



ALBERT CARRINGTON.....EDITOR.

Wednesday..December 16, 1863.

## UTAH LEGISLATURE—THIRTEENTH SESSION.

In accordance with a resolution passed at the close of the last session, the members elected for the present session assembled in the State House, on Monday, the 14th, at one o'clock p.m.

Quorums of both the Council and House being present at the hour appointed, the proceedings opened by the election pro tem of Hon. Daniel H. Wells, president of the Council and Hon. John Taylor, Speaker of the House. The Secretary and Chief Clerk called the rolls, and committees examined the credentials of members. The Hon. Amos Reed, Secretary of the Territory administered the requisite oath to both the members of the Council and House, and the following gentlemen were elected:

## OFFICERS OF THE COUNCIL.

Daniel H. Wells, President.  
Patrick Lynch, Secretary.  
Joshua Arthur, Assistant Secretary.  
Preston Free, Sergeant-at-Arms.  
Wm. W. Cluff, Messenger.  
Saml. H. B. Smith, Foreman.  
Joseph Young, Chaplain.

## OFFICERS OF THE HOUSE:

John Taylor, Speaker.  
Thomas Bullock, Chief Clerk.  
Robt. L. Campbell, Assistant Clerk.  
Wm. C. Staines, Sergeant-at-Arms.  
John S. Gleason, Messenger.  
Orville F. Atwood, Foreman.  
W. W. Phelps, Chaplain.

The oath being administered to the officers, and other preliminary business being attended to, the session adjourned until yesterday morning at 10 o'clock.

## TUESDAY.

The Council and House met in joint session, and the committee appointed to wait upon the Chief Executive, introduced His Excellency Amos Reed, Acting Governor, who on entering was greeted by the Assembly. His Excellency desired to communicate with the Assembly in writing, whereon the Chief Clerk read the following:

## MESSAGE.

TO THE HONORABLE COUNCIL AND HOUSE OF REPRESENTATIVES OF THE LEGISLATIVE ASSEMBLY OF UTAH TERRITORY.

GENTLEMEN:—As the chosen representatives of the people, you have assembled to deliberate on the manifold interests committed to your care, and devise and consummate such measures as will meet the requirements of the occasion and redound to the general weal. As a co-ordinate branch of the Legislative power, I shall be happy at all times to concur in all proper measures designed for the protection of the rights of the people of this Territory, or for the promotion of their advancement and prosperity, with which the interests of the Government of the United States are so intimately connected.

The past season has been one of general good health and of unusual prosperity to our people. The earth has yielded bountifully to the industrious hand of the husbandman, and the contents of our well filled granaries and store-houses have found a ready market, at highly remunerative rates, both at home and among the teeming populations of the northern and western mines.

Your meeting affords me an opportunity of congratulating you, as American citizens, upon the successful efforts of the General Government towards quelling an unhallowed rebellion, which has for nearly three years devastated so large a portion of our common country, and upon the well founded hope, inspired by the recent past, that peace will soon dawn upon a united and prosperous land.

As Legislators of this Territory and the representatives of a people happily far removed from the scenes of civil strife, it affords me great pleasure to be able to announce to you the termination of hostilities and depredations by the Indians, and the conclusion of treaties of peace with all the bands occupying the Territory and the southern part of Idaho.

For these blessings, under the guidance of a benign Providence, we are indebted to the loyalty of the people and the valor of our brave troops at the East, and to the efficiency, energy, and courage of the California Volunteers in our midst. Committing to our brethren on the other side of the mountains, with

our fullest sympathy and heartiest prayers, the honored and heroic task of crushing out the rebellion, we may safely rely on the continuance of peace within our borders, so long as the presence of the soldiers here shall restrain the savage from the commission of those outrages for which he has been so severely punished.

In accordance with universal custom, it is deemed proper to invite your attention to those subjects touching the general welfare which are likely to demand your consideration, and to suggest such as seem to be required by the wants and interests of the people.

A revision of the laws of the Territory would be desirable and would seem to be required in view of the present inadequate and defective system; but as the expense of recodification would necessarily be great, and the urgency of the matter does not render it indispensably necessary, I cannot recommend that it be undertaken at the present time. The dawn of a new era is already opening upon the Territory, and the shifting scenes around us as well as the novel requirements which new pursuits and varied enterprises, to which this, as all other young communities is incident, will render necessary, at an early day, another compilation, as they will require other and perhaps different laws from those now on the statute book.

For as it does the Great Basin and the centre of our extensive mineral region, this Territory bids fair to rival her neighbors on the east, west, and north in gold and silver mines, while in her beds of baser metals she will unquestionably surpass either. The evidences of this are abundant and each day accumulate, and I congratulate you on the fact that our extended and varied resources of mineral wealth are about to be developed—indeed are already being developed—and cannot but result in a large increase of our population. These interesting facts devolve upon you, as the guardians of the public peace and welfare, new and responsible duties.

The manifold interests of Agriculture—the enduring basis of permanent prosperity—should, as I have no doubt they will, receive your special attention and be fostered by every means within your power. In this Territory, fertile as it is in all the products of the farm, and abundant as are our harvests beneath the industrious hand of the husbandman, the soil, in the main, is only susceptible of cultivation when watered by our mountain streams, or by means of artificial water courses. Our people are thus necessarily confined to a very limited area of producing land. Every acre that is capable of being made productive should, therefore, be preserved to the people and made to yield its bounteous products to the willing hand of toil, stimulated, as it unquestionably will be, by the new conditions and the bright prospects of the near future now opening upon the people. These suggestions are made in view of the events daily transpiring around us, and preliminary to calling your attention to the Spanish Fork and Sanpete Indian reservations. This latter reservation, situated in the centre of the fertile valley of that name, and surrounded by an industrious agricultural population, is of small extent, embracing not more than five hundred acres. It has been lying idle for several years past, and there is little probability of its ever again being required for Indian purposes. The land is capable of producing good crops and, in justice to the people, ready and willing to reduce it to profitable cultivation, should be vacated as an Indian reservation, to which it is not adapted and for which it is evidently not required. The Spanish Fork reservation, at the southern end of Lake Utah, contains about fifteen thousand acres of land of good quality, and all susceptible of irrigation. Some years since a small portion of this reservation was cultivated as an Indian farm; but the amount of produce realized, was in no manner at all commensurate with the cost to the Government. For the past three years no work has been performed on this reservation, and it has returned to a state of nature; the farm house is in very bad repair; the fences all gone, and the land overgrown with weeds and bushes; indeed, it is to-day simply a tract of naked, wild land, with few of its improvements yet remaining, and these, at best, but monuments of decay and ruin, no less than of the mistaken policy, which seeks to ameliorate the condition of the red man, by placing him in near proximity to a thickly populated white settlement. On the other hand, it has been a fruitful source of irritation and dissatisfaction to the Indians, who are continually led to expect benefits which they never receive; and the fact that, while holding out hopes destined never to be realized, it draws the Indians into the most densely populated settlements, to the great annoyance of our citizens, whom they burden with a heavy and continual tax, is not the least among the evils justly complained of. Even should the reservation be again devoted to Indian purposes, only a small portion of it would be cultivated, still leaving the greater part untiled and running to waste. It is estimated that the money necessarily expended annually in maintaining the reservation, would purchase for the Indians, in the market, at least double the quantity of provisions that would be obtained from the farm. After an experience of two years in the Indian service in this Territory, I am satisfied that this reservation is a detriment to the Government, to the Indians, and to the people. The withholding of such an amount of land from intelligent cultivation, in view of the great acquisition of population that we are sure to receive, is as unwise as it is impolitic, when it is considered that our people,

so far removed from other sources of supply, are compelled to rely entirely on their own exertions and the limited amount of arable land throughout the Territory. It is, therefore, respectfully recommended that you memorialize the President of the United States to vacate these Indian reservations, and throw the land open to occupation and cultivation by our citizens. Your earnest and early attention to this matter is asked, to the end that it may be brought, if possible, to a successful issue, in time to have these lands put in cultivation the coming season.

The condition of the Utah Indians in this Territory will require your further attention. Roaming as they do through all our settlements south of this city, they are and have been since the settlement of the Territory, a great annoyance to, and a continual, burdensome tax upon the people. The influx of a considerable mining population among them may result in disturbances in our midst, while the assistance that Government is constantly rendering them cannot result, situated as they are, in any permanent good.

The General Government has set apart the country drained by the Uintah river and its tributaries, extending from the Wahsatch range of mountains to the Green or Colorado river, a distance of some eighty miles, east and west with, at least an equal distance, north and south, as a reservation for the permanent settlement of these Indians. After careful examination it has been found to be most admirably adapted to that purpose. Many of these Indians are anxious, with the assistance of the Government, to remove there and settle, and it is believed that all could be readily induced to go. The reservation is more than ample for them all; contains abundance of game and is well supplied with wood, water, and grass. I recommend that you memorialize Congress for an appropriation adequate to the purpose, and with a view to making a treaty with these Indians providing for their early removal to that reservation.

Your attention is called to the great deficiency in the mail facilities of this Territory. The large population that has settled in the rich mining districts of Idaho, and the consequent great trade and travel that have sprung up between those points and this city—their principal source of supplies—demand an increase of mail facilities. In justice to the several communities interested, there should be a daily mail, carried in coaches, from this city to Eastern Bannack and Virginia cities, with a branch of like service from the northern part of this Territory to Boise or Western Bannack.

The mails from this city, south to Payson, through the large and thriving cities in the Valley of Lake Utah, should be increased to a daily service.

The important and increasing business carried on between this Territory and southern California requires that the mail service to the southern portion of this Territory should be extended through to San Bernardino and Los Angeles.

There should also be a weekly mail from this city west to Tooele City and Grantsville in Tooele Valley.

It is recommended that you memorialize the Postmaster-General for this increased and additional mail service.

The Pacific Railroad, so long the theme of the orator, the scholar, and the poet, the dream of the statesman and the hope of the land, is about to become a reality, and the day is not far distant when its iron bands, bearing on its breast the products of the world will unite in interest, as they are now united in sympathy and affection, the people of the Atlantic and the Pacific slopes. Each blow on this undertaking, the greatest enterprise of this or any other age, but serves to bind with hooks of steel the farthest extremities of a wide spread continent, and cement still closer the bonds of our imperishable Union. But to us it has a nearer and more practical significance; and, as its iron bands approach us each day, nearer and nearer, from the east and the west, it draws us closer to our former homes and opens to our vision the near prospect of wealth and prosperity, when the rich commerce of the far off Orient shall seek our doors through the golden portals of the Occident, to be exchanged for the products of our farms, the fabrics of our industry, and the riches of our mines. This Territory, now so far removed from the east and the west by lofty mountains and barren plains, will, when this great work shall have been consummated, be the highway of the commerce of the world and the great resting place and depot of the nation. It is, therefore, with unalloyed pleasure that I can congratulate you on the successful and rapid progress in the construction of the Pacific Railroad which is making steady and giant strides towards us. Its completion will, I have no doubt, soon place us with our inexhaustible mineral resources in the markets of the world and cannot but redound to the rapid advancement of the Territory in all the arts of peace and all the elements of enduring wealth and prosperity. I suggest the propriety of your taking early action with the view of inducing the company building the road to erect establishments for the manufacture of iron for its construction through this region, from the immense beds of native ore which here abounds, and for which purpose coal is abundant and of suitable quality within the Territory. While such a course on the part of the company would result in a saving to it and tend immensely to the development of the resources of the Territory, it would hasten the completion of the road by rendering prac-

ticable the construction of the central part simultaneously with the extremities. The subject is commended to your earnest consideration, trusting that you will be able to devise the proper means to accomplish the result, and properly set forth the undoubtedly rich mineral resources of this Territory.

The mining interests of the Territory, so long dormant, under the inspiration of the wonderful progress of our sister States and Territories in such enterprises, are being rapidly developed and will claim your earnest and serious attention. Already are the eyes of thousands fixed upon our mountains as containing rich stores of yet undiscovered mineral wealth, and with the early spring, it cannot be doubted that many will hasten hither to seek for the precious ore. Unless the signs of the times and the evidences all about us are incorrectly interpreted, gold, silver, and copper mining will soon become one of the most important, if indeed, not the predominant interest of the Territory, and will require legislation at your hands. While every encouragement should be given to the development of our mineral resources, the people should not be left without some legislation for the protection of rights and the prevention of wrongs. By wise and timely action on your part, they should be enabled to prosecute their mining enterprises under such clear provisions of law, that each may fully understand his rights and thus, as far as possible, avoid litigation and tumult. California, the first in rank of mining States in the Union, early adopted a mining code, which experience has proved to be well calculated to promote those interests and tend to the general well-being of society. At an early stage of her history, a general law was passed, making the mining rules of each mining district the governing code and giving to the regulations of the miners themselves, the force, effect, and validity of statutory enactments. This law, with such general restraining statutes as were found, from time to time, to be required, is still in force and has been found to accomplish the objects designed, far better than could the Legislature effect them by attempting to interfere too much in detail with so delicate and novel an interest. I commend the action of the California Legislature as worthy of your favorable consideration, having stood the test of time and received the endorsement of a people with the largest experience in mining pursuits. I would also recommend the immediate passage of a general incorporation act similar to, if not identical with that adopted in California, to enable all who see proper to do so, to form companies for the development of our mining interests and, at the same time, restrict such companies so that the rights of share or stockholders may be secured and the interests of all classes of the people preserved.

By judiciously encouraging and wisely directing the development of our mineral resources, we have reason to believe that this Territory will, at no distant day, become one of the richest and most prosperous States in the Union.

Your attention is called to the fact that, during the severe floods of the Spring of 1862, the bridge across the Provo river, near Provo city, was entirely swept away, and unless a new one is speedily erected, travel between the northern and southern settlements will be greatly impeded, if not altogether cease during the high waters of Spring. It is also represented to me that the main bridge over the Sevier river, still further south, is in a dilapidated condition and totally unfit to accommodate the large travel between the extreme southern settlements and this city. It is hoped that you will devise some proper means to remedy these evils, which have proved a great drawback on the interests of the people, and require some action for their relief.

The annual reports of the Treasurer and Auditor of Public Accounts are herewith submitted.

The healthy condition of the finances of the Territory, as presented by these reports, is very gratifying.

From the Auditor's report it appears that the assessed valuation of the taxable property of this Territory is five millions, forty-eight thousand and two hundred dollars, (\$5,048,208).

From the Treasurer's report it appears that there was in the Treasury, at the commencement of the fiscal year, ending Oct. 31st, 1863, five thousand, four hundred and thirty-nine dollars and sixty-eight cents, (\$5,439.68).

That there was received into the Treasury during the fiscal year, thirty-two thousand, eight hundred and forty-five dollars and twelve cents, (\$32,845.12).

That there was disbursed during the fiscal year, eleven thousand four hundred and eighty-five dollars and thirty-seven cents, (\$11,485.37).

Leaving in the Treasury, at the close of the fiscal year, Oct. 31st, 1863, twenty-six thousand, seven hundred and ninety-nine dollars and forty-three cents, (\$26,799.43.)

Amos REED, Acting-Governor  
Executive Department, U. T.,  
G. S. L. City, Dec. 14, 1863.

By a unanimous vote a thousand copies of the message was ordered to be printed in pamphlet form for distribution; it was also ordered to be printed in the DESERT NEWS.

The Standing Committees were appointed, and the Legislature adjourned until one o'clock to-day.

We think it very creditable to Secretary Reed that the Legislators met in a comfortable building this session. Decent treatment from a Government representative goes a great way.