appropriation be made sufficient to cover the cost of this exhibit, as I am fully convinced the State could in no other manner have so thoroughly advertised its resources and products for so small an outlay. Much credit is due to the officers and members of the Board, who, in conjunction with many enterprising and public-spirited citizens throughout the State, not only contributed liberally themselves, but spent much time and money in securing exhibits and in raising funds. The State Board of Immigration also rendered splendid service by their efforts in preparing and issuing ten thousand copies of "Nevada and Her Resources." This work attracted much attention, and still many requests are constantly being received for copies from all parts of the United States and Canada. The Board were fortunate in securing the services of J. A. Yerington, our Commissioner at the World's Columbian Exposition, in whose hands the erection of the building, the arrangement and the carrying out of the exhibit was placed. Through his able management, with the help of his assistants, the final success of the undertaking was largely due. On account of the extra work in connection with this Fair, as well as a lack of funds, the State Board of Agriculture decided to postpone the holding of the State Fair until this year, which, all things being considered, was a very wise determination. This fall the Society will take hold with renewed interest, and I trust they will receive at your hands such consideration as you may deem wise and expedient.

#### STATE BOARD OF HEALTH.

Under an Act approved March 6, 1893, the Legislature created a State Board of Health. I immediately appointed S. L. Lee, M. D., of Carson City, J. J. Henderson, M. D., of Elko, and J. A. Lewis, M. D., of Reno, to constitute said Board, and called a meeting at Carson City for March 25, 1893. On said date the gentlemen appointed met and organized with S. L. Lee, M. D., as President, and J. A. Lewis, M. D., as Secretary. The Board was designed to



secure greater order and unity in all efforts in the interest of the public health of the State. Heretofore such matters were performed by various persons and only attended to as occasion demanded or convenience permitted. Such nuisances as have been reported to the Board, and considered by them prejudicial to the health of the vicinity where located, have been promptly abated. The work done by this department is most praiseworthy, and already has fully justified the wisdom of the Board's establishment. Matters relating to the health of the State are of public concern, and the gentlemen comprising the Board are eminent in their profession. I therefore earnestly invite your attention to their report and its recommendations.

It is not probable that the State Board will be called upon to act except in cases of epidemic or great public danger to the health of the State, or where a quarantine would be required. An appropriation, however, sufficient to meet contingencies of this character, should be placed at their bidding.

It might be wise for you, gentlemen, to consider the advisability of extending the powers of the Board to the restriction and prevention of contagious and infectious diseases among domestic animals. State Boards of Health in many of the States and Territories have the care of such matters. It is a subject at least well worthy of your investigation.

#### BOARD OF PARDONS.

The work performed by the Board of Pardons, composed of Chief Justice M. A. Murphy, Associate Justices R. R. Bigelow and C. H. Belknap, Attorney-General J. D. Torreyson and the Governor, for the years 1893-4, appears in the appendix. I think it will commend itself to your careful judgment, and to that of the general public, as discreet and considerate, when I inform you that in each instance a thorough and conscientious investigation was made. The Board in no case limited their labors. Not only were the documents filed with the Board examined, but the statement of the District Attorney, approved by the presiding Judge, and a copy of the evidence, were read. The work at all times is trying, and the Board have been honest and painstaking in their labors. No effort has been made to build up a record by refusing pardons which should have been granted, and I feel satisfied that after

due deliberation fair and unbiased conclusions have been uniformly reached.

It is almost a universal practice in these United States for the Secretary of the pardoning board in his record of the transactions of the board to concisely note the grounds upon which the action taken, whether favorable or unfavorable, was based. This in time would make a valuable book of reference, filled with precedents for the use of future boards. I recommend that the Legislature amend the present law in conformity therewith, and that the Governor be required to publish said reasons in his message in connection with the report of the Board's work.

#### THE STATE MILITIA.

A State without a well equipped and well regulated militia would be as helpless, in case of an emergency requiring military interference, as a ship without a rudder. This is evidenced by the fact that during the past year so many States of the American Union were compelled to call out their militia for the enforcement of their laws and the protection of property. Nevada was exceptionally fortunate in this respect, having passed through the great railroad strike without a call for the militia, the destruction of property worth mentioning, or the expenditure of a dollar, for which, no matter what the cause, our people should be exceedingly thankful. We may not be as fortunate next time, but if they should be called upon I believe our officers and men will be found well prepared and willing to obey orders promptly. If I thought otherwise I would advise that the State militia be immediately disorganized. In compliance with the Act of the Legislature of 1893 making it the duty of the Commander-in-Chief to order out the organized militia each year, or each alternate year, for the purpose of military drill in camp, a biennial encampment was held during the last days of August, 1894. About twenty-five hundred dollars of the appropriation of six thousand dollars for that purpose remain unexpended, and will revert to the State Treasury. I respectfully refer you to the very full reports and recommendations of Adjutant-General Poujade and Colonel Lord, whose enthusiasm in military matters is only excelled by their ability in that line, as a guide for your action in providing for the support of the Nevada National Guard for the next two years. An appropriation sufficient to continue the several companies in their

present efficient condition will meet with the approval of all people who revere the dignity of the commonwealth.

#### THE FISH INDUSTRY.

Our State Fish Commissioner, George T. Mills, furnishes a very comprehensive report, covering the work of his department for the two years ending January 1, 1895. Among the most important, and certainly most gratifying, statements therein contained is the fact that the practice of dumping sawdust in the Truckee river by the sawmills, near the headquarters of the stream in the State of California, has finally been stopped. The propagation of fish under the present management has proven a great success. Under the intelligent care of Commissioner Mills many thousands of young fish have been distributed and our streams are well stocked with food fish. The importance and value to the whole people of this service of distributing and in protecting the fish in our waters fully justifies the outlay. The recommendations of the Commissioner should receive due consideration.

#### THE WEATHER SERVICE.

The very exhaustive and able report of C. W. Friend, Director of the Weather Service, will be placed before you, and will, I think, be found to contain matters of interest to all classes. Many requests come for these reports from parties interested, both at home and abroad, and valuable exchanges have been made through them with other States. The salary of this officer is \$600 per annum, and the cost of instruments about \$100. In my judgment the service should be continued. I would suggest that you require the officer in charge to display weather signals, more especially those foretelling storms. I am told this can be done without additional expense. Director Friend, I understand, is now in correspondence with the Weather Service Bureau at Washington, D. C., with reference to securing a renewal of the regular daily telegraphic weather reports.

#### THE DEAF, DUMB AND BLIND.

There are at this writing four Nevada students in Professor Wilkinson's college for the deaf, dumb and blind at Oakland, California. The regular tuition for each being \$300 per annum, added to this is the cost of transportation,



support during vacation, and medical attendance, making the total outlay about \$360 each, or about \$1,500 a year for all. It will therefore be necessary to appropriate \$3,000 for the education and support of these wards of the State for the next two years. During the past year one of our students at this institution, Miss Mary Walsh, a very worthy young lady, died just before graduating. She had been in the institution about eight years, at a cost to the State of nearly \$3,000.

#### THE ENFRANCHISEMENT OF WOMAN.

This question of woman suffrage is one of great importance and will doubtless claim your attention, for discussion at least, without any suggestion from me. However, it may not be out of place for me to briefly state my position. I have always held that the principle was correct, and the slow progress toward its achievement, I believe, was, and is largely due to the unpopularity of some of its earlier leading advocates, but, as these boisterous, noisy and unreasonable extremists gradually retire from the field, the thinking, reasoning and, not a few conservative, members of society are advancing to the fore, until it is now no longer problematical, but a certainty, that American women will ere long become voters. My views upon this subject extend beyond the mere granting of the privilege, as I regard it the *duty*, as well as the right, of all intelligent American citizens, both male and female, not only to advise, but to act directly in all matters pertaining to the management of governmental affairs. It is urged by many that Nevada should formulate and adopt a new constitution, in which event the right of suffrage should be restricted to those of both sexes of lawful age who can read, write and speak the English language sufficiently to enable them to be understood, so that they will be the better able to deposit their ballots with some degree of intelligence. I have no doubt but that a majority of the women of the country desire the privilege of voting, but I do not believe that they are prepared to assume all the responsibilities that full citizenship implies. The full right would entail jury and military duty, and, after having secured the right to vote, if they should decline to exercise that right there might be danger, as the result of such declination, of augmenting a class of voters already too large, who are neither honest, intelligent nor independent in their use of the ballot. It



cannot be denied but that the ignorant, idle, vicious, non-tax-paying class, both native and foreign born, comprise the men who never lose an opportunity of voting under our present system, and to add to this the female voters of the same class, although much smaller, might be a dangerous experiment, unless we could have some assurance that it would be counteracted by a sufficiently large vote from the better element.

However, I know of no better way of testing the question than by giving them the opportunity and awaiting results. If not satisfactory, surely the good, patriotic women of the country can be depended upon to come to the rescue and correct such evils as may arise from the change. It is remarkable that, with all the articles which have been written upon this momentous subject of late, no allusion has been made to the noticeable fact that in the year 1869 the Nevada Legislature passed a resolution amending the Constitution by striking out the word *male*, which was, in effect, the enfranchisement of women. The vote in the Assembly stood twenty-six for, and thirteen against; in the Senate the action taken was recorded in its journal as, "Adopted." Upon the occasion of its passage in the Assembly, Hon. C. J. Hillyer delivered one of the most eloquent, thorough and argumentative speeches ever made upon any question in the Nevada Legislature. It is a gem in every line, not only as bearing upon the subject of woman suffrage but with equal force upon all questions concerning our political system, and, although delivered twenty-five years ago, it is perhaps more applicable to our present condition than at the time of its delivery. This speech can be found in full in the Assembly Journal of the Fourth Session.

#### UNIVERSITY REGENTS.

Your attention is respectfully called to the decision of our Supreme Court in the case of Mack vs. Torreyson, page 517, 21 Nevada Reports. Under this decision it appears to be an open question as to whether the Board of Regents of our State University will consist of three or five members after January 1, 1895, and whether the Governor and Attorney-General will be *ex officio* members of that Board. The judgment of the Court in ousting Torreyson does not appear to reach this question. The opinion reads: "As to whether the persons who shall be elected Governor and Attorney-General at the general election to be held in the

month of November, 1894, will be entitled to act as Regent of the State University, it is unnecessary for us to decide. All that we are called upon to decide is whether the respondent (Torreyson) is legally entitled to discharge the duties of Regent at this time, and we say he is not." The position of Regent is one of great importance and responsibility, and it is to be regretted that the decision of the honorable court could not have covered the whole subject matter involved, though of course they were not called upon to do so. As the matter now stands it is in a state of uncertainty, and must so remain unless the Legislature can discover some method of adjusting it. I regard it of sufficient importance to merit your early attention, and if you can see no way in which the law of 1891, making the Governor and Attorney-General members, can be rendered effectual, I would most certainly advise its repeal. In my judgment, though, it would be for the best interests of the University if these officers were made permanent members of the Board, for the reasons: first, that the Governor is held responsible to a greater extent than any other officer for the efficient management of all State institutions, and therefore should have at least an advisory authority over all; and, second, both officers are presumed to be men of education and business training. Again, having their residence under the law at the Capital, they are at all times near at hand to attend the meetings of the Board, whereas one member now lives in the eastern part of the State, and his presence can only be procured after some delay and considerable expense, and the other new member is engaged much of his time in San Francisco, making it difficult to get a quorum for business, especially if required at short notice.

#### GOOD ROADS.

Too little attention is being paid to good roads, their construction and maintenance, in this country, and Nevada, despite her favorable conditions for good natural roads, is as backward in the matter of road building as her sister States. With great wisdom it has been said: "A country is known by the condition of its roads." All must unite in this and in the admission that not only are good country roads matters of great public convenience, but they are truly matters of the shrewdest economy in every community. A systematic agitation for the betterment of

American highways has been going on in the Eastern States for some time, and already practical and beneficial results have followed. The movement should be encouraged. America is lamentably behind the age in this matter. Every country in the Old World has far better roads than any one of our States possesses. I invite your attention, gentlemen, to this subject, and sincerely hope you will endeavor to bring about some legislation that will result in the improvement of our roads at home. Well-built roads go far toward improving a State. True, money must be expended in their construction, but I know of no investment of public funds that will, in the long run, prove more profitable. Good roads are the most hearty invitations that can be extended to induce immigration. Again, national legislation should be advocated for the construction and maintenance of a system of good inter-State roads. The Federal Government appropriates money to improve harbors and make rivers navigable for the development of commerce, why not exercise that right in the construction of an inter-State road system, and perhaps include the building of a great highway traversing the entire continent. A memorial to Congress on this subject would give impetus to the movement for needed reformation in this line and would receive the endorsement of every good citizen.

#### DENTISTRY AND PHARMACY.

Nevada and Idaho, I am informed, are the only States in the Union which have not on their statute books a law regulating the practice of dentistry. A State Dental Association has been duly organized, and it is the intention of its members to present to you an Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State. The medical profession have secured wise precautionary measures for their protection, and it is but proper that the dentists should be equally as well guarded from the inroads of quack practitioners. This statute should create a State Board of Dental Examiners, require an immediate registration of all practicing dentists in the State, limit the practice of the profession to such persons as shall hold a diploma from the faculty of some reputable dental college, compel persons who do not hold such credentials to appear before said Board for examination as to their knowledge and skill in

dental surgery, and if found to possess the requisite qualifications a license to practice in the State should issue. It is a profession in which mistakes and errors through the ignorance of persons who act as dentists are often fraught with fatal consequences, and the public as well as the profession should be protected from these charlatans. Such legislation cannot fail of standing well in the opinion of the public; it will entail no expense to the State, and it affords me pleasure to recommend it.

What has been said on the subject of dentistry applies with equal force to that of pharmacy, and while I am of record that all sinecures in existing offices and departments should be abolished and that new offices and commissions should be created only when the people's welfare urgently demands it, yet I am convinced that a State Board of Dental Examiners and a State Commission of Pharmacy would prove of great value to those interested and to the State, and can be created without an expenditure of State funds.

#### THE NICARAGUA CANAL.

The Legislatures of the State of Nevada, fifteenth and sixteenth sessions, passed joint resolutions requesting the earnest support of our Senators in Congress and our Member in the House of Representatives for the bill pending in Congress for the construction by Government aid of the Nicaragua canal. This project is at present the most important enterprise demanding the attention of the world. Its completion under Government control will give us a standing in the commercial world far greater than that now held by any nation. No real civilization can exist without transportation facilities. To maintain business relations with our neighbors, transportation is a necessity, and upon its extension rests the success of America's growth and development. As the arms of commerce stretch forth, civilization at once takes up her march in their direction, and substantial progress follows. The Nicaragua canal, when finished, will practically make our coast line continuous from Alaska to Maine. It will give us absolute commercial and political independence; it will shorten the distance between San Francisco and New York nearly ten thousand miles; it will greatly increase the development of the varied and inexhaustible resources of the Pacific Coast, and it cannot fail of benefiting Nevada by bringing about a wholesome competition with the present transcontinental



railways. It would also afford greater protection to our country in time of war. I cannot too strongly urge upon you, gentlemen, to again memorialize Congress on this subject, importuning our Senators and Representative to support and vote for the bill now pending and under discussion providing for the use of the credit of the United States in the construction of what will eventually be the most important commercial waterway in the world.

#### LEGISLATIVE SERVICE.

I deem it my duty to direct your attention to the fact that a large number of inaccuracies, notably misspellings and omissions of words, occurred in the enrollment of laws during the last session of the Legislature. There is no authority vested in any one for the correction of these mistakes and, as the enrolled laws are bound after the adjournment of each session, they remain a standing criticism of the inefficiency of the Legislative service. You should, by joint resolution or by statute, empower the Secretary of State to correct all misspelled words. Serious omissions occur in the Senate Journal of the last Legislature; in fact, as a record of the transactions of the Senate it is almost worthless. On the final passage of bills the yeas and nays are not recorded in several instances. No entry was made of the veto messages or of the actions taken thereon. Joint Resolution No. 4, appears on page 208 as laid upon the table, and the next and final record of it is on page 214 as reported correctly enrolled and delivered to the Governor. Assembly Bill No. 77, an Act reducing the salaries of the deputy officers, is reported in the Journal of the House as correctly enrolled and having been delivered to the Governor. Notwithstanding this record, the facts are to the contrary. The proof is direct and positive that Assembly Bill No. 77 was never enrolled.

I feel assured that it is only necessary to call your attention to these matters to enable you to adopt a method as will make a recurrence of them impossible in the future.

#### ADVERTISING.

Our statutes require that all supplies for the State Capitol, Printing Office, and for all other State institutions, be furnished under contract by the lowest responsible bidder. This is just and proper, but in advertising for bids for the furnishing of these supplies, I find the officers have no voice

in fixing the rate for such publication. This has been fixed by statute, approved March 1, 1881, Section 4994, General Statutes of Nevada, and reads as follows: "SECTION 1. For all advertising required or ordered by the State of Nevada the State shall pay for each square of ten lines, nonpareil measurement, the sum of two dollars and fifty cents (\$2 50) for the first insertion, and one dollar (\$1) for each subsequent insertion, an insertion being held to be one publication per week." This law was passed nearly fifteen years ago, when the cost of everything was much higher than now, and is manifestly unjust and should be repealed. The State pays \$10 for one insertion each month for advertising the official money count of the treasury. Any one of our newspaper publishers, I am informed, is willing to do the work for half that amount, and would do so, were it not for the fact that he is justified in taking all the law allows, for the law reads he *shall* have it.

#### THE COLUMBIAN EXPOSITION.

You will receive a copy of the carefully prepared report of our Commissioners at the Chicago Exposition, giving a detailed statement of their work in connection with Nevada's exhibit. It will prove interesting reading. Those of our citizens who were privileged to look upon this wonderful display of the world's treasures and resources must have felt a keen sense of pride and gratification at the representation made by our State. Considering the very limited time, thirty days, allowed for collecting and shipping the exhibit, and the more limited means at their command, ten thousand dollars, it was, beyond question, one of the very best. After a careful examination of this report and a review of the work of our World's Fair Commissioners, I am convinced that they performed their onerous duties with exceptional ability and judgment, and in so doing honored themselves and the State. Their action in selecting their Commissioner-in-Chief was especially commendable, as his affability, coupled with his many other distinguishing traits, secured for Nevada a powerful influence among the higher officials and eminent gentlemen connected with the enterprise. As a result of this undertaking the people of Nevada are the recipients of thirty-three awards, chief among these are those for honey, grains and native grasses, apples and pears, flour, borax, soda, mineral salts and soda.

## CONSTITUTIONAL AMENDMENTS.

Your honorable body will be called upon to take action on two proposed amendments to the Constitution of the State, to wit: Concurrent resolutions Nos. XII. and XIII., relative to criminal prosecutions by information after examination and commitment by a magistrate, and to granting the Legislature the right to authorize a lottery company.

The former is a necessary amendment, supplying a long-felt want, and should receive your sanction, being a great improvement upon our present system in the way of expediting matters in the trial of criminal cases.

With regard to the latter I know of no language too strong to be used in its condemnation. In justice to all no man or set of men should be granted exclusive privileges, and especially those that tend to lower the moral and intellectual character of mankind. It is only necessary for me to call your attention to the fact that a similar amendment was submitted to the people of the State at a special election, involving great expense, and it was overwhelmingly defeated. I trust this time it will receive the rebuke it merits at your hands.

## OFFICIAL REPORTS.

The official reports for the years 1893 and 1894, relating to the various institutions under the care of the State, together with the reports of the different officers, boards and commissioners, will be presented for your investigation and consideration. Many of them relate to matters that will require legislative action, and the information and recommendations contained in all should have your attentive examination, notably the excellent reports of the Secretary, Treasurer and Controller of the State, as they deal with the finances of the State and its needs for the next two years. But few of these reports have been presented in time for my inspection, and they will doubtless contain matters not treated in this message. However, I have endeavored to invite your attention to all important subjects, and to lay before you all the facts and information in my possession.

## IN MEMORIAM.

I have heretofore given to the people appropriate notice by public proclamation of the death of State Treasurer



John F. Egan on Saturday, the 14th day of April, A. D. 1894, at Carson City. Besides his work in the important department of which he was at the head at the time of his death, he served the people in the Legislature of the State. To all his labors in the discharge of his duties he brought honesty, faithfulness, determination and ability commensurate with his intellectual powers. In his death the community lost a good citizen and the State a conscientious servant.

#### CONCLUSION.

With this message I sever my official connection with the State, and I desire to express my hearty and sincere appreciation of the honest endeavors and uniform courtesy on the part of all the officers and attaches connected with the State Government, and to thank them for their able support and co-operation during the four years of my association with them. In the discharge of the duties of their offices they have been eminently faithful and are entitled to the thanks of all who regard as virtues, honesty and fidelity in the public service.

Notwithstanding the depression of business throughout the country our people are enjoying a fair degree of prosperity and excellent health. The crops in the agricultural districts have been good, absolute destitution and suffering have been unknown, and, while adapting ourselves to present conditions, we are awaiting with abiding hope and unbounded faith the adjustment of that all-important matter to us, the silver question.

I have endeavored briefly to direct your attention to the principal subjects of importance with which you will have to deal; the financial condition of the State, its institutions and industries, all of which, save mining, are in a prosperous and healthy condition. I trust it may be of service in enabling you to more readily ascertain what legislation is necessary, knowing that the people of the State confidently rely upon your wise discretion and your conscientious desire to faithfully serve them.

ROSWELL K. COLCORD,  
Governor.



## APPENDIX.

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7-c

PARDONED AND RESTORED TO CITIZENSHIP BEFORE EXPIRATION OF SENTENCE.

Name.	Crime.	County Sent From.	Sentence.	Date of Imprisonment.	Date of Pardon.
John G. Johnston	Manslaughter	Lander	10 years	January 12, 1887	January 9, 1893
John H. Reddy	Grand larceny	Storey	2 years	May 26, 1892	January 9, 1893
Jack Higgins	Burglary	Ormsby	3 years	June 17, 1891	January 10, 1893
Frank Butler	Attempt to poison	Douglas	20 years	May 22, 1880	January 10, 1893
Ah Chuey	Murder first degree	Washoe	Life	May 10, 1879	January 11, 1893
Nicholas Curnow	Assault with intent to kill	Eureka	6 years	March 18, 1890	July 11, 1893
Tootsy (Piute Indian)	Grand larceny	Esmeralda	3 years	November 7, 1891	July 11, 1893
M. F. Wyatt	Murder second degree	Humboldt	Life	November 15, 1885	July 12, 1893
T. F. Keith	Murder second degree	Esmeralda	Life	June 4, 1885	January 8, 1894
Jimmie Shaw (Indian)	Murder second degree	Humboldt	20 years	November 17, 1889	January 9, 1894
M. A. Sharpe	Highway robbery	Esmeralda	20 years	November 12, 1880	July 10, 1894
George Lewis	Murder second degree	Elko	Life	February 22, 1888	November 8, 1894

RESTORED TO CITIZENSHIP AFTER EXPIRATION OF TERM OF SENTENCE.

Daniel Francis	Assault with intent to commit robbery	Elko	14 years	March 2, 1883	January 4, 1893
O. B. Nay	Assault with intent to commit robbery	Elko	14 years	March 2, 1883	January 4, 1893
Frank Hawley	Assault with intent to commit robbery	Elko	14 years	March 2, 1883	January 4, 1893
Robert Gray	Assault with intent to kill	Elko	8 years	January 30, 1887	January 10, 1893
J. F. Espenozzi	Grand larceny	Lander	6 years	May 27, 1888	January 10, 1893
William McWilliams	Grand larceny	Washoe	1½ years	November 18, 1891	January 10, 1893
A. G. Leddy	Burglary	Elko	1½ years	January 10, 1892	July 11, 1893
Silas Alguire, alias Meyers	Manslaughter	Elko	10 years	February 4, 1886	July 11, 1893
R. Quigley	Burglary	Washoe	3 years	May 8, 1891	January 10, 1894
W. H. Morrison	Forgery	Humboldt	2½ years	April 21, 1892	May 5, 1894

Arthur D. Leonard.....	Embezzlement.....	Ormsby .....	3 years .....	January 20, 1892.....	July 9, 1894
James Koffer.....	Grand larceny .....	Humboldt .....	2½ years .....	April 21, 1892.....	July 9, 1894
William Thomas.....	Incest .....	Storey .....	10 years .....	September 4, 1893.....	October 4, 1894
William Pierce.....	Murder in the second degree..	Ormsby .....	20 years .....	November 25, 1879.....	October 17, 1894

#### DENIED RESTORATION TO CITIZENSHIP.

James E. Powers.....	Forgery .....	Storey .....	2 years .....	October 8, 1891.....	July 11, 1893
Wm. Butcher.....	Selling whisky to Indians.....	White Pine.....	9 months.....	November 19, 1892.....	July 12, 1893
A. J. Ramos.....	Cruelty to animals.....	Eureka .....	1 year .....	January 1, 1893.....	January 9, 1894