

APPENDIX

TO

Journals of Senate and Assembly

OF THE

SIXTEENTH SESSION

OF THE

LEGISLATURE OF THE STATE OF NEVADA,

1893.



CARSON CITY, NEVADA.

STATE PRINTING OFFICE, : : : J. E. ECKLEY, SUPERINTENDENT.

1893.

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

1893.

BIENNIAL MESSAGE.

STATE OF NEVADA,
EXECUTIVE DEPARTMENT,
CARSON CITY, January 1, 1893. }

Gentlemen of the Senate and of the Assembly :

In pursuance of the duty required of the Governor by the Constitution of the State of Nevada, that "he shall communicate, by message, to the Legislature at every regular session the condition of the State, and recommend such measures as he may deem expedient," I have the honor to transmit to you the following message :

STATE FINANCES.

A reading of the following synopsis will give you an outline of the general condition of the State finances during the years 1891-92 :

State debt January 1, 1891—	
Nevada 4 per cent. bonds	\$180,000 00
Accrued interest	13,080 00
Outstanding warrants	5,266 10
Deficiency claims	2,410 03
Total.	\$200,756 13

Which constitutes the entire State debt at this time, exclusive of the indebtedness of the late Territory of Nevada, assumed by the State, as set forth in the Constitution. This indebtedness is represented by an irredeemable bond to the State School Fund, in the sum of \$380,000, bearing interest at the rate of 5 per cent. per annum.

Cash in State Treasury at this date applicable to payment of State debt, \$215,849 52, leaving a surplus of \$15,093 39 after paying all claims against the State at this date, with the exception of the Territorial debt above mentioned.

State debt January 1, 1892—

Nevada 4 per cent. State bonds	\$207,000 00
Accrued interest	13,190 00
Outstanding warrants	2,723 39

Total \$222,913 39

Cash in the State Treasury applicable to the pay-
ment of State debt 195,158 60

Leaving the indebtedness in excess of coin on hand, \$27,754 79

State debt January 1, 1893—

Nevada 4 per. cent State bonds	\$183,000 00
Accrued interest	13,160 00
Outstanding warrants	20,174 40
Deficiency claims	1,947 99

Total \$218,282 39

Cash in the State Treasury applicable to the pay-
ment of State debt 210,655 13

Leaving the indebtedness in excess of coin on hand \$7,627 26

Balance in cash in the State Treas-
ury on January 1, 1891

Receipts during 1891	\$453,891 54	\$366,825 28
Receipts during 1892	437,420 43	
		891,311 97

Total \$1,258,137 25

Disbursed during 1891	\$503,414 05	
Disbursed during 1892	354,561 17	
		857,975 22

Balance cash on hand Jan. 1, 1893 \$400,162 03

APPORTIONED.

General Fund	\$153,249 53
State School Fund	100,152 52
General School Fund	56,440 91
State Interest and Sinking Fund	24,965 76
Territorial Interest Fund	17,185 85
Insane Interest and Sinking Fund	7,560 62
State Library Fund	455 28
University Fund, 9,000-Acre Grant	12,073 27
Interest Account 90,000-Acre Grant	1,353 53
State University Fund	23,130 18
Contingent University Fund	3,008 38
District Judges' Salary Fund	586 20
Total	\$400,162 03

STATEMENT OF CASH AND SECURITIES.

On January 1, 1891, bonds in State Treasury as follows—		
U. S. 4 per cent. bonds		\$500,000 00
Nevada 4 per cent. bonds		180,000 00
Nevada 5 per cent. bonds (irrede'ble)		380,000 00
		\$1,060,000 00
Nevada 4 per cent. bonds purchased in 1891		50,000 00
		\$1,110,000 00
Nevada 4 per cent. bonds redeemed in 1891	\$23,000 00	
Nevada 4 per cent. bonds redeemed in 1892	24,000 00	
		47,000 00
Total amount in bonds		\$1,063,000 00

Belonging to State School Fund—		
U. S. 4 per cent. bonds-----	\$450,000 00	
Nevada 4 per cent. bonds-----	145,000 00	
Nevada 5 per cent. bond-----	380,000 00	
		\$975,000 00
To University 90,000-Acre Grant—		
U. S. 4 per cent. bonds-----	\$38,000 00	
Nevada 4 per cent. bonds-----	39,000 00	
		77,000 00
To State University-----		11,000 00
		\$1,063,000 00
<hr/>		
Cash on hand January 1, 1893-----		\$400,162 03
Bonds on hand January 1, 1893-----		\$1,063,000 00
		<hr/>
Total in cash and securities-----		\$1,463,162 03

CONSTITUTIONAL AMENDMENTS.

Twenty-eight amendments to the State Constitution were proposed at the fifteenth session of the Legislature of the State of Nevada. They were agreed to by a majority of all the members in each of the two Houses. They were entered on the respective journals of these Houses, with the yeas and nays taken thereon, and they were referred, and through the Secretary of State will be presented to the present Legislature. Section 1, Article XVI., of the Constitution, being the section directing how amendments shall be made, next requires the publication of these amendments. It does not inform the reader where, how, in what mode or manner, or by whom the amendments shall be published. Nor does it provide or suggest any method for the expense of publication. Of course, there was the general appropriation for official advertising made by the Legislature, which, some are of the opinion could have been used if any one had been designated to see to their publication, but nearly the whole of this fund had been provided for, leaving only a few hundred dollars for official advertising.

After careful investigation, and advice sought on all laws in any way appertaining to the question, it can safely be said that no statute exists providing manner, mode, means, or by what Board, person or persons such amendments on first publication shall be published. True, there are the laws providing for their publication and general distribution, in the bound volume of the statutes issued and

distributed immediately after the adjournment of the session. These were complied with by Secretary of State Grey, and they will be found published in full in the statutes of 1891.

The Constitution requires that the amendments shall be published three months next preceding the choosing of the Legislature to which they are to be finally passed upon, and whose duty it is to submit them to the people for approval and ratification. These twenty-eight amendments were published in accordance with existing laws in the statutes of 1891, many months before the election of the present Legislature, and now the only question is, "is this a sufficient publication and a compliance with the provisions of the Constitution?" Eminent lawyers disagree. I am of the opinion that it is. It remains with you, gentlemen, for decision, and the future disposition of these amendments rest with you also.

Prior to the last election, I called upon Attorney General Torreyson for his opinion on this important question, and it is herewith appended:

To R. K. Colcord, Governor of the State of Nevada:

SIR: You have submitted to me for my official opinion the following questions:

1. Is there any law, constitutional or statutory which provides for the publication of proposed amendments to the Constitution at any time before finally acted upon by the Legislature and submitted to the people for their adoption?

2. If such law exists, is it the duty of the Secretary of State or of any officer or of any board of officers to make such publication?

The questions submitted are of public and paramount importance to the people of this State, and I have given the subject careful study and research. I answer both of the foregoing interrogatories in the negative. There is no law, constitutional or statutory, which makes provision for the publication of amendments to the Constitution until such amendments have been proposed by one Legislature and agreed to by another Legislature and submitted to the people for ratification.

It is not the duty of the Secretary of State, or of any officer or any board of officers, under the Constitution or statutes of the State, to publish proposed amendments to the Constitution.

The Constitution of the State, Section 1, Article XVI, provides that "any amendment * * * to this Constitution may be proposed in the Senate or Assembly, and if agreed to * * * such proposed amendments * * * shall be * * * referred to the Legislature next to be chosen, and shall be published for three months next preceding the time of making such choice." * * *

It cannot be doubted that this provision contemplates the publication of amendments to the Constitution, prior to the election of the Legislature which is to finally submit such amendments to the

people. It is equally certain that this provision of the Constitution is not self-executing—in other words, it is necessary that the Legislature should provide means to carry this constitutional provision into effect. The organic law simply directs that the publication shall be made, without directing the mode or manner. The mode and manner must be provided by the Legislature.

The Constitution does not direct what board or officer shall perform the duty; in what manner it shall be performed; whether by posting, or by circulars, or in the public prints, nor is the number of posting circulars or public prints specified, nor is there any appropriation or fund provided for payment of the expenses. All these things are essential; without them the constitutional provision could not be executed.

"A constitutional provision is self-executing if it supplies a sufficient rule by means of which * * * the duty imposed may be enforced, and it is not self-executing when it merely indicates principles without laying down rules by means of which these principles may be given the force of law."

Cooley's Constitutional Lim., pp. 99-100.

As the Constitution does not lay down the rules by means of which proposed amendments can be published, it follows that force and effect can only be given to this provision of the Constitution by the Legislature in a statute law.

It remains to consider whether the Legislature has enacted such a law or made any provision for the publication of constitutional amendments at any time before their final submission to the people for adoption.

There are two statutes which bear upon this subject and no more, namely, the Act of March 5, 1887, entitled "An Act providing for the manner of *submitting* constitutional amendments to the voters of the State of Nevada," and the Act of January 19, 1889, entitled "An Act providing for holding a special election in the State of Nevada, and at such election to submit to the people of the State proposed amendments to the Constitution thereof, and other matters pertaining thereto." [See Statutes 1887, p. 122; also Statutes 1889, p. 14.]

The first of these Acts declares that "whenever the conditions prescribed by the Constitution of the State of Nevada for amending the same *have been complied with by the Legislature*, the State Board of Examiners shall order such proposed amendments to the Constitution published in one daily newspaper * * * for a period of ninety days next preceding any general election held in this State '*when any proposed amendments are pending.*'"

That this statute has no application to the first publication contemplated by the Constitution is apparent to the most casual observer. The title of the Act, which the Constitution declares shall express the substance of the law, shows that the law relates solely to

the submitting of amendments to the voters of the State. If anything were needed to make the position clearer it would be found in the language of the statute itself. The duty enjoined upon the State Board of Examiners is to publish the proposed amendments, not before, but after, the Legislature has acted. It is to be done "when the conditions prescribed by the Constitution *have been complied with by the Legislature,*" and as we have seen, and as the Constitution plainly declares the conditions are: The proposal of amendments by one Legislature, the adoption of these amendments by a succeeding Legislature and the submission of them by that Legislature to the people.

The second of these Acts of the Legislature, namely, the Act of 1889, both in the title and body of the law, contemplates and provides for the submission to the people of specific constitutional amendments proposed and pending at the time of holding such election, at a special election then provided for.

This Act is not prospective or continuing in its operation, but relates to the special case, and is not the law for any other case; but however this may be it is perfectly clear that it makes no provision for the publication of proposed amendments prior to the time of final submission. Every section, every paragraph of the statute makes it manifest that the publication contemplated and provided for was the publication which the Constitution contemplated shall be made after the Legislature has complied with the conditions of the Constitution

As to the second interrogatory, namely, "Is it the duty of the Secretary of State, or of any officer or of any board of officers, to publish proposed amendments to the Constitution?" It is hardly necessary to add that both statutes in terms impose whatever duty in the matter of publication is to be performed upon the State Board of Examiners, and not upon any other person or officer. It may not be improper to add that proposed amendments to the Constitution cannot be published without the payment of money, at least not without incurring the obligation to pay.

"No money shall be drawn from the treasury but in consequence of appropriation made by law." [Constitution Nevada, Article IV., Section 19.]

No appropriation was made for this purpose, and for this reason, if for no other, publication could not be made.

Yours truly,

JAMES D. TORREYSON,
Attorney General.

PUBLIC PRINTING.

There are many instances on our statute books where the present Legislature can effect a large reduction in the biennial printing bill of the State. The reports of many of our State officers, boards and

public institutions embrace details, statistics and worthless inventories of supplies on hand, useless property, the result of years accumulation, and articles purchased that are of little value, importance or of general interest to the public and that might be lopped off and net a neat saving to the State. Tables of statistics and property valuations are included in more than one report. I can see no good reason for their duplication. The report of the State Board of Assessors and Equalization, for example, and the report of the Surveyor General of the State embody almost a similar series of tabulated statements of statistics. If these tables were dropped from one or the other of the above reports the aggregate cost of the State's printing would be lessened, and neither you, gentlemen, nor the public would be the loser. There are other cases also where double printing occurs in reports. In the instance cited above of the State Board of Assessors and Equalization and Surveyor General the officers are not to blame. It is the result of hasty and careless legislation. Sections 2, 203-4 and 5 of the General Statutes of Nevada, pages 589-90, require the County Assessors to report these statistics in detail to the office of the Surveyor General, and renders it his duty to compile them and publish them in his report. Section 22, page 143, Statutes 1891, of the General Revenue law exacts an almost similar statistical statement from the Assessors, to be returned annually to the Secretary of State, Board of Assessors and Equalization, and requires a like compilation and publication in the Board reports.

It has been urged that the older section is repealed, being in conflict with the new, and again, that the latter repeals the former by implication.

Courts do not regard repeals by implication with any degree of favor, and though of opinion that the earlier sections are repealed by conflicting with the section of the revenue law, yet there remains a question and the fact of double printing. The other instances are required by separate laws also. The officers who publish the useless inventories of property and supplies on hand can, in nearly every instance, justly claim that it is required of them by law. I have advised against this printing of inventories in detail, except where the law requires it, and against repeating, to any great extent, tables of statistics and other matters, and the result has been a small saving to the State.

The subject is one of importance and meriting a close investigation by the Legislature. The printing of the appendix to House and Senate journals is another useless, not to say absurd, waste of public money. This appendix contains a repetition of the Governor's message and all of the various reports printed by the State Printer and is bound in stout board covers. It forms a most unwieldy, bulky and costly volume, and its required publication should be forbidden. It may be a handy way of preserving the

reports, as has been urged, but if that is the only interest subserved by their printing, let the number of volumes be confined to one for the State Library and one for the files of each State Department. Again, in many cases the number of copies of the officers' reports required by law to be printed is largely in excess of the number actually needed by them. Hundreds of copies of unused reports flood the Secretary of State's storeroom, and as many more are stored in the garret. There are exceptions to this, a few of the reports being restricted to too few copies. This is the case with the Secretary of State's report. Last year the edition was soon exhausted, and but one copy could be found in the Capitol for use.

In California, two years ago, the large size of many of the State reports and the excessive number of copies printed compelled the Governor to call the matter to the attention of the Legislature. He suggested a remedy which was engrafted into a bill and became a law. It has proved a success, and I would suggest the passage of a similar law by the present Legislature. The law requires "That the State Printer should execute only such orders for printing as should meet with the approval of the State Board of Examiners. The Board was also empowered to edit all reports and determine the number of each that should be printed."—From Governor Markham's message.

With this power given to our State Board of Examiners, or some other State Board, giving specific directions that duplications and unimportant matter shall be eliminated, in other words, each report shall be subject to a careful review and editing, and a solution of the question can be readily reached. For Superintendent Eckley and Foreman Dunn too much cannot be said in praise of their excellent work. No State in the Union shows finer printing than can be found in the reports issued under their supervision. The proclamations issued during the year were superior to those received from many of the large Eastern States. The Superintendent is to be commended, also, for keeping within his appropriation.

THE STATE PRISON.

There are two important matters in connection with this institution to which I desire to call your especial attention.

The first is, the provision of the statute with reference to the manner of electing the Warden.

Under existing laws the Board of Prison Commissioners are held responsible for the entire management of the State Prison, but they have no voice in the selection of the officer who is to execute their orders, and the law is very conflicting as to their authority over the governing of his official acts after he is chosen. It is plain to be seen that this condition of affairs might at some time lead to a conflict of authority, which would result in great embarrassment, a possible disaster to the prison discipline and also to the financial

management. The supervision of the management of the State Prison requires more earnest, careful and constant attention than any other of the State institutions, and it is of the greatest importance that the Board of Commissioners and the Warden should at all times and under all circumstances work in perfect harmony. In my judgment the only sure way of accomplishing this is to repeal the law requiring the Legislature to elect the Warden and clothe the Board of Prison Commissioners with authority to appoint, as has been recommended in the messages of some of our former Chief Executives. This plan would also save a vast amount of the valuable time of the Legislature, as well as a world of trouble for the individual members before and after they take their seats, for the strife, contention and lobbying over the election of the Warden is quite as lively as that of a United States Senator.

The other matter to which I wish to call your special attention is the law of 1887, punishing persons convicted of selling liquor to Indians, by imprisonment not exceeding two years, and requiring incarceration in the State's Prison if sentence exceeds six months. Under the operation of this law there have been sent to the State's Prison during the past two years nineteen convicts, at a cost, for transportation alone, of \$858 73. Their terms range from seven months to two years, as the following table shows:

STATEMENT FURNISHED BY WARDEN.

Date.	Name.	Term of Sentence.	County Sent From.	Amount.
Feb. 18, 1891....	Charles Mills.....	1 year.....	Washoe.....	\$12 50
March 8, 1891....	Benjamin Jones.....	7 months....	Ormsby.....	1 50
April 17, 1891....	L. C. Finney.....	1 year.....	Esmeralda....	40 00
May 6, 1891.....	Sing (Chinaman).....	10 months....	White Pine....	176 03
May 18, 1891....	John Thoroughman.....	10 months....	Eureka.....	91 53
June 7, 1891....	Ah Foo.....	10 months....	Elko.....	52 80
June 7, 1891....	Chu Lung.....	1 year.....	Elko.....	52 80
June 18, 1891....	Ah Lee.....	1 year.....	Ormsby.....	1 50
June 17, 1891....	Wm. Duncan.....	2 years.....	Ormsby.....	1 50
June 17, 1891....	L. Crutainger.....	1 year.....	Ormsby.....	1 50
July 8, 1891.....	Wm. Curran.....	2 years.....	Esmeralda....	40 00
July 17, 1891....	Wm. Keeling.....	2 years.....	Ormsby.....	1 50
Sept. 22, 1891....	Robert Long.....	1 year.....	Douglas.....	14 50
Jan. 21, 1892....	Ah Foo*.....	2 years.....	Ormsby.....	1 50
Jan. 21, 1892....	Ah Sue.....	2 years.....	Ormsby.....	1 50
April 7, 1892....	Ah Hing.....	2 years.....	Ormsby.....	1 50
April 18, 1892....	D. W. Evans.....	10 months....	White Pine....	176 04
Oct. 6, 1892....	James Teare.....	1 year.....	Douglas.....	14 50
Nov. 12, 1892....	Wm. Butcher.....	9 months....	White Pine....	176 03
On discharge, each receives \$25.....				\$858 73
				475 00
Total.....				\$1,333 73

* Second term.

Each prisoner on being discharged receives from the State \$25 in cash, making \$475, a total of \$1,333 73. As will be observed by

the above list many of these miscreants are Chinese. As a rule they are old, and partially blind or crippled, and I am creditably informed that some of them commit this crime by order of their bosses for the purpose of being sent up in order to obtain their board and lodging, and, in addition to secure the \$25 in money. I have no doubt of the truth of this statement, for there are several who have served second and third terms for the same offense. For instance, for the bringing of a prisoner to Carson from White Pine county on a ten months' sentence, costs the State \$176. To my mind this is a ridiculous state of affairs. The law should be repealed. It is wrong in principle and extremely expensive in its operation. While it is a crime deserving severe punishment, I am confident that sixty days' labor in the chain gang, working on the streets, would be a greater punishment for the class of people who commit this offense, and would do more toward lessening its commission, than a year's confinement in the State Prison. The report of the Warden for the past two years shows that he has exceeded his appropriation for maintaining the State Prison in the amount of \$1,706 74, but his receipts for the keeping of United States prisoners amounted to \$7,716 19, which leaves a balance in favor of the Prison of \$6,009 45. The management of the Prison affairs during the past two years under Warden McCullough has been honest, economical and entirely satisfactory to the Board of Prison Commissioners. His officers and guards are competent, brave and efficient in the line of duty, and very courteous and gentlemanly while conducting visitors through the Prison. Six thousand eight hundred and twenty-five people have been conducted through the buildings and grounds during the past two years. For a detailed statement you are respectfully referred to the report of the Warden.

AGRICULTURE AND IRRIGATION.

At this stage of affairs in Nevada when, through the depreciation of silver and the denial to us of a rightful restoration to its place as money, the mining industry has reached its lowest ebb, the hardy husbandman with his aid and labor must come to the fore. The many thousands of acres of land rich and fertile must be cultivated. There is no substantial reason why we should import ham and bacon, butter and cheese, and many other agricultural products. Butter can be produced at home. The quantity is what must be increased and a home market supplied. Our farming interests should be fostered. Any legislation that will advance our agricultural resources will prove a blessing to our people at the present time. It will increase the population, large fields will be opened up for experiments, and, if attended with success, manufactories will follow. Nevada has depended on her great mineral resources to the neglect of all else. She has the requisites for an agricultural State. Climate, soil, over 70,000 acres already under plow, and over

750,000 acres that can be brought under cultivation by individual effort alone. The Secretary of Agriculture at Washington reports that already Colorado, in the very heart of the mountain system, yields agricultural products greater in value than her products in mining, and Utah, more sterile than our State, and yet what a contrast between her valleys and those of Nevada. The development of the State's agricultural resources should be the chief concern of the people. The live stock and sheep raising industries have made rapid strides since the winter of 1889-90. Dairying has sprung up within the last year and a half and has become a valuable industry, not only suppling the home market, but also leaving a handsome surplus for exportation.

It has been demonstrated by our State Experiment Station that the sugar-beet can be cultivated with wonderful success on our lands. An opportunity is here afforded for a combination of capital and labor that should be taken advantage of. All the experimental beet-sugar factories have proven the value of this new agricultural industry and its practicability. Let the matter be investigated and given all the encouragement which its importance demands.

On the subject of irrigation it is a difficult matter to suggest or recommend. Millions of acres are awaiting the coming of the waters that shall turn them into waving fields and blooming meadows. The Legislatures have been considerate and painstaking in trying to find out the best means of assisting, encouraging and carrying on irrigation, but there everything ceases. No successful effort has been made to organize under the 1891 law and prove its practicability or impracticability. The 1889 law was declared not suitable to our wants, and the \$100,000 appropriation was returned into the treasury unused. Nevada's arid lands cannot be reclaimed until the question is determined as to ownership of water. The courts and Congress can lend a helping hand by giving the State complete control of its waters and overthrowing the old common law "riparian rights doctrine," that obstructs our way and hangs like a millstone round our necks. When this is accomplished Nevada can reclaim her lands without Government aid, though if ever a State deserved aid and encouragement from the Government the Battle-born State, in return for her gratefulness, should head the list. She must settle the rights of all existing claimants to the use of waters. The appointment of a State Engineer will best secure a proper adjudication of those rights. This I learn from an examination of the Colorado and Wyoming laws. Gentlemen, any enactments that you may pass to hasten this condition of affairs will be gratefully received by the people of the State.

INVESTIGATION OF THE CAUSES OF FIRE.

Any step towards a prevention of loss by fire presents a question of general interest and of serious import. The National Board of

Fire Underwriters suggest the appointment or election of Fire Coroners, whose duty it shall be to investigate the cause of every fire. Undoubtedly this is a step in the right direction, and in the larger States would be the most practicable plan, but in Nevada, where city and county officers are not worked until they are ready to drop, the better system would be to extend the purview and duties of the present Coroners to include casualties to property by fire. In cities the fire marshals, or like officers, would be the persons in whom to vest the power of investigation. It should be the imperative duty of the Coroners to attend, as in cases of death, whenever a fire occurs, within two days of the occurrence of the fire, and examine whether it was the result of carelessness, accident or design, and report thereon. They should receive such service fees of like kind and amount as are now allowed in cases of inquests on deaths. The New York statute also requires services as follows: "It shall be the duty of the Coroner to take cognizance of all fires or conflagrations occurring in the county in which he acts, and to be present at the place where they occur at the earliest practicable moment to investigate and report thereon. He shall, by personal inquiry and otherwise, ascertain and record the circumstances preceding, attending and following each fire, great or small, in public or private property alike. He shall make particular effort to ascertain the cause or origin of each fire in the place where it originated, and shall say, as far as practicable, how it might have been prevented or avoided. He shall have power to enter and examine, with or without jurors and assistants, the premises that have been on fire, for the purposes above described, and all the powers conferred in this Act shall be applicable in cases of attempts to start incendiary fires, and in all cases where the inquest of the Coroner reveals arson or incendiarism, or attempts of arson or incendiarism, he may commit the person apprehended or may report the same to the District Attorney, and shall aid the officers of the law with all the evidence at his command to indict and convict persons charged with such crimes." A record should be kept of the data of each fire, and such records should be deemed public documents, and should be open to the inspection of citizens. This plan is both inexpensive and feasible, and I commend the question to your favorable consideration.

PROMOTION OF UNIFORMITY OF LEGISLATION.

I am requested by the American Bar Association and the Governors of New York, Massachusetts and other Eastern States to call your attention to the determined effort now being made to bring about a uniformity of legislation in the United States on the subject of marriage and divorce, insolvency, the form of notarial certificates, acknowledgment of deeds, execution and probate of wills, and fugitives from justice, and to invite your active

co-operation in an encouragement of this effort. Acts have passed the Legislatures of a large number of States already, establishing a Board of Commissioners, three in number, to serve four years and to be appointed by the Governor. It is made the duty of these Commissioners to examine above-named and kindred subjects, to confer with the Commissioners appointed for the same purpose by other States, to ascertain the best means to affect an assimilation and uniformity in the laws of the States upon these subjects, and to consider, especially, whether it would be wise and practicable for the States to join in convention to draft a set of uniform State laws and to submit them finally to the several States for adoption.

The plan has received the commendation of over twenty of the States, including our sister States, California and Colorado. The language of the Governor of Delaware briefly and tersely states the necessity for such uniformity as follows:

"The spirit of comity that should prevail between the States of the Union induces me to call attention to certain communications lately received by me from the commission to promote uniformity of legislation throughout the Union upon the important subject of marriage and divorce. Under the present arrangement of the Constitution no Federal cognizance or control over these subjects exists, and consequently a distressing absence of harmony in the legislation and judicial action of the several States exists, to the great injury of the family tie, the uncertainty of moral obligations, the legitimacy of children and the rights of property. By co-operation and co-ordinate legislation of the respective States a legal status could be agreed upon by all, which would enable great and valuable reforms to be accomplished."

There is much wisdom in this movement. Even if a convention is never held concert of action in conference by the various Commissions would inevitably bring about a beneficial result, as much so as if a general assembling of the Commissioners was held. The subject is left with you for consideration, adding that I am heartily in sympathy with the movement.

ELECTION LAWS.

The last general election has demonstrated that the Australian ballot law, as enacted by our Legislature of 1891, is a success, and meets the approval of the entire people of the State. I deem it my duty, however, to suggest an amendment wholly in the interest of economy. Under the law, as it now stands, the Secretary of State is required to furnish the paper for the ballots. The law should be amended requiring him to have all the ballots for the several counties printed at the State Printing Office at the expense of the State. I am informed by him that the total cost of this work for the last election, as per statements returned from the several County

Clerks, will exceed \$5,000, much of which was done out of the State. He also informs me that he will guarantee to have the work done in our State Printing Office at a cost not to exceed \$500 for the entire lot, thus making a saving of \$4,500. It is also important, I think, that the names of nominees and parties should be arranged uniformly on all the ballots, which can only be accomplished by having the ballots all printed at the same place. When there are amendments to the Constitution to be voted upon it would appear to be especially important that the ballots should be printed under one supervision in order that they may be concisely stated and correctly arranged under their proper numbers and titles. This can only be done by one who is familiar with them. The Secretary of State, being the custodian of all laws and resolutions, would seem to be the proper officer to perform these duties. I would suggest that township officers be left off the Australian ballot altogether, and that they be nominated in any manner desired by the citizens of towns and be voted for at the same time and place, but on a separate ticket, and that said ticket be deposited in a separate ballot box. Or the law might be so amended as to have the election of township officers take place at the same time as the election of school trustees.

DIRECT TAX.

Notwithstanding the fact that the last Legislature passed an Act requiring the State Board of Examiners to cancel and annul all contracts heretofore existing between the State of Nevada and Capt. John Mullan with reference to the collection of claims against the General Government, I have received several communications from him during the past two years, none of which have been officially acknowledged. Your attention is called, however, to the fact that there is due from the United States to the State of Nevada the sum of \$3,903 77. This money has been appropriated and will be paid upon presentation of a proper resolution passed by the Legislature accepting the same and the trusts imposed in full satisfaction of account. It appears from the records that the recovery of this money is due to the exertions of Mr. Mullan prior to the cancellation of his contract, and it would seem just that he should receive the compensation named in that contract for this particular collection, although he is no longer recognized as an agent of the State in any manner. Mr. Mullan suggests, as a form of resolution referred to above, the following:

JOINT RESOLUTION

Authorizing the Governor of the State of-----to receive and receipt for moneys due said State, from the General Government of the United States, on account of repayment of the direct tax.

WHEREAS, By an Act of Congress, approved March third, eighteen hundred and ninety-one, entitled "An Act to credit and pay to the

several States and Territories and the District of Columbia all moneys collected under the direct tax levied by Act of Congress, approved August fifth, eighteen hundred and sixty-one," a sum of money was appropriated to the several States for the purpose set forth in said Act; and

WHEREAS, Said Act contains the following provisions: "But no money shall be paid to any State or Territory until the Legislature thereof shall have accepted, by resolution, the sum herein appropriated, and the trusts imposed, in full satisfaction of all claims against the United States, on account of the levy and collection of said tax, and shall have authorized the Governor to receive said money for the use and purposes aforesaid. Now, therefore,

Be it resolved by the General Assembly of-----that the Legislature of the said State of-----hereby accepts the amount found to be due said State, under the provisions of said Act, and the trusts and conditions imposed in and by said Act, in full satisfaction of all claims which said State of-----may have against the United States, on the account of the levy and collection of said tax.

And be it further resolved, That the Governor of the State of-----is hereby authorized to receive and receipt in full for said moneys in accordance with the foregoing resolution.

APPOINTMENTS TO FILL VACANCIES.

In compliance with Section 1,682, page 468, General Statutes of Nevada, I have the honor to report the following appointments, made to fill vacancies occurring during the past two years:

January 27, 1891—A. Peterson, H. F. Dangberg and J. R. Bradley as members of the State Board of Agriculture to fill existing vacancies.

February 25, 1891—J. Landon Smith, appointed to fill the vacancy caused by the resignation of W. J. Smith, County Commissioner of Eureka county.

April 3, 1891—J. W. Adams, J. D. Kersey, J. S. Ullrick and J. D. Torreyson members of Board of Agriculture, District No. 1, to fill existing vacancies.

May 14, 1891—Alex. Wise, Chas. A. La Grave, G. W. Summerfield, A. W. Lindsay, J. Sibbald and Jos. Marzen, members of Board of Agriculture, District No. 3, to fill vacancies that occurred December 1, 1890.

May 6, 1891—M. D. Murphy and E. L. Hubbard, members Board of Agriculture, District No. 6, to fill vacancies that occurred December 1, 1890.

May 7, 1891—Geo. E. Spencer, member Board of Agriculture, District No. 6, to fill vacancy caused by death of John Spencer.

May 11, 1891—John Simpson, appointed to fill vacancy caused

by the resignation of C. B. Ball, County Commissioner, Lincoln county.

June 2, 1891—R. M. King, appointed to fill vacancy caused by resignation of James Cardwell, County Commissioner, Esmeralda county.

August 17, 1891—Chas. Henningsen, member Board of Agriculture, District No. 1, to fill an existing vacancy.

August 17, 1891—W. R. Lee, member Board of Agriculture, District No. 5, to fill an existing vacancy.

November 25, 1891—C. D. Van Duzer, appointed to fill vacancy caused by resignation of Isaac Frohman, Attorney and Agent before the General Land Office and the Department of the Interior at Washington, D. C., for the State of Nevada.

February 1, 1892—M. D. Foley, Jos. Marzen and C. C. Powning, members of State Board of Agriculture, to fill existing vacancies.

February 18, 1892—Charles Scheel and A. G. Greenhalgh, members Board of Agriculture, District No. 6, to fill existing vacancies.

March 8, 1892—James Shaw and Charles Ross, members Board of Agriculture, District No. 5, to fill existing vacancies.

March 10, 1892—George C. Bryson, Jr., as a member of Board of Agriculture, District No. 1, to fill an existing vacancy.

September 19, 1892—Gilbert Briggs, as a member of Board of Agriculture, District No. 1, to fill existing vacancy.

EXTRADITION.

Demands for extradition of fugitives from justice have been honored by the Executive Department as follows:

March 12, 1891—From Governor Markham of California for the return of one Charles Harlow, charged with the crime of grand larceny, alleged to have been committed in San Joaquin county, California.

October 23, 1891—From Acting-Governor Murphy of Arizona for the return of one Charles Walker, charged with the crime of embezzlement, alleged to have been committed in Cochise county, Arizona.

November 21, 1891—From Governor Markham of California for the return of one John B. Sutton, charged with the crime of embezzlement, alleged to have been committed in Plumas county, California.

December 1, 1891—From Governor Markham of California for the return of one Thomas Buckley, charged with the crime of seducing, under promise of marriage, an unmarried female of previous chaste character, alleged to have been committed in Solano county, California.

December 22, 1891—From Governor Markham of California for

the return of one George M. Osgoodby, Jr., charged with the crime of extortion, alleged to have been committed in Santa Clara county, California.

August 15, 1892—From Governor Markham of California for the return of one Herman Berta, charged with the crime of embezzlement, alleged to have been committed in Sonoma county, California.

October 26, 1892—From Governor Ferry of Washington for the return of one John Ross, Jr., charged with the crime of interfering with and changing and altering samples of ore produced for sampling with intent to cheat, wrong and defraud, alleged to have been committed in Okanogan county, Washington.

December 6, 1892—From Governor Markham of California for the return of one James A. Scott, charged with the crime of grand larceny, alleged to have been committed in Sacramento county, California.

REQUISITIONS.

The following have been issued out of the Executive Department :

March 17, 1891—On Governor Markham of California for the return of one Amaziah Davis, charged with the crime of an attempt to commit rape, alleged to have been committed in Ormsby county, Nevada.

April 9, 1891—On Governor Fifer of Illinois for the return of one L. F. Minzenheimer, charged with the crime of perjury, alleged to have been committed in Lander county, Nevada.

October 26, 1891—On Governor Markham of California for the return of one Charles Bush, charged with the crime of forgery, alleged to have been committed in Washoe county, Nevada.

January 16, 1892—On Governor Markham of California for the return of one Thomas Murphy, charged with the crime of mayhom, alleged to have been committed in Storey county, Nevada.

February 20, 1892—On Governor Markham of California for the return of one W. D. Campbell, charged with the crime of grand larceny, alleged to have been committed in White Pine county, Nevada.

November 10, 1892—On Governor Markham of California for the return of one W. C. Laird, charged with the crime of grand larceny, alleged to have been committed in Washoe county, Nevada.

December 3, 1892—On Governor Hogg of Texas for the return of one E. H. S. Mulder, charged with the crime of obtaining money under false pretenses, alleged to have been committed in Ormsby county, Nevada.

SOLDIERS AND SAILORS MOUNMENT.

In compliance with the provisions of an Act, approved March 19, 1891, I submit herewith the report of acceptance of the Governor,

and the detailed report and financial statement of the Commander of Custer Post, No. 5, G. A. R., Department of California, in whose charge the management was placed.

The amount appropriated by the State of Nevada was \$1,000, which amount was paid and proper vouchers are on file. Both the work and the report have my cordial approval.

EXECUTIVE DEPARTMENT,
CARSON CITY, Nevada, June, 1, 1891. }

To the State Board of Examiners:

GENTLEMEN: In accordance with the statute I respectfully submit herewith my report regarding the purchase and erection of a monument to the deceased soldiers and sailors, for which the Legislature appropriated \$1,000. I carefully examined the foundation and the work as it progressed, and am pleased to say that the structure is now completed. It has been erected in a thorough and workmanlike manner, and is a very substantial and excellent work of art. I have accepted the same on the part of the State, and recommend that your Board authorize a warrant for the full amount of the appropriation, which is considerably less than the total cost, to be issued to the Commander of Custer Post, No. 5, G. A. R.

R. K. COLCORD, Governor.

CARSON CITY, Nevada, January 10, 1893.

To His Excellency, R. K. Colcord, Governor of the State of Nevada:

SIR: I have the honor to report as Post Commander of Custer Post, G. A. R., the receipts and disbursements of said Post in the matter of the monument in part donated to the memory of the soldiers and sailors of the late war by the State of Nevada. In making this report, as Post Commander at the time of the liberal donation by the State to the old veterans, permit me in behalf of the Post and of the old veterans who have not accepted formally the advantages which would result to them by becoming members of the G. A. R., our heartfelt thanks to you individually, to the Senators and Assemblymen of the Legislature of 1891, for the grandest tribute through your instrumentality that could be bestowed upon the "old boys," and rest assured that you, Governor, and each and every one who by their well wishes or vote to furnish a lasting monument to mark the resting place of the comrades of the army and navy of the war, 1861-1865, will be held in grateful remembrance with the hope and prayer that no member of your family or offspring will have to undergo the hardships and privations as did your ever true and devoted friends—the "old boys" of the G. A. R.

May 14, 1891—Cash received from Custer Corps, No. 5, benefit entertainment in behalf of Monument Fund -----	\$349 35
June 3—From the State of Nevada -----	\$1,000 00
	<hr/>
	\$1,349 35
<i>Disbursements—</i>	
May 16, 1891—Freight on monument -----	\$130 50
June 3—J. F. Lenforth, monument -----	787 90
R. Logan, foundation and base -----	150 00
Telegrams and postage -----	8 40
H. E. Martin, hauling -----	1 50
C. E. Bray, hauling -----	17 50
M. Fellows, raising monument -----	10 00
F. Fellows, labor raising monument -----	3 00
Tribune printing for dedication -----	12 00
Cagwin & Noteware, stationery, etc. -----	12 70
Opera House (on account of storm) -----	3 00
Expenses of Department Post Chaplain, A. T. Nerdham, from San Francisco to Carson and return -----	28 00
Postage stamps -----	4 00
J. Savage, labor -----	16 00
J. M. Benton, carriages (dedication) -----	14 50
Arlington House, expenses Department officers -----	8 25
Tribune printing and postage -----	4 00
J. H. Crockwell, photos of monument -----	3 00
Band for dedication services -----	25 00
Cash returned to Custer Corps No. 15, W. R. C.	100 00
Iron fence for inclosing monument -----	78 25
	<hr/>
	\$1,417 50
Credit by amount contributed -----	1,349 35
	<hr/>
Balance paid by Post -----	\$68 15

Very respectfully submitted,

WM. HY. DOANE,

P. P. Commander, Custer Post No. 5, G. A. R. Department of Cal.

ASYLUM FOR THE INSANE.

In referring to our Insane Asylum I cannot too highly commend its management under the present Superintendent, Dr. G. H. Thoma, and his able and efficient assistant, N. W. Roff. Not only

as regards the humane treatment of the patients by the application of liberal rules for their government and suitable appliances for their comfort, but for the very capable and business-like manner of its financial management as well. For proof of this I refer you to the carefully prepared report of the Superintendent.

As a member of the Board of Commissioners for the Care of the Insane, I found that the State was involved in a lawsuit regarding water rights with the Reno Reduction Works. After a thorough investigation of the facts of the case I was convinced beyond a reasonable doubt that the State could not maintain its position either in law or justice, and after advising with the Attorney General, the other members of the Board sharing in that opinion, the suit was abandoned.

The Legislature of 1891 made a special appropriation of \$5,000 for repairs upon the buildings. The report of the Superintendent shows that over \$12,000 has been expended on repairs and additions, and notwithstanding this extraordinary outlay, the expenditures have been kept within the regular appropriation, and over \$5,100 has been returned to the Treasury, a showing which reflects great credit upon the management.

It is hoped that the practice of sending people from the several counties to this institution at the expense of the State who are *not insane* will be investigated.

The law should be so amended as to prevent the admission of cases of idiocy, imbecility, feebleness of mind, dementia or delirium tremens.

I see no reason for advising a larger appropriation for the next two years, and would deem it unwise to reduce the amount. With reference to appropriations, however, you will doubtless be guided by the estimates of the State Controller, whose duty it is to furnish this information.

THE STATE UNIVERSITY.

It is with a feeling of pride and satisfaction that I call your attention to our University. As an institution of learning its growth has been phenomenal. From a very small beginning, and young in years, it is rapidly working its way toward the head of the leading educational institutions of the coast. The State is receiving full value annually for its investment in the education and training of our young men and women. President Jones has few superiors as an educator. The members of the faculty are all young, able and energetic men, thoroughly qualified for their several departments, and all are working harmoniously together for the general good of the institution. There have been many improvements and additions in and about the buildings during the past two years. A large building has been erected and machinery, tools and appliances provided for the class in practical mechanics. The laboratories have been supplied with all necessary apparatus, and it is to-day one of the best

equipped schools of its kind in this section of the country. The Board of Regents, each and all, take a very deep interest in the management of its affairs, and especially is this the case with the Chairman, Mr. H. L. Fish, who is particularly devoted to everything pertaining to its interests, and never hesitates to neglect his own private business to serve the school. The President's report will furnish everything in detail and will doubtless be read with much interest by you. I recommend an appropriation for the next two years of \$20,000 for its support.

THE NATIONAL GUARD.

The maintenance of an efficient and well organized State militia is thoroughly in accord with the spirit of our institutions, and by their very nature is rendered necessary. The Nevada National Guard is composed of an exceptionally fine body of men. In numbers I think about the same as in 1891, which the report of the Adjutant General (not yet at hand) will show. The last Legislature made provision for the holding of an encampment each and every year after the passage of the Act, and appropriated \$5,000 for carrying out its provisions. Finding it impossible to comply with the law with the funds available for the purpose, I determined to hold but one encampment for the two years. This was held at Carson City, commencing on the 22d day of August, 1892, and about sixty per cent. of all the men enrolled answered the call and were in attendance. It is not complimenting either officers or men too highly to say that it was a grand success in every detail, and notwithstanding it was an exceedingly hard week's service for both officers and men, the discipline and order were simply perfect. The encampment was held under a regimental organization, which had been formed by the election of regimental officers at a meeting of the officers of the several companies.

I desire to name Adjutant General Poujade, Lieutenant J. M. Neall, U. S. A. (detailed by the Honorable Secretary of War), and Colonel F. C. Lord, to whose uniting efforts the success of the encampment was largely due.

By an Act relating to military affairs, approved March 19, 1891, the Governor is required to call out the State militia for not less than four days and not to exceed six days during each and every year for purposes of military drill.

The necessity of amending this law or repealing it is obvious, because the State cannot afford the annual expenditure of \$5,000 for this purpose. The Adjutant General's report will furnish you all information in detail.

THE ORPHANS' HOME.

The Orphans' Home, under the fostering care of the Board of Directors and the kind, humane and efficient management of the

Superintendent and his wife, Mr. and Mrs. Grimmon, is indeed a home of comfort and happiness for those poor children who have been deprived of parents and home, and have become wards of the State. Under ordinary circumstances their condition would appeal to the sympathy of all good people. It is a source of pride and gratification to me to be able to report that under the present management they are receiving the best of care and treatment. Aside from the ordinary branches in which these children are being taught by an experienced teacher, they are being educated to become ladies and gentlemen, as is often remarked by those who meet them on the street, at church, and at Sunday school, or at the Home. Still it is a misfortune for any child to remain in a charitable institution after he is old enough to realize his dependence, and it is of the greatest importance that the children should be taught the habits of industry in order that they may become imbued with a spirit of self-reliance. I believe means should be provided for placing as many as possible of these children in respectable homes.

Doubtless the Board has already considered this subject without, perhaps, taking any steps to bring it to the notice of the general public. It is possible if an effort were made in this direction that it might result in bettering the condition of some of the children, and at the same time relieve the State of the responsibility and expense of their education and maintenance. It will be observed by an examination of the report of the Board of Directors that the expenditures for the past two years are within the limit of the appropriation, which, considering the repairs, refurnishing and general improvements of buildings and grounds, testifies to careful business management on the part of the Superintendent. My judgment is the Home should receive the same appropriation for the next two years as for the past term, excluding the special appropriation, which was made for repairs and which will not be required for the next term.

THE NICARAGUA CANAL.

A measure of vast commercial importance to the whole Pacific Coast, is the construction of the Nicaragua Canal under the control of the Government of the United States. When completed it will commercially link together the two sides of the American Continent, and unite more closely the northern, western and southern parts of America.

It has been estimated that this ship canal will shorten the distance by water, between San Francisco and New York, ten thousand miles; that the sailing time from San Francisco to New Orleans will not exceed twelve days; to New York, sixteen days; to Liverpool, twenty-one days. Unlimited benefits will flow from its construction and completion. At present the long water highways around the Horn cannot effectively compete with land transportation, but when the passage can be made across the Isthmus competition will compel a fall in

freight charges; greater facilities in the way of opening up new markets will be afforded the farmer; the consumer and the manufacturer will in less time and at less expense receive the desired merchandise at their doors; labor will find new fields; property values will increase and new industries will every where spring up. In time of war it will enable the Pacific Slope to successfully defend her coast line, and in time of peace commercial prosperity will reign. Unquestionably Nevada will derive commercial advantages from the construction of this canal. I therefore earnestly recommend a memorial to Congress on this subject, urging the passage of the bill favoring this enterprise.

MINES AND MINING.

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 is languishing. This is principally on account of the depreciation of silver, which is, under 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 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 and season of deprivation. 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.

THE PUBLIC SCHOOL SYSTEM.

Our Constitution places authority in the Legislature's hands for the establishment and maintenance of a complete and uniform system of common schools. Under this generous provision free elementary schools, high schools and a University have grown up.

Our public school system has made unmistakable advances. In reality, it has more than kept pace with—it has virtually outrun—the State's material progress. Though advancement is indicated, and great good is undoubtedly being accomplished, yet the public school laws will stand intelligent investigation. It will be found that they are inadequate in some respects, and the cause of education can be subserved by amendment. Our State Superintendent of Public Instruction calls your attention to these amendments in his carefully-prepared report, and they should be given the conscientious consideration they deserve. But one thing we feel well satisfied with is the favorable condition of our public School Fund. Our parental Government has been exceedingly generous with its land grants; our Legislatures have, with wisdom, guarded the funds, and the recent approval of land grants has placed the fund on so sound a basis as to warrant, in the near future, the maintenance of our schools without taxation. This will be a proud day for Nevada. It is to be regretted that the custom of holding Teachers' State Institutes is being neglected. If well attended and interest in their proceedings is manifested, increased pride in the high calling of pedagogics cannot fail to be engendered in the teachers and general great good accomplished.

WORLD'S COLUMBIAN EXPOSITION.

It is a matter of extreme regret to every citizen of our State to be compelled to admit that our financial condition and resources are such as to prohibit the possibility of Nevada successfully competing with the other States in making an exhibit at the Chicago Exposition during the present year, yet with all our State pride we cannot deny this fact. This being settled, the next questions which present themselves are: Can our people make a creditable showing with such an appropriation as we are able to make? and ought we to make the attempt?

It is not pleasant to contemplate the fact that Nevada will be the only State unrepresented at this great anniversary Fair. If I were to be guided by my own personal feelings in the matter, pride of State would unhesitatingly prompt me to recommend a suitable appropriation to this end, but duty warns me that such a course, if adopted by your honorable bodies, would work a hardship upon the taxpayers of the State, and my judgment is that the general sentiment of our people would be adverse to any large expenditure for this purpose. Some are of the opinion that unless the State can make a good exhibit of our products, none should be made at all. Our Commissioners will doubtless appear before your committee fully prepared to explain the situation, and will ask for an appropriation and the appointment of State Commissioners. I am sure you will exercise your very best judgment in dealing with this important subject.

STATE LABORATORY BUILDING.

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.

AGRICULTURAL DISTRICT SOCIETIES.

The several agricultural districts have heretofore received an annual contribution in the shape of an appropriation by the Legislature, of \$1,000 each from the State Treasury. After a careful investigation as to the benefits derived from this investment I find nothing to commend it, and advise that no more appropriations be made for this purpose. It would, however, be advisable to authorize the Boards of County Commissioners of the several counties comprising the districts to appropriate money to assist in holding these fairs, if they consider it expedient. The State Agricultural Society should receive every encouragement from the Legislature. The Board, during the past two years, has made many valuable improvements to the buildings and grounds. The pavilion has been thoroughly repaired and painted, the grand stand, stables and fences have been kept in order and the members of the Board are entitled to much credit for the faithful manner in which they have discharged their duties. Mr. Theodore Winters, the President of the Board, has contributed liberally of his private means toward the furnishing of the grand stand with chairs, which adds very materially to the comfort of the visitors to the fair. I refer you to the re-

port of the Board, and advise a liberal appropriation for the State Agricultural Society.

INVESTMENT OF STATE SCHOOL FUNDS.

By an Act of the last Legislature, the law authorizing the investment of the surplus School Funds was amended, authorizing the purchase of the bonds of other States. On June 5, 1891, a communication was addressed to the State Treasurers of California, Oregon, Washington, Idaho, North Dakota, South Dakota, Colorado and Montana, as follows:

OFFICE OF STATE TREASURER,
CARSON CITY, Nevada, June 5, 1891. }

To the State Treasurer of Washington, Idaho, etc.:

DEAR SIR: Will you please inform me if there are any bonds of ----- in the market? If so, please give market price, rate of interest, life of bonds and amount obtainable. By replying to the above questions you will greatly oblige.

Yours respectfully,
J. F. EGAN,
State Treasurer.

By G. W. RICHARD, Deputy.

In each case there arrived a reply to the effect that they had no bonds for sale, therefore these surplus funds remain in the Treasury and, of course, are not drawing interest.

GOVERNOR STEVENSON'S PORTRAIT.

An appropriation of \$500 was made at the session of the Legislature of 1891 for a portrait of the late Governor C. C. Stevenson. The law unwisely, I think, required that it should be procured of some photographer or artist resident of the State. In compliance therewith a contract was made with J. H. Crockwell, a photographer of Virginia City, who engaged Oscar Kunath, a portrait painter of San Francisco, to do the work. Mr. Kunath's bill, for which I hold his receipt, including painting, packing, drayage, etc., was \$334 80. Mr. Crockwell's expenses to San Francisco, commission, etc., brought the total cost up to \$475, leaving a balance of \$25 to be returned to the Treasury. The portrait is a good likeness and finely executed.

LAND AGENT AT WASHINGTON.

During the past two years there have been approved to the State 533,615.43 acres of land. Of this amount 385,784 acres were secured during the year 1892, by the present Land Agent, Mr. C. D. Van Duzer, who was appointed November 25, 1891, to fill the va-

cancy caused by the resignation of Mr. Isaac Frohman. Both of these gentlemen are deserving of much credit for their energy and perseverance in the discharge of their duties.

It is very important that this work should be continued at least another year, and I advise an appropriation of \$1,000 for the service of the Attorney and Agent before the General Land Office and the Department of the Interior at Washington D. C., for the State of Nevada.

THE FISH INDUSTRY.

The report of Commissioner George T. Mills, which is submitted for your consideration, is a carefully prepared and ably written document. He treats the subject of the propagation and preservation of the fish of the waters of our State from an economic as well as a scientific stand point, and having had much practical experience in the line of his duties, as a faithful officer his conclusions and recommendations are entitled to your careful consideration.

The Legislature of 1891 appropriated \$3,000 to be expended under the direction of the Fish Commissioner, and the expenditures have been kept within this amount.

I am of the opinion that the same amount should be allowed for the ensuing two years.

BOUNDARY SURVEY.

The Surveyor General's report, page 8, calls attention to the important matter of the boundary line between this State and California. I trust you will investigate the subject and, if necessary, make suitable provision for the protection of the interests of the State.

The report of the Surveyor General shows a very gratifying state of affairs with reference to land matters, and he has so conducted the affairs of his office as to keep expenditures considerably within the appropriation.

CONCLUSION.

Having received but few of the reports of the State officers, there may be some matters which I have only touched upon, demanding special mention, but the details will fully appear in the various public documents that will be placed before you. The completion of the walk around the Capitol should not be overlooked. The Commissioners have, I believe, made the best possible use of the means at their command, and the work is not completed. I trust an amount sufficient for this purpose will be allowed. I advise the usual allowance for the continuation of the Weather Service Bureau, believing, as I do, that it is of value to the people. It will be necessary to increase the appropriation for the support and education of the deaf, dumb and blind to \$1,500. Great credit is due the heads of departments and superintendents of State Institutions for their

care and watchfulness, and it is a source of congratulation that the total expenditures for the past two years are several thousand dollars less than the appropriations.

I have reason to hope and believe that the work before you will be rendered with care and patience, looking alone to the public good and bearing clearly in mind the fact that we are here as the representatives of all interests and all sections, for the furtherance of whatever, in our judgment, may be for the greatest good of the whole State.

Therefore, let our acts be such as to merit the approval and receive the commendation of all good citizens, and to this end let us invoke in our deliberations strength and guidance from Him who is the source of all wisdom.

ROSWELL K. COLCORD,
Governor.