

**APPENDIX**  
**TO**  
**Journals of Senate and Assembly**  
**OF THE**  
**TWENTY-THIRD SESSION**  
**OF THE**  
**LEGISLATURE OF THE STATE OF NEVADA.**

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**1907**



**CARSON CITY, NEVADA**  
**STATE PRINTING OFFICE, : : : J. G. MCCARTHY, SUPERINTENDENT**  
**1907**

**STATE OF NEVADA**

**MESSAGE**

**OF**

**GOVERNOR JOHN SPARKS**

**TO THE LEGISLATURE OF 1907**

**(Twenty-Third Session)**



**CARSON CITY, NEVADA**

**STATE PRINTING OFFICE, : : : J. G. MCCARTHY, SUPERINTENDENT**  
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# GOVERNOR'S MESSAGE.

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STATE OF NEVADA,  
EXECUTIVE DEPARTMENT,  
CARSON CITY, January 21, 1907.

*To the Honorable, the Senate and the Assembly:*

GENTLEMEN: The Constitution provides that the Governor "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." In obedience to this command I have the honor to congratulate you upon the auspicious circumstances under which you have assembled as a legislative body. There are many laws that may be passed beneficial to the State, and it is possible that others may be presented which will not only be without merit, but actually detrimental. I believe that you will exercise a wise discrimination, and work together for the common welfare and future prosperity of our State.

The general condition affecting business interests, increase of population and wealth have certainly been manifested since the last Legislature adjourned in a degree beyond all expectations of the most sanguine believers in our future greatness. Looking forward, hopes are better founded than ever before for a continuance of progress and development. Our natural resources so plentifully distributed have scarcely been touched in a way that might be considered as covering more than a small fraction of the unexplored wealth-producing capacity of our State.

With reference to the discoveries and development of our mines it must be conceded that the influx of practical miners, with the aid of scientific educators and backed by capital from every region of the earth, has accomplished the wonder-

ful results attained, and yet the field at large remains open to the prospector with inducements for success more flattering than ever before.

We have at last learned that the mining possibilities within the borders of our State are inestimable and do not hesitate to encourage investors with assurance of reasonable profit in virgin ground subject to location.

It is apparent that the mining industry requires a State Mineralogist to examine scientifically the mining claims in every district in the State. The reports will bear the impress of official indorsement which will disseminate knowledge and instruction not accessible from other sources. Hundreds of letters asking for literature explanatory of the mines have been received. Some desired technical knowledge, others merely asked for general information and opinions, but there is nothing available for distribution.

The State has as we believe wisely created the office of State Engineer for the purpose of coöperation with the General Government in respect to adjustment of water rights, measurement of streams and estimating the amount of surplus water that can be utilized in the reclamation and irrigation of arid lands.

It has also created the office of State Veterinarian for the purpose of caring for the health of live stock and to prevent the spread of disease throughout the State. Both offices have proved beneficial.

It is strange, indeed, that the paramount industry should not have been recognized by placing a competent officer at the head with duties defined and equipments furnished and a salary commensurate with the ability and talent required to perform the duties acceptably. I earnestly recommend that such an office be created and provided for.

The only adverse condition that has retarded development in all lines of business has been the scarcity and high price of fuel. We must all acknowledge that our forests have been used and destroyed in a wasteful manner from the first settlement to the present day—a fact referred to by President Roosevelt in his speech in Carson City. Whether this can be remedied by legislation now is doubtful; the damage has been done, and there are no means of restoration other than the planting of trees of quick growth, such as cottonwood, poplar,

and soft maple, which when planted in good soil will make a growth in five or six years that will give great relief, and it would not be detrimental to start the hardwood or nut-bearing varieties.

The General Government has initiated a policy of establishing forest reserves covering the greater portion of the timber lands of the State of Nevada, and is enforcing the law for the protection and preservation of timber in a strict and impartial manner.

The following letter from the Acting Auditor of the Treasury Department, together with the reply, will convince you that additional legislation is required to meet the suggestions of the Auditor and possibly give revenue to the State for the public schools and public roads as therein indicated:

TREASURY DEPARTMENT,  
WASHINGTON, November 15, 1906.

*The Governor of Nevada, Carson City, Nevada.*

SIR: I have the honor to invite your attention to the provisions of the appropriation for the General Expenses, Forest Reserve Service, found on page 17 of the Act making appropriations for the Department of Agriculture, approved June 30, 1906 (Public—No. 382), as follows:

"That ten per centum of all money received from each forest reserve during any fiscal year, including the year ending June thirtieth, nineteen hundred and six, shall be paid at the end thereof by the Secretary of the Treasury to the State or Territory in which said reserve is situated, to be expended as the State or Territorial Legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the forest reserve is situated; *provided*, that when any forest reserve is in more than one State or Territory or county the distributive share to each from the proceeds of said reserve shall be proportional to its area therein; and *provided further*, that there shall not be paid to any State or Territory for any county an amount equal to more than forty per centum of the total income of such county from all other sources."

The Controller of the Treasury has decided that the provision contained in said Act does not authorize the payment to any State or Territory of an amount greater than forty per centum of the total income from all sources of the counties in which the forest reserve is located.

In order to carry out the provisions of this Act, I have the honor to request that you furnish me a statement, duly authenticated by the proper officer, showing the total income for the last year from all sources of the following counties of your State in which forest reserves are located in whole or in part: Washoe, Douglas.

Respectfully,

G. W. ESSERLY,  
*Acting Auditor.*

G. W. ESSERLY, *Acting Auditor, Treasury Department, Washington, D. C.*

SIR: I have the honor to acknowledge receipt of your communication bearing date of November 15th, calling my attention to Federal law relating to proceeds from forest reserves.

In reply I will state that I am unable to give you the information desired, as no reports have come to this office from such sources, and there is no State law requiring statements to be made. It has been considered a purely Government affair, and it is impossible for me to ascertain the area or boundaries as between the several counties in this State with respect to forest reserves.

Washoe and Douglas Counties adjoin the eastern boundary of California. I will call the attention of the Legislature and request that legislation be enacted in conformity with the law as cited by you.

According to information received from the United States Land Office here, the following list is of reserves in which Nevada is situated:

<i>County.</i>	<i>Reserve.</i>
Lincoln.....	Charleston Mountain
Elko and White Pine.....	Ruby Mountain
White Pine.....	Osoola Forest
Elko.....	Independent
Washoe (California and Nevada).....	
Ormsby and Douglas.....	Tahoe Forest
Nye.....	Ellsworth
Lander and Nye.....	Reese River
Oregon, California and Washoe.....	Warner Mountains
Humboldt and Churchill.....	Silver Mountains
California and Douglas.....	Modoc

Respectfully,

JOHN SPARKS,  
*Governor.*

#### IRRIGATION AND WATER DISTRIBUTION.

This important and essential factor for the farming communities and for the prosperity of the State is certainly being solved in a very satisfactory manner to almost all claimants of water, without appealing to the Courts. The State Engineer has become a mediator in settling differences between claimants, and has certainly been reasonably successful and exceedingly active in the discharge of the duties required of him by statute.

The proofs of the use of water upon about sixty-five thousand acres of land have been collected, and the determination concerning the priority and extent of rights have been made for thirty-five thousand acres.

Water was distributed in accordance with the findings of the State Engineer through the Carson and Dayton Valleys during the extremely dry season of 1905. The distribution was effected through Water Commissioners made by the districts where the services of Commissioners were required and paid by the counties in which they served. These men were very effective in keeping the stream together in but a limited

number of ditches at a time, and conserving the supply in such manner as to get all possible use out of the water available.

The surveys of the irrigated land in the State have proceeded in conjunction with the reclamation work in Nevada. The State has borne a small part only of the expense. The surveys have resulted in maps now on file in the State Engineer's office of the Carson River Valleys, the Walker River Valleys, the Truckee River Valleys, the Humboldt River Valleys below Golconda, and the Muddy River Valley. These maps cover an area of irrigated land embracing about 175,000 acres of very valuable land.

The Reclamation Service does not now carry on these surveys, and the remainder of the work in this State will have to be done by the State itself.

The statute enacted in 1905 concerning new appropriations of water requires all new appropriations to be made through the office of the State Engineer and requires him to learn by such means as are within his power whether or not there is unappropriated water in the source of supply. This has necessitated much travel on his part which has resulted in a very complete and intimate acquaintance with the water resources of this State from one end to the other. The results of his examinations and findings of fact have been such that out of one hundred and forty cases passed upon by his office in the initiation of new rights but one case has been appealed.

The State Engineer has been very earnest and persistent in an effort to bring about a settlement of the suit instituted by Miller & Lux against the other water users on the Walker River.

An agreement among the attorneys for the different groups of interests along the stream has been sought as a basis upon which their clients could agree. A set of stipulations has been drawn that the attorneys are now recommending to their clients, whereby the State Engineer is chosen as a special Master in Chancery to take proof in regard to the many claims for water and make findings thereon.

The stipulations provide for a court review of the Engineer's findings and necessary corrections thereto and provide for a court decree enforcing the corrected findings.

This is a matter of very great interest to the settlers all along this stream and affects about one hundred and sixty different

water users and upwards of forty thousand acres of irrigated land.

I know of no subject that more nearly affects the interests of the agricultural portion of our citizens than their water supply, and such effort as the State Engineer is making to give a clear and well-defined title to the use of water, to make the methods of initiating new rights certain and effective, to minimize expensive litigation over water rights, meets my hearty approval, and I recommend that adequate support be given his office and necessary appropriation made for its continuance.

#### STATE LANDS.

The following suggestions, from the report of the Surveyor-General and ex officio Land Register, meet with my approval and are recommended to you for careful consideration. The educational funds are mainly derived from land sales, and what benefits the schools is beneficial to the public:

#### GRAZING LANDS.

Of the 62,000,000 acres of Government lands, that is, lands unappropriated and owned by the United States in Nevada, about 25,000,000 acres are grazing, 20,000,000 acres are mineral, 6,000,000 acres are agricultural, 2,000,000 acres forestry, and 9,000,000 acres desert, lakes, rivers and saline, borax, sulphur, gypsum and other non-metallic mineral deposits. The grazing lands are principally on ridges and plateaus that cannot be irrigated, and, therefore, cannot be settled under the homestead laws, as no family could make a living on 160 acres of such lands, which are valuable only for the pasturage they afford flocks and herds. As the United States derives no benefit from those lands and is not likely to derive any benefit from them, Congress might be asked to grant to the State at least 2,000,000 acres of them, that being about the difference between the 2,000,000-Acre Lieu Grant, and the aggregate acreage of the 16th and 36th sections in each township which the State relinquished to the Government in lieu of the 2,000,000-Acre Grant.

Considering the fact that Nevada was admitted into the Union as a war measure before its population entitled it under the apportionment to a Representative in Congress or its revenue from taxable property was sufficient to support a State Government, and that the State relinquished its right to 1,992,000 acres when it accepted the 2,000,000-Acre Grant for the 16th and 36th sections, it would be only strict justice to Nevada to have the Congress of the United States grant it at least 2,000,000 acres of those uplands and plateaus. I would suggest that the attention of the Legislature be directed to this matter and, if it receives the approval of that honorable body, a memorial to Congress setting forth the facts might have a favorable effect.

#### SUBSTITUTE CONTRACT LANDS.

Originally the land laws of Nevada required the payment of interest at 10 per cent and the payment of one-tenth of the principal annually on all contract lands. The Legislature of 1885 passed an Act fixing the price of lands and providing that the applicant for lands might enter into contract to purchase the



lands upon payment of one-fifth of the purchase price when making the application, the remainder to be paid in twenty-five years from date of contract, with interest at the rate of 6 per cent per annum upon the deferred payment. The option was given the purchaser of making full payment and receiving patent for the lands in the name of the applicant at any time. All contracts in existence at the time of the passage of the Act might remain in force under the conditions stipulated in the contract, or the unpaid principal could be made the subject of a new contract under the provisions above stated, at the option of the holder of such contract.

Under the liberal provisions of this Act 360 applicants surrendered their contracts and entered into new contracts with the State to make full payment on the lands in twenty-five years and pay interest annually on the principal due at 6 per cent.

Eighteen of the substitute contracts have been paid in full, leaving 342 yet in force. In addition to the substitute contracts 71 regular contracts were entered into in 1885. These contracts cover 98,990.80 acres and the principal due on the deferred payments amounts to \$81,675.46, on which the annual interest is \$4,900.57. As these contracts mature in 1910, full payment will be required at that time under penalty of forfeiture of the lands. If full payment is made and the principal invested in bonds, it will reduce the interest at least one-half, as the bonds in which the school funds are invested do not average 3 per cent per annum interest, while the interest derived from contract lands amounts to 6 per cent per annum.

In view of these facts it seems advisable to extend the time for full payment on the contracts fifteen or twenty years, the holders of the contracts to be given the option of entering into new contracts or making full payment. However, it is for the Legislature to determine whether the change indicated in the Land Laws would be beneficial or otherwise to the School Fund.

#### RAILROADS.

The message sent from this office to the Legislature two years ago contained the following with reference to railroads:

For the first time in the history of Nevada prospective railroad building begins to meet general favor with the great magnates engaged in transportation, and it is not beyond reasonable expectation to predict the construction of railroads not only as trans-continental extensions, but that will radiate in all directions, thus connecting hitherto remote districts and completing a system of transportation long hoped for by our people. This is an age of enterprise and progress, but it requires facilities for intercourse to accommodate business. Our natural and undeveloped wealth will bring railroads, and business will follow.

It is, therefore, highly important that encouragement be given to the promotion of this enterprise, by adopting a fair and liberal policy of taxation, and also by enacting laws giving full and safe protection. This accomplished, taxable property will increase, cities will be built which will become terminals, and, naturally, transportation charges will be reduced. More main lines will produce more branches reaching undeveloped regions in our State. It is a fact that railroads are the developers of all new countries, and especially contribute to the success of mining districts.

The last two meetings of the State Board of Assessors have shown a very conservative disposition in favor of railroad assessments, and other classes of property throughout the State.

As an illustration, the San Pedro and Los Angeles Railroad running

through Lincoln County for a distance of about 200 miles will so benefit the county as to enable it, in a few years, to be relieved from a very burdensome bonded debt now hanging over it.

The encouragement and fair treatment, as expressed above, have been fully carried out by the officers, both State and county, which it is hoped will continue in the future.

One of the leading railroad builders of the United States remarked to me that it takes nerve and a great amount of money to construct railroads under conditions prevailing in Nevada, with deserts unpopulated and undeveloped stretching a hundred miles or more before an object of uncertainty can be reached at the other end. He was assured that Nevada would never go backward, and the road is now being pushed to completion.

Admitting that railroads are very desirable and that Nevada has treated them generously, the fact remains that in some instances our people have cause for complaint. Terminal points should be established in this State for the convenience of business the same as prevails in all other States of the Union. It is hardly possible that you are possessed of the power to remedy this condition, but the State has the power of valuation and assessment for taxation purposes, and railroads have been and are now paying, in comparison to actual value, less than any other class of property. We demand terminals and, if the worst comes to the worst, retaliatory measures upon these lines may be resorted to, which will be regrettable and should be avoided by the managers of railroads yielding to a reasonable request.

#### FISH.

I feel that the stocking of the streams of the State of Nevada with suitable varieties of fish, and the passage of laws relating to their preservation, should have a part in this message, and I would especially call the attention of the Legislature to its importance. It is but natural for the wild trout to decrease and gradually disappear with the advance of settlement, and to prevent this will require some modifications of the present laws, as well as substantial help to the Nevada Fish Commission.

On this commission I have appointed Hon. Geo. T. Mills of Carson City, Hon. E. B. Yerington of Carson City and Hon. Horace H. Coryell of Wells, gentlemen in whom I have every

confidence, who are enthusiasts on the subject of trout propagation and who are familiar with the advantages of the different waters in Nevada, and I would request earnest consideration of their requirements.

As the Legislature of 1905 did not make any appropriation for the carrying out of the provisions of the Act, the Board of Examiners allowed the Commission to incur a deficiency of \$3,000, but I understand a portion only of this has been used, and a hatchery has been installed and is in full operation, which you are cordially requested to visit.

In conclusion, I would ask for the Commission the allowance of their deficiency and a liberal appropriation for the ensuing two years.

#### **PRIZE-FIGHTING.**

Not wishing to reflect upon the moral standing of the people of this State by alluding to this subject, but rather to correct an evil which emanated wholly through legislative enactment and which has never been endorsed by popular vote at the polls, nor would it be if submitted to the will of the people, it is my desire to condemn prize-fighting more emphatically than the proposed amendment authorizing a State lottery, and say further that this is the only State that licenses prize-fighting to a finish, and, therefore, invites an element more vicious than any so-called sport, except perhaps bull-fighting, which is not licensed by the State and which can be punished criminally for cruelty to animals.

The pernicious influence exerted through prize-fighting upon the youth of this Commonwealth cannot be estimated or counteracted while the present law exists. Other States may claim to be more holy than Nevada, but whether true or not we should endeavor to respect sentiments entertained by a great majority of the good people of the United States, and restrain the demoralizing influence authorized by the present law.

Protection is desired to free our people of this baneful tendency, and I recommend that the prize-fight law approved January 29, 1897, be repealed, and that a rigid prohibitory measure be enacted in its stead.

#### **NOTARIES PUBLIC.**

One of the most perplexing duties which has come before me during the last two years has been the distribution of com-

missions for Notaries Public. It has been my desire to conserve the interests of all communities where the necessity was urgent. The law, however, limits the number to be appointed, and as the State is large in area the counties are correspondingly large.

The new towns and districts which are every day springing into existence far remote from notarial services require and request this accommodation and should receive it for the general convenience and advantage of both citizens and State.

The last Legislature made an apportionment to each county which was satisfactory, but developments since could not be foreseen, and the apportionment has fallen short of meeting the demand. Nearly every county has exhausted its quota.

Under present circumstances it seems advisable to greatly increase the number of Notaries by giving to each county a full sufficiency, or, if more practicable, to allow the issuance of commissions on applications of citizens for the State at large.

#### MILITIA.

I am not opposed to this State having organized militia, but the reports of four annual inspections made by the United States Army officers, the last two of which are to be found in the report of the Adjutant-General of this State for the years 1905-1906, determined me to disband the National Guard. General Orders No. 3 of May 12, 1906, ordered the disbandment on May 20th of that year, since which date there have not been any new organizations.

The Federal law requires that unless the State has not less than three hundred "regularly enlisted, organized and uniformed" men, no more military property can be issued to it, and its requirements as to drills, target practice, camps of instruction and practice marches are such that, in my judgment, the young men of this State would not care to comply with.

This condition is to be regretted, as Nevada is probably the only State in the Union without a National Guard. This might be construed by some to be unpatriotic, and granting that such organization is not actually necessary in this State, a turnout of a fine military company in procession on State and other occasions, especially on the Fourth of July, certainly revives emotional reverence for those who stood for liberty

from the days of '76 to the close of the Revolutionary War, and builded a republic grander than any on earth.

If the Legislature sees the way clear to give financial aid in reorganizing the militia as required by law, it will not prove detrimental to the State.

#### **PURCHASE OF ARMORY BUILDING.**

The Legislature of the State of Nevada by Act approved March 17, 1905, provided as follows:

**SECTION 1.** Whenever in the judgment of the State Board of Military Auditors it becomes necessary for the storing of arms, equipments, military stores and all other property belonging to the State, the said Board of Military Auditors are hereby authorized and empowered to obtain by purchase the pavilion formerly owned by Agricultural District No. 2, or any other building situated in Carson City.

**SEC. 2.** The sum of eight thousand dollars is hereby appropriated out of any moneys in the General Fund of the State, to carry out the provisions of this Act, and the State Controller is hereby directed to draw his warrant for said amount and the State Treasurer is hereby directed to pay the same.

By authority of this Act the Board, after careful investigation, became convinced that the pavilion was most suitable for the purposes named, and on the 8th day of December, 1905, this Board purchased, and the Attorney-General received a deed prepared by him, from the Dangberg Land and Livestock Company of the State of Nevada, for Block 2 of Sears, Thompson & Sears' Division of Carson City.

The building thereon has been made suitable for the purposes for which it is intended at considerable expense. An itemized account accompanied by a full description of the property will be found in the report of the Adjutant-General and Secretary of the Board of Military Auditors, from which the foregoing has been obtained.

#### **REPUBLICATION OF STATUTES.**

The following is taken from the report of the State Printer, and is self-explanatory:

##### **REPUBLICATION OF THE NEVADA STATUTES OF 1901, 1903, AND 1905.**

Early in 1906 the Secretary of State notified the State Board of Examiners that every copy of the Nevada Statutes of 1901 and 1903 had been sold by him and that, consequently, he was no longer able to meet the great demand for more copies of the Session Laws of those two years. Accordingly the State Board of Examiners held a meeting to consider the matter, and decided that it was for the interest of the State of Nevada to order the republication of those statutes. An order was made directing the Superintendent of State Printing to print and bind four hundred copies each of the Statutes of 1901

and 1903. No appropriation having been made by the Legislature of the State of Nevada for this purpose, the State Board of Examiners borrowed the sum of one thousand five hundred dollars from The State Bank and Trust Company of this city to defray the cost of printing and binding the additional copies.

Subsequently the Secretary of State informed the State Board of Examiners that the supply of the Nevada Statutes of 1905 was also exhausted, and requested that four hundred copies be ordered printed and bound. Accordingly the Board made the order and borrowed the additional sum of one thousand dollars from the above-named bank to defray the cost of printing and binding said statutes.

Following is a detailed statement of the expenditures—the itemized bills are on file in the office of the State Controller and in the office of the Secretary of State:

Amount borrowed from the State Bank and Trust		
Company by the State Board of Examiners .....		\$2,500.00
<i>Expenditures.</i>		
Labor .....	\$1,647.10	
Paper .....	128.00	
Gas .....	29.40	
Binding .....	672.28	
		<hr/>
		\$2,474.78
Balance in bank unexpended January 1, 1907 .....		<hr/>
		\$25.24

I will add that a portion of the money borrowed from The State Bank and Trust Company will eventually be paid into the State Treasury from the sale of the statutes. To insure the return of all the money the price of these statutes must be increased. The present prices do not cover the cost of binding.

I earnestly recommend that your honorable bodies appropriate sufficient money, together with interest on the same, to meet the amount borrowed from The State Bank and Trust Company.

#### STATE LIBRARY AND SUPREME COURT BUILDING.

This building as far as it has progressed has been erected under very adverse circumstances and conditions impossible to have been averted by the contractors, as will be understood from statement made by the Superintendent and Architect, which follows:

RENO, NEVADA, January 10, 1907.

To the Governor of the State of Nevada, and Board of Capitol Commissioners,  
Carson City, Nevada.

GENTLEMEN: I beg leave to report to your honorable body, and will try to explain why your contractors for building the new State Library have failed to complete the building on time, or as soon as the contract called for. The impossibility of getting material for this class of building caused partly or wholly by the San Francisco disaster of April 18, 1906, scarcity of skilled

help caused by the unprecedented demand for labor, and poor railroad facilities (one carload of metal roofing and cornices being lost for more than six weeks, and at last found in Goldfield) caused great delay. All these things were greatly detrimental to the contractors.

The work done on this building, so far, is of the best of its several kinds, and the building when completed will be an ornament to the State and a credit to the builders, Burke Bros. & Shaff, who have asked for further time (five months) to complete the structure, which I think should be granted them.

It was not the intention of the specifications for the building contractor to furnish the metal bookstacks, but those were to be furnished by another contractor. The Library Bureau of Boston, Mass., have fitted up more State Libraries, probably, than any other company of the kind in the United States. I expect an estimate from them in the near future on the exact cost to properly shelve this Library. I have sent them the floor plans and proper data for this work for a special estimate, which will be about \$22,500, which the Legislature should be asked to appropriate.

Respectfully submitted,

M. J. CURTIS,  
*Superintendent.*

Believing that the contractors have done everything in their power to carry out the contract as agreed upon and that they are entitled to generous consideration by the State, it is recommended that they be released from responsibility of the failure to complete the building as directed by law and by agreement with the Board of Capitol Commissioners that the same should be completed on the 1st day of December, 1906.

It certainly would be just to extend the time, and, if necessary, make a new appropriation for furnishing the structure.

#### FINANCIAL STATEMENT.

Appropriation .....	\$40,000.00
Amount expended .....	31,067.08
Unexpended .....	\$8,932.92

#### STATE CAPITOL BUILDING.

It is nearly six years since an appropriation was made by the Legislature for the repair of the Capitol building. As time passes it naturally grows worse until now it has become imperative that something be done for its preservation. The dome is leaking badly and requires tubs and buckets to catch the drippings, which plan is not always successful owing to new leaks springing unexpectedly, saturating the floor and penetrating the ceilings and plaster of the offices below.

It is in my judgment useless to attempt repairing the present covering. It should have a new roofing made of sheet copper of the kind used upon towers and domes, which presents an attractive appearance and is much more durable for such pur-

poses than the kind on the dome of the Capitol at this time. The roof of the main building is greatly in need of a fresh coat of paint. The interior of the Capitol, especially the offices, could be made much more comfortable by fresh paint and new furniture. The equipment heretofore used is now insufficient by reason of the great increase of business. A beautiful Capitol building is always appreciated by strangers and is a matter of pride to our citizens.

#### WATER WORKS.

It has developed that the pipe leading from the reservoir is too small to carry a sufficient supply of water for the Capitol Building and grounds, the State Printing Office and grounds, the State Armory and grounds, and the State Orphans' Home and grounds. This represents nearly twenty acres of land to be irrigated, besides the buildings to be supplied. Generally there is sufficient water for all purposes, but it goes to waste by reason of the insufficient capacity of the pipes to carry it to the places needed. The only remedy is the substitution of a larger pipe; the one leading from the reservoir now is six inches. Persons well informed express the opinion that a twelve-inch pipe should be substituted. A competent engineer's opinion would be more satisfactory. The reservoir should by all means be put in condition. At present it is nothing but an excavated sump in the ground filled with stagnant water. It should be lined, bottom and sides, with concrete, which would not only be a great saving of water, but prevent seepage and percolation, and afford a pure supply, which is much needed.

#### PUBLIC SCHOOLS.

There is no subject of greater interest to the public than the education of children. This is so because learning is acknowledged by all to be both desirable and beneficial. It is fortunate that the Commonwealth of Nevada is so well prepared to gratify this commendable ambition by guaranteeing a free common-school education to every child within its borders. It may be pardonable to indulge in a little boasting about our magnificent School Fund, but the real pleasure is only realized when the result of its application to the youthful mind by intellectual culture is observed.

The securities standing to the credit of the State School



Fund now in the State Treasury amount to one million six hundred and thirty thousand four hundred dollars. The securities belonging to the State University amount to one hundred and forty-two thousand six hundred dollars, making a total in the Treasury of one million seven hundred and seventy-three thousand dollars, including bonds now in the Treasury.

There is another source of revenue which in amount will exceed that from other sources, namely, State land contracts drawing 6 per cent per annum. The bonds in the Treasury, except Nevada bonds, net the School Fund about 2 per cent or less, and rather than pay the high rate of interest many land contractors are paying up on their lands. This money must go into the State School Fund and be invested in bonds of no more productive value than the lowest securities we now hold. An amendment to the Constitution is needed, increasing the power of investment of State funds, and instead of restricting investments to "bonds of the United States, the bonds of this State, or the bonds of other States of the Union," as provided by the Constitution, the power should be given to invest at least a portion of the funds in county bonds, municipal and other bonds based on community taxation, which shall be under control of the State, and governed by the State. This would benefit the borrower by allowing him a lower rate of interest, and would give the State a higher rate than is now received.

The State of Massachusetts has been pursuing this policy for years. Towns and cities desiring to negotiate loans for the purposes of sewerage, parks or water supply do not have to go into the market and take what they can get for their bonds, but can go to the State Board, and upon a proper showing the State accepts the municipality for the amount and issues State bonds sufficient for the purpose.

The State of Nevada now holds nearly one million dollars worth of these bonds, and is receiving more interest from them than is received net on United States bonds, and the interest is paid promptly.

The adoption of such an amendment would add greatly to the support of common schools and the University. It must be remembered that every dollar of premium paid in the purchase of bonds decreases the amount to be distributed to

the several counties for school purposes to the extent of the premium.

It is evident from the vote cast at the last election on the amendment then submitted that the people of the State are willing to change the Constitution to meet present requirements. The proposed amendment to tax patented mines received the following vote:

For .....	5,450
Against .....	1,359

I believe that an amendment to the manner of investing school money will be unanimously endorsed.

#### NEVADA STATE UNIVERSITY.

This institution is a fitting crown to the public schools, and its usefulness in the final preparation of students for active life, and equipment sufficient to insure standing in all work for which they have been trained deserves recognition and praise from all sources for the efficiency and diligence exercised by the management and faculty in their efforts to carry out the educational objects for which the institution was founded. It has passed beyond the experimental stage, and many graduates are now occupying positions of honor and responsibility earned in recognition of the training received at the Nevada State University.

It is an honor to the State, attracting attention from abroad, and with the liberal support of the Legislature supplementing the generous gift of Clarence Mackay in memory of his father, whose fortune and fame were achieved in Nevada, and whose efforts were contributed to develop its early history, I recommend the careful consideration of the report submitted by the Regents and President.

#### RATE OF STATE TAXATION.

At a meeting of the State Board of Assessors held in Carson City, January 15, 1907, I was requested to embody in my message to the Legislature a recommendation that the State tax rate be reduced in order to maintain with the several counties a proportionate reduction of the tax rate so that the same may harmonize with what is known as the Newlands Act, as amended by the Legislature of 1905.

It will, however, be difficult to make a satisfactory estimate of the State tax rate until after the amount of appropriations

by your honorable body for carrying on the State Government for the years 1907 and 1908 have been made.

The assessed value of property for 1905, including net proceeds of mines amounted to \$42,239,684; for 1906, \$46,843,009 with two counties unsettled, showing an increase for 1906 over 1905 of \$3,603,325.

## CASH STATEMENT.

Balance on hand January 1, 1906.....	\$350,221.23
Received during 1906 .....	720,341.60
	<hr/>
Disbursed during 1906.....	\$1,070,562.83
	<hr/>
Balance, January 1, 1907.....	\$473,505.84

This makes a very favorable start at the beginning of 1907, and, if appropriations are not unusually large, the rate can be considerably reduced.

By a gradual reduction of the State rate proportionally with a reduction of the county rate and by raising the valuation as the Board of Assessors has recommended, it will be seen that the State and county revenues are not reduced and that a more uniform and satisfactory system of taxation is effected.

## LIVE STOCK.

While this may seem a trivial matter to present to your honorable body, it is nevertheless of such importance as to deserve careful consideration at your hands.

Nevada stock men are largely interested in this business and desire the privilege of conforming to all rules necessary to prevent the spread of disease by stock coming into this State, and are willing to comply with all restrictions exacted by the Federal Government to prevent the spread of such disease should it appear in our flocks and herds.

To carry on the stock business successfully we must have access to other markets than our own. So far our stock has been in condition to stand inspection whenever demanded. It is now credibly stated that the General Government intends to enforce precautions by refusing to admit all live stock on forest reserves without first being inspected, and in case of sheep all shall be dipped before being admitted. These reserves cover a large portion of the grazing lands, which, being in control of the Government, will be a safeguard against disease. Nevada and all adjoining States have acted

uniformly in a neighborly way to favor interests of all, and it is my desire and intention to maintain, if possible, the harmony now existing, under the law. Should the Nevada State Veterinarian coöperate with the stock growers of this Commonwealth in the event of disease immediate action should be at hand.

#### **BANKING AND BROKERAGE.**

The sudden development of our resources and the consequent great increase of business has been a strong incentive to the establishment of banks and brokerage concerns throughout the State. There are few instances of record where dishonorable business methods have been charged or exposed. If a competent Bank Commissioner were appointed, whose duty as prescribed by law would be to visit each bank and brokerage office in the State with power to examine the books, accounts and securities of each for the purpose of ascertaining their safety and value, no one could be harmed, unless it be those who are unable to show a clean record of business and capital sufficient to meet all obligations with their customers. The public is certainly entitled to this knowledge and protection, and it is therefore recommended that a Bank and Brokerage Commissioner be provided for by law with duties defined, and a reasonable salary allowed for his services.

#### **REOPENING OF UNITED STATES BRANCH MINT AT CARSON CITY, NEVADA.**

If there is anything in the argument of home production and the realization of the benefits therefrom, the people of Nevada should join in unanimous petition for the reopening of the United States Branch Mint at Carson City.

The production of the mines in Nevada is now sufficient to supply the bullion for operating the Mint successfully, and were it in operation it would be a great incentive to promote the building of smelters and reduction works in the State. The ore can be worked much cheaper here than in other localities, where high freight charges are to be made for transportation. If the Mint were in operation the ore could be reduced to bullion and coined at much less expense and at a great saving of time.

I recommend that you petition Congress to reopen the Carson Mint for melting, refining and coinage.

**STATE PRINTING OFFICE.**

During the past two years the volume of work turned out by the Nevada State Printing Office has been greater than ever. The character and quality of the printing will compare favorably with any executed in the United States. This department is constantly saving money for the State, as the work done there is performed much more correctly, promptly, and cheaply than is possible by private concerns. Your attention is respectfully directed to the exhaustive report and recommendations of Hon. Andrew Maute, the retiring State Printer.

**HOSPITAL FOR MENTAL DISEASES, STATE ORPHANS' HOME, AND STATE PRISON.**

There is nothing special to be said regarding these institutions other than that each has been managed in a manner to be commended, and those in charge have done their full duty, and have observed humane and considerate recognition of their obligation to the State by alleviating and consoling the unfortunate wards under their care.

**STATE OFFICERS, DEPUTIES, AND EMPLOYEES.**

It might be considered fulsome praise should I attempt to give the State officers, their deputies and employees their just dues in connection with the duties heretofore performed. I do, however, unhesitatingly assert that they have been faithful and conscientious in the discharge of public duties, and I know of no delinquency on the part of any one from the highest to the lowest in the service.

Such conditions have contributed greatly to the success of the administration, which is hereby acknowledged by me on behalf of the State.

**SALARIES OF DEPUTIES AND EMPLOYEES.**

Under conditions now prevailing the high price of living and the frequent calls for charitable contributions to the needy, I believe that in justice the salaries of all the appointive positions should be increased. It can truthfully be said that for competency in the discharge of duty the force cannot be surpassed. The increase of business at this time is beyond all precedent, clerks and deputies being called upon frequently to work overtime to keep their files clear and daily duties performed. Considering that ability is a prerequisite in filling

these positions, I am convinced that the service received by the State is not sufficiently rewarded.

This matter is submitted to you, hoping for a favorable response.

**CONCLUSION.**

Gentlemen, the foregoing suggestions have been made not expecting that they will enlighten you in any manner concerning your official duties or obligations to the State. I realize, in fact, that you have been elected by the people the same as I have been; your duties are legislative, mine are executive, but under all circumstances we should act in harmony for the interests of the whole State.

I hope you will not become so absorbed in the local interests of your counties as to overlook the welfare of the State at large. During this session it may become my duty to communicate with your honorable body in reference to legislation which may suggest itself to my mind. Believing that your deliberations will be conducted in a clear, dispassionate manner, I subscribe myself

Your obedient servant,

JOHN SPARKS,  
*Governor.*