

shall furnish, in addition to the compilation made of the assessors' reports, "the number of companies engaged in each kind of mining, capital invested, number of hands employed, amount of wages paid, annual output in tons and value, number of smelters and stamping mills, average cost of reducing ores, number of hands employed, wages paid and tons reduced." It would have required considerable time and some travel about the Territory to secure this information accurately, and as the law has made no provision for the employment of an assistant librarian, I could not close the library long enough to gather this detailed information. In my statistical report to the Secretary of the Territory concerning the mineral output I had to rely chiefly on correspondence for the figures. I solicited the county assessors to aid me in this matter. Some refused because the law did not make it incumbent upon them to obtain this data, others because there was no pay for it and still another attempted to get data but having no authority of law was refused the information. These are additional reasons, it appears to me, why the statistician should employ his own deputies.

Section six (6) of the law also requires the assessor to compile and return to the county clerk of his county a tabulated statement of the statistics of his county, when he returns the assessment rolls, and the clerk is directed by the same section to forward such tabulation without delay to the statistician. No penalty is attached for a failure to make these returns and it was almost two months after the time fixed by law, before I was able to secure the statistics for 1890. Had the assessors been directly responsible to the statistician this delay might have been avoided.

Then again much of the value of statistics lies in the fact that they are recent. The statistics for any given year should be gathered, compiled and published within six months after the close of the year. As the law now stands the data for one year are not returnable to the statistician before July of the following year, he has until October 1st to compile and arrange them, and the Secretary of the Territory has until December 1st to print and publish them. If the matter of collecting the data, compiling and publishing were placed entirely in the hands of the statistician, the figures could all be secured by April 1st, the compilation made by June 1st and the publication completed by July 1st.

My statistical report for 1890 was filed with the Secretary of the Territory on October 1st, 1891, as the law required. It was as full and complete as I could make it under the circumstances.

The law might be materially and beneficially amended in the matters indicated. There are other suggestions that might be made in the way of improving the law.

For instance, fuller data might be required concerning irrigation, the number of canals and the mileage of each in each county, the average size of the farms in the counties, the average first cost of the farms, the mortgages recorded, the grain consumed at home and the amount exported, etc., and in the industrial statistics some of

the data now called for might be appropriately omitted and other figures asked for.

The census, as it is now taken under the law, is estimated by some assessors while others make a house-to-house canvass. There ought to be uniformity in this matter in order to make the final figures of value.

Respect fully submitted.

JOS. LIPPMAN,
Territorial Statistician.

Recommendations of Probate Judges.

TOOELE CITY, DEC. 12th 1891.

Governor Arthur L. Thomas, Salt Lake City, Utah.

Dear Sir:—Your esteemed favor of the 1st inst. to hand and noted contents, in reply will say:

I. I believe that a law should be passed that would cause the costs of administration on all estates where appraised value does not exceed \$2000 to be paid out of the County Treasury, all estates exceeding that value to pay their own expenses.

II. In the fish and game laws a statutory definition should be given to the words *public waters*, to save disputes and litigation.

III. Salaries should be paid to Probate Judges for their services in attending to the administration of the above poor estates and their other duties which it is hard to fix a per diem basis viz: Inquiring into and hearing applications for relief from poor and sick etc; on the following scale to wit; \$100 for every 1000 inhabitants to 10,000, after that \$50 per 1000 to 20,000 making the limit \$2,000 per annum.

IV. A law should be enacted to protect the timber at the head waters of mountain streams, to wit: No timber tree or sapling to be cut within 40 rods of any mountain spring nor within 20 rods of any natural stream, leaving out oak and maple brush.

V. A law should be passed fixing the time for all Municipal, County and Territorial elections, to be held on the 1st Monday in August all over Utah.

VI. A law to authorize county courts to sink artesian wells along long stretches of desert roads, where the watering places are more than twenty-five miles apart.

VII. A law forbidding sheep to graze near and at the headwaters of mountain streams, that are used for irrigation purposes, because when the sod is destroyed near these headwaters there is nothing to hold the soil, causing land slides and floods, destroying the springs. Well Governor I will forgo comments. If there is any information that I can give, that you may desire, it will afford me much pleasure to furnish it.

I am yours very truly,
CHARLES A. HERMAN.

SPRING CITY, December 12th, 1891.

To His Excellency Arthur L. Thomas,
Governor of Utah Territory:

Dear Sir.—In response to your favor of the 1st inst., which is just at hand, I beg leave to suggest as follows:

1. The word "three" in the first line of section 10, on page 41, vol. II., Laws of Utah of 1888, should read "five," so as to include all the notices, and to avoid the expense of any publication

by the companies designated, as such was evidently the intent of the Legislature.

2. Section 9, on page 294, vol. I., Laws of Utah of 1888, should be amended so as to make the official term of each selectman three years, instead of two years, one to be elected each year, and one to go out of office each year; this would give more stability to the county government and would avoid violent changes in the policy of the county, and would insure a better service to the public.

3. Section 15, on page 301, vol. I., Laws of Utah of 1888, should be repealed, as being of no further utility.

4. The office of a public administrator should be created in each county, with duties defined and fees prescribed. There are in this county many estates of long standing which have not been administered upon, and in consequence, minor heirs are often deprived of their just dues, and titles to real estate much complicated, and much litigation created.

5. The compensation of the probate judge should be by small salary and not by fees, such salary to be paid out of the county treasury. As the law now is, either the widow and minor children must sell their last cow, or the judge and clerk perform the services without compensation or the estate go unadministered upon, generally the two latter, whereas, if it was a public charge and duty, all would bear the burden alike as all are subject to the same misfortune and all would derive the same benefits.

6. There is a constant and growing demand on the part of the farmers for some good, simple and wholesome law in regard to irrigation and the rights to the use of water for irrigation purposes, if the office of water-master, could be created in each precinct in the Territory, whose acts would be official, in the proper distribution of water to the persons legally entitled to the use of the same, and who should keep an official record of the rights of each person within his precinct, and also an official record of the quantity of water flowing from each source of supply, also the amount of water necessary to irrigate an acre of land and to prevent waste of water, also to require any person intending to make new appropriations of water, to file a notice of such intention with the water-master stating the nature and extent of such proposed appropriation, and prohibiting any new appropriation of water without such notice, etc., or some such or other good system, I believe much good would result therefrom to the farmers of the Territory. It is well known that land is nearly worthless without water, yet in purchasing farming lands, it is impossible to ascertain from any official source, whether or not such land is entitled to a water-right, as no records of water rights are kept by any official person.

Very respectfully, yours etc.,
JACOB JOHNSON.

MORGAN CITY, Utah, Dec. 15, 1891.

Governor Arthur L. Thomas, Salt Lake City, Utah:

Dear Sir—In reply to your communication of Dec. 1st, I will respectfully mention:

1st. The cattle law, as amended by the last Legislature. This law is found