



ALBERT CARRINGTON.....EDITOR.

Wednesday,.....Dec. 14, 1864.

MEETING AND FIRST DAY'S PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY.

Agreeably to a resolution approved January 18, 1864, the Legislative Assembly commenced in the State House, on Monday, at 1 p. m.—After the usual preliminaries of a pro tempore organization, during which the credentials of the members elect were examined and favorably reported upon, both branches of the Assembly proceeded to a permanent organization by the Council electing the Hon. George A. Smith, President; Patrick Lynch, Secretary; Joshua Arthur, Assistant Secretary; Wm. W. Cluff, Sergeant-at-Arms; Samuel L. Sprague, Messenger; Joseph Busby, Foreman; Joseph Young, Chaplain, and by the House electing, Hon. John Taylor, Speaker; Thomas Bullock, Chief Clerk; Robert L. Campbell, Assistant Clerk; John Smith, Sergeant-at-Arms; Thomas O. King, Messenger; George W. Slade, Foreman, and William W. Phelps, Chaplain.

The names of the Honorable gentlemen entitled to seats in each house, are as follows:

MEMBERS OF THE HOUSE OF REPRESENTATIVES:

- G. S. L. County.—John Taylor, Edwin D. Woolley, Albert P. Rockwood, John V. Long, Franklin D. Richards, John Van Cott.
Utah.—Albert K. Thurber, Joseph E. Johnson, David Cluff, Jr.
Davis and Morgan.—Horton D. Haight, Charles S. Peterson.
Weber.—Lorin Farr, Chauncey W. West.
Box Elder.—Jonathan C. Wright.
Cache.—Peter Maughan, William B. Preston.
Tooele.—John Rowberry.
Juab.—Samuel Pitchforth.
Sanpete.—Reddick N. Allred, William Anderson.
Millard.—Thomas Callister.
Beaver.—William J. Cox.
Iron.—Silas S. Smith.
Washington.—Jacob Gates.
Wasatch.—William M. Wall.
Summit and Green River.—Henry W. Brizzee.

MEMBERS OF THE COUNCIL:

- Great Salt Lake County.—Wilford Woodruff, Albert Carrington, Daniel Spencer, Joseph A. Young.
Utah County.—Leonard E. Harrington, Aaron Johnson.
Sanpete County.—Orson Hyde.
Juab and Millard Counties.—Amasa M. Lyman.
Beaver and Iron Counties.—George A. Smith.
Washington and Kane Counties.—Eras-tus Snow.
Davis and Morgan Counties.—Charles C. Rich.
Weber and Box Elder Counties.—Loren-zo Snow.
Cache County.—Ezra T. Benson.

In a few minutes after the organization, the upper and lower houses notified each other of their readiness for business. A committee of two from the Council were instructed to join a like Committee from the House, and wait upon his Excellency the Governor, and inform him that the Assembly were ready to receive his annual message. The Governor, accom-

panied by the Hon. Secretary of the Territory, Amos Reed, Esq., Col. Irish, Superintendent of Indian affairs, and Isaac L. Gibbs, Esq., U. S. Marshal, arrived at the State House at half past 2 o'clock, and was introduced to the joint session of the Assembly, by the Hon. F. D. Richards.

The Assembly arose and bowed to his Excellency, who courteously acknowledged the greeting, and thereupon took a seat provided for him between the President of the Council and Speaker of the House. The annual message and accompanying documents were presented, and the Chief Clerk of the House read as follows: them

EXECUTIVE OFFICE, Utah Territory, } Great Salt Lake City, } December 14th, 1864. }

GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

The assembling of the Legislature of a country which is governed by a written constitution and laws, is an event of great interest to all of its inhabitants. It is then that the actual condition of the State is to be investigated, and such provisions adopted as will secure to every individual his just and equal rights, and promote the general welfare.

Congress, representing the sovereignty of the United States, exercises over a Territory the combined powers of the General and of a State government. It legislates for the people of the United States; and specially for those of a Territory. It confers on a Territorial Legislature a portion only of its powers; reserving to itself the right to enact special laws, and to disapprove of any act passed by a Territorial Legislature.

The Legislative power and authority of this Territory is vested in the Governor and Legislative Assembly. It extends to all rightful subjects of legislation, consistent with the constitution of the United States, the provisions of the act establishing this government, and other laws of the United States. It is declared in the organic act, that the constitution and laws of the United States, are extended over and to be in force in the Territory of Utah, so far as the same, or any provision thereof, may be applicable.

It becomes our duty, therefore, under these limitations, to enact such laws as are necessary and suitable to the circumstances of the Territory.

The general laws now in force appear, from the examinations heretofore given them by my predecessors, and by the judiciary, to require amendment in several of their provisions.

To you, Gentlemen, is particularly referred those local subjects of legislation with which, it is presumed, you are personally acquainted from your place of residence, from your own observation, or in regard to which you may have received accurate information.

The erection of Bridges over the Rivers on the main thoroughfare; the grading of Roads through the Canyons; and the construction of canals for irrigation, by which the now waste lands in the valleys of Bear river, Weber, Jordan and Sevier, may be brought into cultivation and rendered productive. I respectfully commend to your consideration. Indeed, grants of land to be regained by irrigation, or made habitable by those canals, may with propriety be solicited of congress to aid in their construction: and their is no doubt that a Memorial to that body for this object, would receive attention, and the appropriation be made.

But excessive legislation, I think, is to be avoided as one of the greatest evils with which a community can be afflicted. Numerous laws, or complicated systems, frequent and sudden changes are dangerous to private rights, and to the liberties of the people. The freest country with a constitutional government is that which is governed by the fewest legislative enactments.

I congratulate you upon the discoveries of coal, iron, lead, copper and of the precious metals, which have been made during the past year in the western, eastern and southern sections of the Territory; and also upon the new settlements which have been formed in their vicinity. While we cannot but regard Agriculture as the first and most important interest in this country, and therefore entitled to every encouragement which can be bestowed by government, the Mines—valuable on their own account—may also be considered tributary to that interest, and their development worthy of the attention of the legislature, and of every citizen who desires to increase the wealth and promote the prosperity of the Territory.

The peaceable and friendly conduct of the Indians towards our citizens and the travellers through every section of the Territory, since the Treaties which were concluded with them in the year 1863—so different from that of former years—cannot be too highly appreciated and commended. These are the first Treaties ever made by the United States, with the Bands of Shoshonees; and it is somewhat remarkable that they have adhered to their stipulations with a fidelity equal to that of most civilized nations.

It is considered, however, that we are chiefly indebted to the presence and efficiency of the United States Troops, and signal defeat of Bear Hunter and his allies by them, for the first manifestation of a friendly spirit; and that in fact, we have no security for their faithful compliance with the stipulations of their Treaties—nor with those which may be formed with other tribes in these mountains—but in the continued military occupation of the most eligible sites for the protection of the people in every part of the Territory:—an occupation which it seems is equally demanded for the security of the life and property of the peaceable citizen and traveller against the brigand attacks and depredations of white men.

It is provided in those Treaties that the President of the United States may at any time make Reservations of such districts in the country of the Shoshonee nation, as he may deem eligible for the use of these Bands.

It would be of great advantage to our citizens and to the Indians, if the Reservations were designated soon, and these Bands induced to become permanently located upon them.

I recommend the adoption of a Memorial to the President and to Congress, expressing your views on the subject, and asking for an appropriation to enable him to carry these Treaties into effect.

The operation of these Treaties with the Indians of the north, has been so beneficial to them and to our citizens, that we cannot but anticipate the same from Treaties with those of the south. The road from Salt Lake City—the true capitol of Utah, for here are its wealth and intelligence concentrated—to Arizona and Southern California, must become one of the principal thoroughfares through the Territory, and the preferred Route of a Railway to navigable waters.

The most convenient outlet for the productions of the Great Basin to the Pacific Ocean appears to be by this route and the Colorado. This river is now navigated with several steamboats from the Gulf of California to a point very near our southern boundary; and if amicable relations are established with the Indians through whose country the road passes, and with those inhabiting the banks of that stream, we may expect to see soon a large commercial town, built at the head of navigation, where the trade of Utah will have its depot, and our enterprising merchants their warehouses filled with the rich products of these valleys and of the Indians.

It is understood a bill, containing an appropriation for treaties with the Utah nation, passed one of the Houses of Congress at its last session; and I shall be glad of the opportunity to unite with you in a memorial for the passage of the Bill by the other House, and for its approval by the President.

Under a proper system, there is no doubt many of the individuals of these bands may in a short time become herdsmen or agriculturists; and a residence by white men in the valleys of these mountains rendered thereby safe from their hostilities and depredations.

In connection with this subject of the opening of the communication with the Colorado and the establishing new settlements upon its borders, it has occurred to me that it would be of great advantage to all engaged in those enterprises if the jurisdiction of this Territory was expended over that region, where now there is none. If you should concur in the importance of this measure to the people and to the Government, I would respectfully invite you to unite with me in a memorial to Congress to add to Utah, for temporary purposes of government, that portion of the Territory of Arizona, which is situated north and west of Colorado river.

Schools, and the means of education, ought to be provided in every settlement in the Territory. Without this is done, the mass of the people will soon become grossly ignorant, the abject slaves of wealth and power, and the miserable dupes of every charlatan in religion or in politics. To your wisdom I commend this most important subject for legislation; and sincerely hope a system may be devised by which all the children of a proper age in the Ter-

ritory, may within the ensuing year be counted in private or public schools.

The Annual reports of the Treasurer and Auditor are presented to you, for your information.

The application of the people of this Territory for admission into the Union as a State, is yet pending before Congress; and it is hoped it may receive the favorable action of that body, either by the admission of the State on an equal footing with the original states; or the passage of an act to enable the people to form a constitution and state government.

And, I beg to assure you, gentlemen, that I shall cordially co-operate with you in the adoption of such measures as you may propose which are calculated to enlighten the people, protect their rights of person and property, secure to them their civil and religious freedom, or advance their prosperity and happiness.

JAMES DUANE DOTY.

Mr. Henry McEwan was elected public printer for the Assembly, and ordered to print 500 copies of the Governor's message and accompanying documents in pamphlet form.

By vote of the joint session, seventy-five copies of the names and residences of the members and officers of the two Houses, and the standing committees were ordered to be printed in pamphlet form; also seventy-five copies of the daily minutes.

The President of the Council announced the standing committees.

The freedom of the House was extended to His Excellency Governor Doty, Hon. Secretary Reed, Ex-Governor Brigham Young, Hons. Heber C. Kimball, John M. Bernhisel and Wm. H. Hooper, the Ex-members of the Legislative Assembly, Chief Justice Titts, Isaac L. Gibbs, Esq., U. S. Marshal, O. H. Irish, Superintendent of Indian affairs, Hons. Elias Smith and A. O. Smoot.

A motion passed the House, requesting the Secretary of the Territory to furnish the members and officers with a copy of the DESERET NEWS and Daily Telegraph, and also to extend the same postage facilities to the members that were afforded last session.

Both Houses adjourned till Tuesday at 1 o'clock p. m.

HOME ITEMS.

NEPHI.—Bro. Samuel Pitchforth writes, Nov. 23, that Bro. Russell has finished plastering the Meeting House in Nephi, and that the gypsum had finish, cornice and center pieces reflect much credit on the workmen.

The Social Hall in that city is being plastered. Bishop Bryan is regaining his health.

SANPETE.—Bro. R. R. Lewellyn writes from Fountain Green, Nov. 23, that during the night of the 27th snow fell there to the depth of six inches. The mail mistake was noticed in No. 10, and we trust a like accident will seldom, if ever, occur.

THEATRICAL.—"Richard III" was repeated on Wednesday and Saturday evenings, and both performances were well received. Critics are sometimes erratic mortals, swayed by predilections, tastes, and the knowledge they have of the subject treated on, theatrical critics being no exception. We have heard numerous remarks on the performance of "Richard III," with some of which we fully agree. Individuals often form their estimate of a character from seeing it played once or twice by acknowledged artists of high standing; and condemn, if the conception and execution by another are different from what they have before seen. Actors will differ in their conception of a part, after closely studying the text; but if the embodiment of their conception is complete, and the portraiture, as thus conceived, faithfully executed, they are justly entitled to praise.

Mr. Lync's Richard was well played. His playing throughout was careful and energetic, the subtle phases of the deformed tyrant's character being skillfully rendered. Some scenes were very fine, especially his wooing of Lady Anne, and the scene with the Lord Mayor and Buckingham, where he accepts the crown. The members of the company ably sustained the leading character, and the processions and military movements went of much more smoothly than on the first performance. We cannot pass, without notice, Miss Della Clawson. For a child, she evinces aptitude for training, correctness in reading and carefulness of action in a remarkable degree. She invariably "brings down the house."

We understand the Management, at the urgent solicitations of numerous patrons of the house, have engaged the services of Mr. Paunoe-fort. In passing around, we have been aware