

**APPENDIX**  
**TO**  
**JOURNALS OF SENATE AND ASSEMBLY,**  
**OF THE**  
**NINTH SESSION**  
**OF THE**  
**LEGISLATURE OF THE STATE OF NEVADA.**



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FOURTH BIENNIAL MESSAGE

OF

GOVERNOR L. R. BRADLEY

OF THE

STATE OF NEVADA.

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# BIENNIAL MESSAGE

OF

## GOVERNOR L. R. BRADLEY.

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STATE OF NEVADA, EXECUTIVE DEPARTMENT,  
CARSON CITY, January 6, 1879. }

TO THE LEGISLATURE OF THE STATE OF NEVADA:

*Gentlemen of the Senate and Assembly:* In presenting my fourth and last Biennial Message to the Legislature, I shall communicate to you the condition of the State and the history of my administration for the last two years.

To my successor, Gov. Kinkead, I willingly defer the recommendation of such measures as in his judgment will conduce to the general welfare and prosperity of the people.

### THE BONDED DEBT.

At the time of my first inauguration, I found a Bonded State Debt of five hundred thousand dollars (\$500,000), drawing fifteen per cent. interest per annum, then nearly due, the payment of which was not only unprovided for, but the State Treasury had been nearly depleted, through the defalcation of the State Treasurer, and a large amount of claims against the State, aggregating over two hundred thousand dollars, were floated about the street, worth what the necessities of the holder forced him to accept.

To remedy this unfortunate condition of affairs, a law was passed, and approved February 27, 1871, authorizing the State to borrow the sum of two hundred and eighty thousand dollars (\$280,000), and issue bonds therefor payable in ten years, and drawing interest, not exceeding ten (10) per cent. per annum.

By this authority, the State negotiated a loan of one hundred and sixty thousand dollars (\$160,000), on the first day of April, 1871, bearing ten per cent. interest per annum, and payable in ten years.

On March 1, 1872, an additional loan was made of one hundred and twenty thousand dollars (\$120,000), bearing nine and one-half ( $9\frac{1}{2}$ ) per cent. interest per annum, and payable in ten years.

By authority of an Act of the Legislature, approved January 28, 1875, there was purchased and canceled State bonds representing one hundred and nineteen thousand and six hundred dollars (\$119,600).

There have been purchased at different times one hundred thousand dollars (\$100,000) of United States Bonds, and fifty thousand dollars (\$50,000) of California State Bonds, both bearing six (6) per cent. interest per annum, for the use and benefit of the State Interest and Sinking Fund.

This extinguishes the State Debt proper, except the sum of ten thousand four and hundred dollars (\$10,400), the payment of which is fully provided for by present laws.

#### THE TERRITORIAL DEBT. .

By a law approved February 27, 1871, the State was authorized to borrow the sum of three hundred and eighty thousand dollars (\$380,000), to be known as the Territorial Debt. This loan was negotiated on March 1, 1872, and bonds issued according to law, running fifteen years, and bearing nine and one-half ( $9\frac{1}{2}$ ) per cent. interest per annum. For the payment of this debt, there has been purchased, at different times, the sum of one hundred thousand dollars (\$100,000) in United States Bonds, and the same placed in the Territorial Interest and Sinking Fund, thus leaving the sum of two hundred and eighty thousand dollars (\$280,000) unpaid and unprovided for.

With a view of extinguishing the entire Territorial indebtedness, the last Legislature passed a law authorizing the application of the assets in the Territorial Interest and Sinking Fund, the bonds belonging to the State School Fund, and fifty thousand dollars (\$50,000) from the General Fund, to the payment of our outstanding bonds.

This law contemplated the issuance by the State to the State School Fund an irredeemable bond, bearing five (5) per cent. interest per annum for the sum of three hundred and eighty thousand dollars (\$380,000), which was considered the best application of the assets in the State School Fund that could be made in the interest of our public schools.

I looked forward to the execution of this law with great solicitude, but the parties holding our bonds have positively refused to accept the terms authorized by the Legislature.

It is true the debt is virtually extinguished, as we have the means on hand to pay it whenever the holders of the bonds will surrender them, but under the provisions of the law, authorizing the issue of the bonds, the holders are not compelled to surrender them for payment until their maturity.

#### CONDITION OF THE TREASURY.

There was in the State Treasury on the first of January, 1879, the sum of six hundred and sixty-eight thousand sixty-four dollars and fifteen cents (\$668,064.15) distributed among the different funds, as follows:

Name of Fund.	Gross Amount in Funds.		Warrants Outstanding.		Net Amount in Funds.	
	Coin.	Currency.	Coin.	Currency.	Coin.	Currency.
General Fund.....	\$333,802 38	\$ 263 80	\$20,547 86	.....	\$313,254 52	\$ 263 80
State School Fund .....	59,356 94	4,171 23	800 00	\$562 74	58,556 94	3,608 49
General School Fund.....	29,721 61	.....	3,934 39	.....	25,787 22	.....
State Interest and Sinking Fund.....	13,397 27	.....	7,839 68	.....	5,557 59	.....
Territorial Interest and Sinking Fund.	5,087 77	.....	.....	.....	5,087 77	.....
State Library Fund .....	2,418 52	.....	250 70	.....	2,167 82	.....
State Building Fund .....	132,820 04	100 00	45 00	.....	132,775 04	100 00
Soldiers' Fund.....	8 38	.....	.....	.....	8 38	.....
University Fund (90,000-acre grant)...	42,754 07	2,641 31	.....	90 00	42,754 07	2,551 31
University Fund.....	1,855 05	2,678 13	.....	.....	1,855 05	2,678 13
Territorial Interest Fund .....	70,860 02	.....	.....	.....	70,860 02	.....
State Prison Fund.....	7,415 05	200 00	7,415 05	.....	.....	200 00
Judicial Salary Fund .....	3,500 01	.....	3,500 01	.....	.....	.....
Totals.....	\$702,997 11	\$10,054 47	\$44,332 69	\$652 74	\$658,664 42	\$9,401 73

This amount is far beyond the wants of the State. It is, I believe, recognized as sound policy that the State should not collect by taxes more money during any year than is necessary to keep its business upon a sound cash basis. In my last message I recommended the reduction of the rate of taxation, but for reasons not necessary to discuss here, the Legislature declined to make the reduction. It will be seen that there is in the General Fund three hundred and thirteen thousand two hundred and fifty-four dollars and fifty-two cents (\$313,254.52), and in the Building Fund one hundred and thirty-two thousand eight hundred and seventy-five dollars and four cents. (\$132,875.04), the latter large sum it is probable, will more than meet all authorized appropriations for public buildings.

Allowing that the cost of the present session should be ninety thousand dollars (\$90,000), there would remain in the General Fund over two hundred and twenty-three thousand dollars (\$223,000). This sum, together with that received at the June settlement, will be much more than sufficient to cover the current expenses of the State for the year 1879. It will be seen that in the Special Funds, known as the Territorial Interest, the State School, the Territorial Interest and Sinking, and the University Funds, there is now the sum of one hundred and eighty-seven thousand nine hundred and eighty-one dollars and seventy-eight cents (\$187,951.78.) This money cannot be used, even by the legislature, for any other purpose than the purchase and cancellation of State Bonds, the payment of interest, or permanent investment in other bonds. The sum of one hundred and fifty thousand dollars belonging to these Special Funds, has lately been invested in United States four per cent. Bonds, but the bonds have not yet been delivered, nor the money paid.

#### TAX ON THE PROCEEDS OF THE MINES.

When the last session of the legislature adjourned the Consolidated Virginia and California mining companies, owed State and County taxes, amounting in the aggregate to two hundred and ninety thousand, two hundred and seventy-five dollars and ninety-five cents (\$290,275.95). The law exacts a penalty of thirty-five per cent. for the non-payment of these taxes, amounting to one hundred and one thousand five hundred and ninety-six dollars and fifty-seven cents (\$101,596.57). Suits were at that time pending in our State Courts for the collection of that portion of these taxes then delinquent. A suit was also pending in the United States Supreme Court, known as *Forbes v. Gracy*, to test the right of the State to levy and collect any tax, whatever, upon the proceeds of mines.

Early in May, 1877, this court rendered a decision, sustaining fully the right of the State of Nevada to tax the proceeds of mines. Before this decision was known to the District-Attorney of Storey County, these Mining Companies offered to pay up all their taxes, then in arrears, and to continue to pay promptly in the future, as the taxes should become due, provided, the District-Attorney would allow a stay of execution for two years upon the penalty inflicted by law for previous non-payment.

The District-Attorney did not accept the proposition as to the suits commenced after he was installed in office, but the attorneys who had charge of the tax suits commenced before Mr. Drake, the District-Attorney, took office, did accept the terms offered by the mining companies, and the District Court refused to enter judgment for the penalties in the suits under control of the District-Attorney.

From the action of the District Court in both cases, the District Attorney took an appeal to the Supreme Court, which is still pending. The mining companies, however, paid up all taxes then due, and have continued to pay their taxes since. This whole matter is in the hands of the Courts, placed there by laws passed for the protection of the revenue, and I suggest the propriety of leaving it for the Courts to settle.

#### STATE PRISON MATTERS.

Under our present law, the Warden makes his biennial report to the Legislature; hence it is impossible for me to give any accurate account of the transactions of that institution for the past two years. I am able to say from personal observation, that important improvements have been made, the prisoners have been humanely treated, and the discipline has been excellent. Two years additional experience has not changed my mind as to the good policy of my former recommendation to finish the new State Prison at Reno, and convert the present prison into an asylum for the insane. But whether this recommendation meets the approbation of the legislature or not, I think there is no question about the propriety of purchasing the hotel, with some additional lands, adjoining the present prison, should the State Insane Asylum be located there, this purchase would afford good officers' quarters. While on this subject, I desire to call your attention to the very praiseworthy conduct of the Deputy Warden, Captain Matthewson, the officer of the guard, Captain Gounond, and privates Mitchell and Neswinder, during an attempted break of the prisoners in October, 1877. Without entering into details, I may say that the courage and unselfish exposure of life displayed on this occasion by these officers and guards, deserves from the State some recognition. An appropriation of three month's extra pay to each of them would be a simple act of justice, and would, no doubt, have a salutary effect upon both officers and convicts in any future attempt to break prison. There are now one hundred and forty-eight convicts in the State Prison, including two sentenced by the United States District Court.

#### INDIGENT INSANE.

On the third day of March, 1877, the Board of Commissioners for the care of the indigent insane, entered into a contract with Drs. Langdon and Clark, of Stockton, California, to take care of our insane for four years at a cost to the State of one dollar per day for each insane person. In making this contract the Board could exercise no discretion whatever, as the law itself settles the terms of the contract. During the past year there was much complaint in the public press about the treatment of our indigent insane. Although the Board was fully aware that there was no foundation for these complaints, they thought a proper respect for public sentiment required an investigation by disinterested parties. A committee of respectable gentlemen was selected and invited to visit the Asylum at Stockton and report. They accepted the trust, and their report satisfied all our people that the insane were cared for in the best and tenderest manner. There are now one hundred and fifteen insane patients from Nevada under charge of Drs. Langdon and Clark.

## STATE ORPHAN HOME.

There are sixty one orphans in the State Orphan Home, of whom sixteen are girls. As the Board of Directors of the State Orphan Home, like all other Boards of public institutions, have not had time to make out their annual reports, it is impossible for me to speak advisedly of the management and wants of any of them.

## FREIGHTS AND FARES.

There is no subject about which the people of this State are more fully agreed than that it is the duty of the Legislature to protect their business interests from the present exorbitant railroad charges for freights and fares, and unjust discrimination against persons and places.

Heretofore, when this subject was brought before the legislature, those representing railroad interests have always managed to create a doubt in the minds of a majority of one or the other house as to the constitutional power of the State to legislate on this subject, claiming that the Federal Government alone could regulate fares and freights.

Happily, the Supreme Court of the United States, in the case of the Chicago, Burlington and Quincy Railroad Company vs. Iowa, 4th Otto, and subsequent cases, has decided that the State can regulate by law fare and freights on all railroads within its limits. There is, therefore, no longer the color of an excuse for you to neglect passing stringent laws to protect our citizens against the extortions and unjust discriminations of railroad companies.

FISH COMMISSIONER.<sup>1</sup>

A law of the last session of the Legislature authorized the Governor to appoint a Fish Commissioner, and appropriated the sum of one thousand dollars (\$1000) to enable him to carry out the purposes of the law. I appointed the Hon. G. Parker, Fish Commissioner, and it affords me pleasure to add that he has fulfilled to my entire satisfaction the duties of the office.

Washoe Lake has been stocked with Schuylkill Catfish and an excellent Eastern Perch. The same kind of Catfish has been planted in the Humboldt and Carson rivers. A hatchery has been established in Carson (which can easily be moved to any point), and over two hundred thousand young salmon have been hatched and will soon be deposited in Walker and Truckee rivers. The small appropriation has been well expended. The Commissioner asks for an appropriation of four thousand dollars for the next two years.

In my opinion it would be difficult to find an object to which that amount of money could be devoted that would yield more benefits to the mass of our people than the stocking of all our lakes and streams with good fish. Mr. Parker has devoted much time to the enforcement of the law for the protection of fish against depredators, and to secure a free passage for them to the upper waters of the rivers for the deposit of their spawn.



Would it not be advisable to authorize him to use a portion of the appropriation to prosecute those who build dams that obstruct the passage of fish, and those who in other ways violate the law? Mr. Parker holds his commission for four years.

#### THE BANNOCK INDIAN WAR.

Some time in May last, a band of Bannock Indians left their reservation on Snake river, near Fort Hall, Idaho Territory, and went down the river some hundred miles. Here they commenced committing depredations by stealing stock, robbing wagon trains, and murdering every person who was unfortunate enough to fall into their hands. At this point they took possession of the ferry and crossed the Snake river. It was believed for a time that they intended to go north and strike and follow the trail leading east to the Buffalo country. This was probably their intention when they left the reservation; however that may be, they soon recrossed the river, and taking a southern course, raided Bruneau River Valley, sweeping everything before them. They were now in the full tide of successful war, and their course indicated an intention to go directly to Duck Valley Indian Reservation, in the northern part of Nevada, with a view, as I suppose, to compel the Shoshonees to join them.

Knowing how poorly the people in that part of the State were prepared to resist a well armed, well mounted band of savages, and believing the United States troops could not reach the threatened district in time to save the settlers, I issued the following order to Lieutenant-Governor Adams, *ex officio* Adjutant-general:

“CARSON CITY, June 9, 1877.

“Information having reached this office of a threatened invasion of this State by the hostile Bannocks, you will proceed by the most expeditious route to the neighborhood of Cornucopia, and, if necessary, to Bull Run, Duck Valley and Mountain City, and take such steps as you may deem necessary for the protection of life and property.

“You will report daily to this office by telegram, and also keep General McDowell, at San Francisco, fully informed of the movements of the Bannocks, and ask such assistance of him as the situation demands. You are authorized to call out the organized militia of Eureka, and provide for their transportation and sustenance. You are authorized to muster into the service any number of citizens near the scene of trouble, and arm them as best you can. In all your acts, exercise the most rigid economy consistent with full and complete protection of life and property.

“L. R. BRADLEY,

“Governor and Commander in Chief.”

Ascertaining soon after the departure of Governor Adams, that United States troops would likely reach Duck Valley within a week, I ordered him by telegraph to disband his forces as soon as the United States troops were in a position to protect the people of this State, or as soon as he was fully assured the Indians had given up all idea of penetrating further south. On reaching Cornucopia, Governor Adams organized a well armed company of volunteers and at once took the field. A week's scouting in northern Nevada and southern Idaho, satisfied him that the Bannocks had abandoned their intention (if they had ever entertained it), of

entering Nevada and forcing the Duck Valley Indians to join them, and had gone west into Oregon to seek assistance from the Piutes on the Malheur reservation. Major Egbert of the United States army having arrived with his command, Governor Adams found the conditions anticipated in my second order fulfilled, and at once proceeded to disband his volunteers. In all matters pertaining to the protection of our frontier, Governor Adams displayed good judgment, and his conduct throughout the short campaign commanded my approbation. The Indians are the special wards of the Federal Government, and any expense incurred by a State in protecting its people against their depredations, is a proper charge upon the Federal treasury. If you were to memorialize Congress, and ask repayment of our expenses in both the Spring Valley and Bannock Indian wars, I see no reason why the request should not be granted.

#### CHINESE.

In my last message to the Legislature, I discussed at some length the Chinese question. I called special attention to the fact that they were gradually substituting their labor for that of our people, both male and female. Two years ago they held "undisputed sway as domestic servants in families, in restaurants, and hotels." They had nearly entire control of the laundry business, and were extensively engaged in many other industrial pursuits. At present, scarcely any other than Chinese labor is employed in procuring the immense quantities of cordwood that are consumed in the western part of this State. It is safe to say that not less than five hundred white men have been deprived of any opportunity to work by the employment of cheap Chinese labor in this industry alone. They are, also, much more extensively used as farm hands than formerly.

Thus it will be seen that the Chinese have either wholly, or to a great extent, absorbed nearly all the labor pursuits of Nevada, except mining, and this they would have controlled before now, had it not been for Miners' Unions. As a consequence of this influx of Chinese laborers, our white population is not on the increase, and if our white population does not increase, there will be no increase of property, real or personal. We should feel it our highest duty to exercise all constitutional power to discourage, if we cannot prevent, the further immigration of Chinese to this State.

#### CONCLUSION.

Before closing this message, I hope it will not be considered inopportune to refer to the condition of the State eight years ago, when I first took charge of the Executive Department, and its present condition. Then the State was loaded down with a debt of over seven hundred thousand dollars. State warrants were hawked about the street at from sixty to sixty-five cents on the dollar; there was no money in the Treasury; heavy defalcations had brought disgrace upon at least two departments of the State Government. In a word, we had staring us in the face "an exhausted credit and bankrupt Treasury." Now we have over six hundred and sixty thousand dollars (\$660,000) in the Treasury; our entire public debt is paid, or the payment provided for; taxes have been reduced

from one hundred and twenty-five to ninety cents on the hundred dollars, and can at this session be again greatly reduced; the morale of the entire administration is of the highest character, and each department stands above suspicion.

Eight years of economical administration has placed the State Treasury one million three hundred and fifty thousand dollars (\$1,350,000) better off than it was on the first of January, 1871, and that on a reduced rate of taxation. In bringing about this great change, I feel my obligations to all the heads of departments of the State Government; to their hearty co-operation and efficient administration of their respective departments, the people are indebted for our present prosperous condition.

Feeling grateful for the constant and warm support of my constituents during the eight years I have devoted to their service, I bespeak for my successor and the incoming administration the same generous support.

Before the throne of our Divine Father, let us prostrate ourselves, with thanks for the almost universal good health and great business prosperity with which he has blessed the people of our State.

L. R. BRADLEY.