

GOV. MURRAY'S MESSAGE.

Gentlemen of the Council and House of Representatives:

Since the adjournment of the last Legislature general prosperity has prevailed throughout the country. During this period, the business of Utah, which is now so closely allied with that of the country both to the west and east of us, has been unparalleled. Indications suggest a continuance of this fortunate condition, at least for the immediate future.

Thankful that we are met under such circumstances, to you, gentlemen, assembled under the provision of law, I beg to express my cordial greeting—as individual representatives and as a body, and to express the hope that the completed labor of this Legislature shall redound in material benefit to the territory, and result in lasting honor to you, and that the future may review our association with pleasurable recollections.

SALE OF LIQUORS.

Difficulties arising under the acts of the incorporations of several towns, and especially that of the city of Salt Lake, have been experienced by the authorities in the exercise of the power to license and restrain the sale of intoxicating liquors.

To the municipal government rightfully belongs the power to license, to tax and control, under proper legislative restriction, the sale of liquors.

As it is a fruitful source of disturbance and of crime, its sale should be so guarded as to protect society against the evils resulting from it, and should also constitute a fruitful source of revenue for the cities in which it may be licensed.

ARREST OF CRIMINALS.

The prompt arrest of criminals is second in importance only to their certain punishment.

In exceptional cases extraordinary means should be provided for securing arrests. The governor should be authorized, in cases of felony, to offer rewards when in his judgment the usual methods do not prove equal to the enormity of the offense, and the emergencies of the case.

JURORS AND WITNESSES.

It is hoped that full provision may be made whereby jurors and witnesses called in the trials of civil causes under Territorial statutes shall be paid for their service at the time of such service. Otherwise it is severely trying upon the poorer class or our citizens for them to be called from their homes for service in the courts, which they, to the extent of all other good citizens in the enforcement of rights under the law, and to no greater degree, are interested. The territorial treasury should not be required to pay the costs in civil causes in litigation between individuals; but the courts must be open to, and the channels of justice as free to the poor man as to the rich. A jury fee of say \$3 should be required in every civil case filed. Provision empowering the court to require a money deposit to cover probable costs in ordinary cases should be made. If, in opinion of the judge, or in his absence the clerk, justice is denied by requiring deposits from either or both sides, then a bond with proper surety should be substituted therefor, when it is shown on oath that such is the case; the collection of costs to be by rule or execution upon motion of either side, or by the district attorney in behalf of the territory, and all amounts so collected paid into the treasury to the credit of the jury fund. In order that justice may in no instance be denied, where a person is without money or friends willing to serve him as surety, the court shall be authorized to allow such party to proceed *in forma pauperis*, and costs in such cases should be paid out of the treasury.

Witnesses in the class of cases last referred to should be compelled to obey the subpoena and paid for their attendance by the territory.

Provision should also be made for the payment of all fees justly chargeable against the Territory, which are or may become due to officers of the different courts of the Territory.

HOUSE OF REFUGE.

The reform of convicts, as well as their punishment, should always enter into legislation for the criminal class.

This should govern with reference to youthful offenders. Boys and girls of tender years should never be confined in the penitentiary with hardened criminals. Such incarceration tends to their debasement, if not to their destruction and oftentimes disgrace, which years of upright life does not eradicate.

The establishment of a house of correction, and which may be joined with a house of refuge, to which courts in their discretion may send minors convicted of crime, which, as the law now provides, must be confined in the penitentiary, is recommended.

INSANE ASYLUM.

The work of erecting one section of an asylum for the insane, under the provision of an act of the last Legislature, is in progress. Under the efficient management of the persons named in the act, all has been accomplished that care and economy permitted. Provo City was the place of location. The report of the board of directors advising you in detail of the work will be laid before you.

TERRITORIAL LIBRARY.

The neglected condition of the Territorial Library is deplorable. It is practically useless for the purposes intended by Congress, or for any other purpose. There is in the collection the basis of a creditable library. Such action by you is recommended as will allow the librarian to add to its capacity and volumes, and make it the repository of all books that from year to year are received by the different officers of the Territory.

STATISTICS.

There is imperative need for a statistical bureau. The lack of authentic information of the resources and products of the Territory is daily felt by the agricultural, manufacturing, mining and mercantile interests. The act of February 20, 1874, provided for such a bureau in connection with, and under the direction of the Deseret Agricultural and Manufacturing Society. For want of appropriations it is inoperative. Legislation that will constitute this an independent office, with greater scope of inquiry, and facilities than is now provided, and an appropriation that will enable the officer in charge to group and publish reliable information, is warmly commended for consideration.

POPULATION AND INDUSTRIES.

The population of Utah, as shown by the United States census of 1880, is 143,963, an increase during the last decade of 57,777. Our population may reasonably be estimated to be 150,000.

From the census reports in part, and from statistical information for which I am indebted to O. J. Hollister, Esq., I am enabled to give the leading features of the agricultural, mining, manufacturing and herding interests in which the people as a rule are engaged.

AGRICULTURE.

The reports of 1880, which give complete the crops of wheat, rye, oats, Indian corn and barley, for the year 1879, are as follows:

COUNTIES.	BARLEY.		INDIAN CORN.		OATS.		RYE.		WHEAT.	
	Acres	Bushels	Acres	Bushels	Acres	Bushels	Acres	Bushels	Acres	Bushels
Iron.....	291	7498	494	9193	353	6761	.....	.....	1364	19386
Utah.....	319	5141	89	708	155	3234	.....	.....	927	11324
Kane.....	74	1686	639	7621	39	1186	.....	.....	632	11933
Millard.....	1097	17375	110	875	569	8340	22	40	1470	14550
Morgan.....	80	1490	18	340	197	3656	.....	.....	1416	13899
Piute.....	267	3863	.....	.....	528	6565	.....	.....	913	7705
Rich.....	43	419	.....	.....	665	14750	.....	.....	599	9918
Salt Lake.....	683	16395	1213	23398	836	22073	112	1056	5385	10432
San Juan.....	3	725	8	74	16	262	.....	.....	69	1041
San Pete.....	287	6126	328	4472	4763	90892	42	387	9582	16427
Sevier.....	16	3426	126	1447	2806	52245	.....	.....	4598	70528
Summit.....	106	2285	.....	.....	903	22171	.....	.....	1976	33229
Wasatch.....	60	1259	606	5205	587	18090	32	602	1300	16131
Uintah.....	.....	.....	41	880	.....	.....	.....	.....	67	180
Utah.....	1774	47561	2933	41310	2215	50264	45	520	7321	124685
Wasatch.....	.....	.....	8	70	485	16144	.....	.....	1820	29174
Washington.....	198	3467	157	1636	29	567	.....	.....	473	67
Weber.....	1580	31677	2844	35700	1442	30284	67	859	799	120929
Box Elder.....	387	6482	84	517	223	4391	.....	.....	141	1870
Cache.....	938	17097	780	9074	737	15088	578	3208	5908	75200
Davis.....	176	4442	624	9228	1368	29345	190	2285	10258	208353
Emery.....	2691	38660	891	11463	550	18454	65	668	7453	92347
.....	26	126	17	195	69	762	.....	.....	237	2496
The Territory.....	11268	217140	12007	163342	19523	498082	1153	9605	72542	1189199

The foregoing table does not exhibit an estimated average yield by fully 33 1/2 per cent. The numerous variety of agricultural and horticultural crops grown must be taken in consideration with the cereal product stated, in order to form a correct idea of the husbandry of Utah.

MANUFACTURES.

It is safe to estimate the product of the manufactories of Utah for the year 1881 at \$5,000,000. This is exclusive of the bullion product. Lumber, lime, flour and brick is expected to supplement settlement. In addition to these, boots and shoes, stockings, woolen fabrics, leather, matches, furniture and other commodities are extensively manufactured. The production of our manufactories, however, do not

supply the demands. This field is inviting to capital, and one which it is hoped will soon supply our constantly increasing want.

MINING.

Six and a half millions of dollars is a fair average yearly output of gold, silver and lead of Utah mines, from 1870 to the present time, computing gold and silver at their mint valuation, and lead at its value in New York city. For the amount of money invested in mining operations within this Territory, which, in comparison with other mining states and territories, is small, this is a gratifying result. With further developments and increased experience in the reduction of ores, it may confidently be expected that for years to come the yearly output from the mountains of Utah, all of which are mineral bearing, will average largely beyond what has heretofore been realized.

In coal deposits Utah may well be considered the Pennsylvania of the west; in iron deposits, perhaps, unequaled on the continent. With minerals other than gold and silver, and coal and iron studding the mountains, with our granite and marble, our sandstone and limestone, we have a permanent foundation for power and wealth in the future, which should be guarded well by legislation that will estop much burdensome and frequently impoverishing litigations which often follows the development of valuable mineral deposits.

CATTLE AND SHEEP.

The occupation of lands for purposes of husbandry has reduced the opportunities for cattle and sheep raising. There is within the Territory say 200,000 head of cattle and over 600,000 head of sheep. There has been sold beyond the Territory during the past year, not less than 50,000 head of cattle at an average of \$25 per head, and a yield of over 2,000,000 of pounds of wool, for which our raisers have received twenty (20) cents per pound. With so much productive land and with more already exempted and to be utilized by scientific irrigation, and with our yielding mines and busy manufactories in addition, it is well to look to it that such legislation is enacted as will foster home production, furnish the people remunerative employment and the requirements of life cheaper than other markets can furnish them.

POLITICAL SITUATION.

Impressed, gentlemen, with the necessity of such action by you as will assimilate the Territory of Utah, in so far as laws and business are concerned, with the country of which it is and must forever be an important part; impressed with the fact that the present presents the opportunity, and in your hands rests the power to prosper and gladden the homes of the entire people of Utah—to throw wide open her gates to capital and thrift, and to peaceable and enlarged industries; to secure the full blessings of

Being, must the Constitution and laws of the United States control your actions and mine—and upon your honor as men and oaths as representatives, I ask consideration and in your wisdom expression in laws of active force, in regard to the following suggestions of living interest to you, and of vital interest to your children:

First—That in no sense—even in the slightest degree—is the sovereignty of church over state in unison with the language or spirit of the Constitution or your country's laws.

That political power is wielded by church authority throughout Utah is a fact.

That officers of Church exercise authority in temporal affairs, is a fact.

That the sovereignty of the Church is supreme and its practices followed, the laws and courts of the United States to the contrary, is a fact.

These being true in whole or in part I submit: Do you believe that the government of the United States with all its humanity will much longer forbear to assert its authority in support of its absolute and undoubted sovereignty? The church is supreme in its proper sphere—spiritual affairs. The government is supreme in its sphere—temporal affairs. The claim for church sovereignty in temporal affairs in the slightest degree, even, is a grievous mistake; a forbidden claim. Its abandonment may shatter cherished hopes in the breasts of some to whom I speak, but it is a mistaken claim, and the exercise of authority thereunder is illegal and destructive.

If by that, you in the exercise of your authority as law-makers, and as in my opinion it is your sworn duty, adjust this grievous wrong. Abiding peace, so much needed, and abundant prosperity with its attendant blessings, can never belong to the good people of Utah, until the flag of the United States is universally regarded as the symbol of absolute sovereignty.

Second—Assessments and tithing. Voluntary contributions in aid of churches or charity, and in aid of political parties are commendable; but the exaction of assessments for political or other purposes, by or from persons holding public office under the authority of the Territory, should be forbidden; the exaction of tithing for church or other purposes, from any citizen, or aid given to any person, so exacting, by any public office, or by any corporation, or its agents, organized under the laws of the Territory, should be forbidden. The poor man who earns a dollar by the sweat of his brow, is entitled to that dollar. It is the reward of honest toil, and he should be protected in the full enjoyment of it. Any exaction or undue influence to dispossess him of any part of it, in any other manner than in payment of a legal obligation, is oppression. Public officers, whether precinct, county or Territorial, who make or aid in such exactions, are unfaithful servants of the people they serve.

POLYGAMY.

In the third place, the system of plural wives, properly defined in the common law as polygamy was, by act of Congress, of 1862, denounced as a crime. The constitutionality of this act has been fully sustained by the Supreme Court of the United States. It being claimed that the people of Utah are a law-abiding people, I submit as a necessary sequence, that you, as their representatives, should enact laws in accordance therewith.

GOVERNMENTAL ACTION.

I would have the paternal hand of the general government, in the spirit of the most enlightened civilization, and with the broadest humanity, protect and shield the people of Utah; to aid in the education of their children, in the cultivation of their valleys, and in the development of their mountains. I cannot be mistaken in saying that in this I reflect the wishes of the government and of the fifty millions of people that constitute this country the free-handed defence of universal liberty. May I not in confidence ask that you allow me to join you in this work; in the abolishment of the doctrine of hate, and that you make it possible for young Utah to look the world full in the face, in honor, in pride and in unison with the laws of the country?

RAILROADS.

The report of the Hon. Jas. K. McCammon, commissioner of railroads for the United States, in his report for 1881, to the honorable the

Secretary of the Interior says: "The indications are that within a short time there will be five different routes to the Pacific Coast, where less than a year ago there was but one." This is a gratifying announcement. There are reasons to expect that the number will be seven, or at least six. The additional two, if not transcontinental are at least practically so.

In addition to these are the longitudinal lines, two of which will directly tend to establish the Territory of Utah as the great central inter-mountain depository of the wealth from the north as well as the south of us. The following companies have been organized during the years 1880 and 1881, under the laws of the Territory, upon which work to a greater or less extent is in progress, and which, joined with facilities before enjoyed, give promise of lasting benefit to Utah.

Name of Company.	No. of miles.	Estimated cost.
Sevier Valley Railway Co.....	600	\$ 9,000,000
Utah Southern and Castle Valley Railway Co.....	121	1,800,000
Utah & Nevada Railway Co.....	87	1,000,000
Salt Lake & Park City Railway Co.....	52	520,000
Salt Lake & Western Railway Co.....	200	6,000,000
Denver & Rio Grande Railway Co.....	3,022	48,000,000
Denver & Rio Grande Western Railway Co.....	2,370	37,920,000
Utah Eastern Railroad.....	50	600,000
Echo & Park City Railway Co.....	34	500,000
Pleasant Valley Branch Utah Central Railway Co.....	60	1,200,000
California Central Railway, Utah Division.....	110	5,000,000
Utah Central Pacific.....	100	.....
Totals.....	6,805	\$110,540,000

IRRIGATION.

There is a great waste of water in irrigation throughout the Territory. A much greater acreage should be supplied with the water that flows through our streams. Steps looking to this end must sooner or later be undertaken. Relying as we do upon irrigation to an almost universal degree for agricultural fields, and with a view of meeting demands of increasing population by bringing under cultivation the greatest possible acreage, I recommend the inauguration of a practical plan to economize the natural water supply. To accomplish this much-to-be-desired end, a scientific system, under competent engineers, should be determined upon. This Legislature can at least take the initial steps looking to an economic and uniform system.

CHATTEL MORTGAGE.

An act establishing and for the enforcement of chattel mortgages is suggested for your consideration.

PUBLIC SCHOOLS.

Public schools should be free schools in every sense, and held in school houses built by taxation as now provided, and additional taxation, if necessary, should be authorized. The habit of teachers relying in part on private subscriptions is pernicious. As persons of every belief are properly required to support public schools, doctrinal religious teachings should be excluded. Public schools that are free schools are an essential part of republican government. Money spent in placing free education in the reach of every child is well expended. Such advantages for our children ennoble them and gives the poor man's child an equal chance with the rich. Every step taken in perfecting a free public school system is of incalculable benefit to the Territory.

REGISTRATION.

It is the duty of every citizen to vote. Prerequisites prescribed by statute, while guarding against every possible fraud, should be so perfected as to give the amplest opportunities for every voter to comply with requirements. With this end in view, in addition to the duty now imposed upon assessors as registration officers to visit the dwelling houses in each precinct the one week, commencing the 1st day of June, should be extended, and publicity be given by notice on the door of the postoffice or court house, or both, if there be such, and in three other public places in the precinct, giving information that voters who may have been omitted in the assessor's rounds may apply and be registered. The registry list should be posted in like public places. Justices of the peace, in the absence of registration officers, should be authorized to register voters up to within ten days of any election; and on the days of election, upon oath of any otherwise legally qualified voter that by no wilful neglect he failed to be registered, the officers of election should permit him to vote. The Secretary of the Territory should be required to furnish each