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GRANT

MESSAGE  
OF  
GOV. JAS. B. GRANT.

DELIVERED JANUARY 7, 1885.

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GOV. GRANT'S MESSAGE.

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JANUARY 7, A. D. 1883.

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DENVER, COLO.  
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1885

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# Gov. Grant's Message,

Delivered before the Fifth General Assembly of the  
State of Colorado, in Joint Session,  
January 7, A. D. 1885.

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*Gentlemen of the Senate and House of Representatives:*

At the last general election an amendment to the Constitution extending the legislative session from forty to ninety days was voted on and received a majority of the votes cast. The present session will be held under this law, and you will have ample time to consider all matters pertaining to the public welfare.

In accordance with the requirements of the statutes, I herewith submit a statement of the condition of the various State Institutions, with a few suggestions relative to the needed changes and amendments in the laws governing them.

## STATE FINANCES.

The reports of the State Treasurer and Auditor are complete in every respect.

In them will be found a statement of the financial transactions of all of the State Institutions—the amount of cash belonging to the various funds, the amount of money paid by each County into the State Treasury, bounties paid by each County and for what purpose, condition of incorporated State banks, the present outstanding loco certificates, a general statement of receipts and expenditures for the two years ending November 30, 1884, and an estimated statement of receipts and expenditures for the two succeeding years.

The condition of the Treasury on November 30, 1884, was as follows:



Outstanding warrants . . . . .	\$ 454,112 80
Certificates of indebtedness . . . . .	61,794 96
Total . . . . .	<u>\$ 515,907 76</u>
Cash in Treasury . . . . .	\$ 378,267 85
Cash invested in State warrants . . . . .	134,867 76
Amount due January 1, 1885, general revenues . . . . .	404,862 55
Total . . . . .	<u>\$ 917,998 16</u>
Excess over liability . . . . .	\$ 402,091 40

This is the showing on the face of the books, but it does not represent the actual condition of the liabilities of the State at the present time. The actual indebtedness of the State, which should be paid at once, is as follows:

Outstanding warrants . . . . .	\$ 454,142 80
Certificates of indebtedness . . . . .	61,794 96
Estimated interest on same . . . . .	29,341 00
Deficiency at Insane Asylum . . . . .	25,718 00
Deficiency at Industrial School . . . . .	20,000 00
Total present liabilities . . . . .	<u>\$ 590,996 76</u>
Due January 1, 1885, general revenue (tax 1884) . . . . .	\$ 404,862 55
Back taxes . . . . .	143,031 66
Total . . . . .	<u>\$ 547,894 21</u>

The Auditor estimates that not more than \$455,000 of this amount will be collected, \$30,000 of which will be applied on outstanding loco certificates, leaving \$425,000 to be applied on the indebtedness of \$590,996.76. This shows a deficiency of resources to meet present indebtedness of \$165,996.76. This indebtedness can be met without either borrowing money or increasing the State tax:

The permanent School Fund, at the present time, amounts to . . . . .	\$ 114,220 04
Permanent University Fund . . . . .	28,339 75
Total . . . . .	<u>\$ 142,559 79</u>

I recommend the passage of an act, authorizing and requiring the State Treasurer (in the absence of State bonds) to invest these funds in outstanding State warrants.

There is in the State Treasury, at the present time, the following cash items:

Secretary of State fees . . . . .	\$ 15,465 65
Sale of laws and Code . . . . .	3,762 60
Penitentiary Land Fund . . . . .	4,084 81
Total . . . . .	<u>\$ 23,313 06</u>



I recommend that these several sums be transferred to the General Revenue Fund, and applied at once to the redemption of outstanding State warrants.

There are other funds in the State Treasury as follows:

Capitol building . . . . .	\$ 134,195	50
Public building . . . . .	20,062	82
Internal improvement . . . . .	140,037	85
Total . . . . .	\$ 294,296	17

I recommend the passage of an act authorizing and requiring the State Treasurer to invest all money belonging to the above funds in State warrants, so long as there are any outstanding. Should the Treasurer at any time be called upon for any portion of the above funds, he could sell the warrants at par and have the money in the treasury on three day's notice.

With the State's present resources, nothing but the worst kind of financial management and legislation can keep its warrants below par. The amount of money constantly coming into the treasury from land sales and leases, will enable the Treasurer to take up the State warrants as fast as they are issued, and the State will thus be saved the expense of paying any interest, except to itself.

It is due the present Treasurer to state that during the past two years he has kept the public school and University funds invested in State warrants. The law authorizes him to invest in State bonds or Government bonds; but as we had no State bonds, and as Government bonds were selling at such a high premium and bearing such a low rate of interest, the Treasurer, with the advice and consent of the Governor and Attorney-General, invested those funds in State warrants. In so doing, he secured to those funds the sum of \$13,000 in interest for the past two years, and at the same time prevented a threatened depreciation of State warrants.

From the quarterly reports of the State Treasurer to the Governor in 1883 and 1884, I find that the—

Average surplus in the Treasury for 1883 was . . . . .	\$255,000
Average outstanding warrants . . . . .	463,000
Average amount school funds in warrants . . . . .	105,000
Average amount of warrants on which the State paid interest to outside parties . . . . .	358,000
Excess of latter warrants over cash in Treasury . . . . .	103,000



1884.

Average amount of cash in Treasury . . . . .	412,000
Average amount outstanding warrants . . . . .	490,000
Average amount school funds invested in warrants . . . . .	126,000
Average amount of warrants on which the State paid interest to outside parties . . . . .	364,000
Average excess of cash over said warrants . . . . .	48,000

So that the State in 1884, with an average cash balance in its own treasury of \$412,000, paid \$21,840 in interest to bankers and other holders of the \$364,000 outstanding warrants. The object of the foregoing recommendations is to save this interest to the State, and to prevent any depreciation of its warrants.

Another interesting item in the Treasurer's report is the large quantity of outstanding loco certificates, amounting to \$116,944.10. These certificates are to be paid from the three-and-a-half mill tax for general revenue. The outstanding certificates in Huerfano county amount to \$33,420.04. The amount due the State from Huerfano county January 1, 1885, general revenue, is \$4,655.80. This entire amount will be applied to the redemption of loco certificates, and will continue to be so applied annually, until the \$33,420 outstanding loco certificates have been redeemed.

An effort will probably be made to have the \$116,944 of outstanding loco certificates exchanged for State warrants. The certificates bear no interest and are consequently much less valuable than State warrants. There can be no justifiable reason for any legislation tending to enhance their value at the expense of the State. The receipts from the  $3\frac{1}{2}$  mill levy for general revenue are not sufficient to meet the demands upon that fund. These demands can be lessened by levying a direct tax of one mill on the dollar per annum, for the support of the Penitentiary.

The amount of money and securities in the possession of the Treasurer are now largely in excess of his bond. I therefore join with Mr. Walsen in recommending that the Treasurer's bond be increased from \$300,000 to \$1,000,000. In regard to the bond of the State Treasurer, Attorney-General Urmy has rendered an opinion to the effect that the Treasurer could not be legally required to comply with the provisions of any legislative act affecting his bond, passed subsequent to his assumption of the duties of the office. Mr. Walsen, however, voluntarily gave a bond for \$300,000, in accordance with the provis-



ions of an act passed after he had entered upon the duties of the office.

I respectfully invite your attention to the suggestions of the Auditor with reference to having all bills, contracted or incurred by any department of the State Government, audited by the Auditor; also, to suggestions relating to needed changes in the insurance law.

The Insurance Department yielded a net revenue to the Public School Fund of \$13,025.55, during the past two years. The number of companies authorized to do business in the State is 105. The Auditor represents that all bogus companies have been prohibited from doing business in the State, and that the insurance business is now on a safe basis.

#### REPORT OF SECRETARY OF STATE.

The Secretary of State was authorized by the Legislature of 1883 to supervise the compiling and printing of the existing laws of the State, in accordance with the provisions of an act passed by said body. This work has been accomplished at an entire expense to the State of \$20,085.20, for printing, binding, compiling and indexing.

During the past two years 1,053 articles of incorporation have been filed with the Secretary of State, and spread upon the records of the office. The Secretary respectfully recommends that the fee for recording articles of incorporation be increased from \$2.50 to \$25.

The Secretary turned into the Treasury the sum of \$9,041.05 in 1883 and 1884, being the receipts from the sale of laws and the general fees of the office.

#### CAPITOL BUILDING.

The Legislature of 1883 passed a law authorizing the construction of a Capitol building, and appointed a Board of Managers to carry out the provisions of said law. This law was framed and passed in a hurried manner and seems to have been very imperfectly adapted to the purposes for which it was intended.

The Board of Managers after duly considering all of the provisions of the act authorizing them to construct a Capitol building, decided that it would be impossible to construct the building and do justice to the State without violating the provisions of the act under which they had been appointed.



The Commissioners then appealed to the Governor and stated that in order to proceed with the work of constructing the Capitol building it would be necessary to call the Legislature together for the purpose of amending the act authorizing the construction of said building.

At that time it was not deemed advisable to call a special session of the Legislature for that purpose. The whole subject will therefore be presented to the Legislature for further consideration.

The Capitol Commissioners have issued a report which contains a large amount of valuable information with respect to Capitol buildings in general, and a good deal of definite and interesting information with reference to all matters pertaining to the construction of a Capitol building for Colorado. They have also drafted a bill for the construction of the building, which will be presented for your consideration.

The Commissioners did a great deal of work and collected much valuable information for the benefit of the State, but as no active work on the construction of the building was undertaken, they generously donated their services to the State. There was due them under the provisions of the Capitol Act about \$700.

There is no difference of opinion among the people of the State as to the necessity of a Capitol building, and there should no longer be any difference of opinion among them as to the propriety of beginning its construction at once.

Under the provisions of the "bill" drafted by the Commissioners, the Capitol can be built without embarrassing the State in any way. It contemplates that the construction shall cover a period of five years, and that the final cost shall not exceed one million dollars (\$1,000,000).

The following resources for the construction of the Capitol can be made immediately available:

Capitol Building Fund, cash . . . . .	\$134,195 50
Public Building Fund, cash . . . . .	20,062 82
Due January 1, 1885, ½-mill tax . . . . .	57,800 00
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Total cash . . . . .	\$212,058 32
Bonds voted in 1883 . . . . .	\$300,000 00
Immediately available . . . . .	512,058 32
½-mill tax for 5 years (estimated) . . . . .	300,000 00
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Total . . . . .	\$812,058 32

This leaves only \$200,000 to be provided for. The Constitution prohibits the levying of any tax in excess of



one-half mill on the dollar per annum for a Capitol building. It does not, however, prohibit the appropriation of any surplus in the treasury, to the credit of the general revenue fund, for this purpose. The demands upon the general revenue fund can be lessened, and a surplus created by supporting the Penitentiary by a direct tax levy, instead of by appropriation from the general revenue fund, as is now done.

This \$200,000 might also be supplied from the internal improvement fund, which now amounts to \$138,476, and will be largely increased in the ensuing five years. I think there is no doubt but that the Legislature has full authority to dispose of the internal improvement fund in any way that they deem for the best interests of the State.

I recommend that an appropriation be made for the purpose of planting trees on, and improving the Capitol grounds, and that this appropriation be placed in the hands of the Capitol Commissioners.

PENITENTIARY.

The number of convicts confined at the State Penitentiary is gradually increasing from year to year, and unless the convict labor can be employed to better advantage in the future than in the past, the expense of maintaining the prisoners will constantly increase, and will eventually become quite burdensome to the State. It is gratifying, however, to note that the rate of increase during the past two years has been much less than in former years, as the following table will show:

CONVICT REPORT.

DATE OF REPORT.	No. Convicts.	Number Increase.	Per cent. Increase.
November 30, 1878 . . . . .	146	. . .	. . .
November 30, 1880 . . . . .	226	80	55
November 30, 1882 . . . . .	322	96	47½
November 30, 1884 . . . . .	372	50	15½
November 30, 1886 . . . . .			



Total expense of the Penitentiary for the past two years has been as follows:

## EXPENSE ACCOUNT.

Maintenance of prisoners . . . . .	\$167,464 23
Stable account . . . . .	6,517 75
Expense of brick yard and quarries . . . . .	11,767 96
West cell building . . . . .	20,000 00
Purchase of land . . . . .	5,500 00
Gate . . . . .	362 15
Improvements and repairs . . . . .	9,915 81
Sundries . . . . .	348 33
Total . . . . .	<u>\$221,876 23</u>

Improvements for the past two years estimated at \$52,900, consisting of cell building, female prison, bath house, kitchen, laundry, extension of walls, etc.

The earnings for the past two years have been \$50-405.83, which shows a decrease of \$9,381.31 from the two previous years. This decrease is due to the general depression of business, causing a falling off in the demand for lime, and to the passage of an act by the last Legislature, restricting convict labor to the prison grounds, and to the failure of the parties engaged in the manufacture of boots and shoes with convict labor to carry out their contract.

The general treatment and discipline of the prisoners are all that could be desired. The Commissioners speak in the highest terms of the able and efficient management of the Warden, and credit him with having reduced the expenses of maintaining the prisoners 9 3-10 cents per man per day.

The Commissioners estimate that the number of convicts for the two ensuing years will average 450 per day. The maintenance expense for the past two years was 67 1-5 cents per man per day. On this basis they recommend that the following appropriations be made for the two years, ending November 30, 1886:

Maintenance of prisoners . . . . .	\$ 225,000
Stable, lime kiln and quarries . . . . .	20,000
Cell-building . . . . .	30,000
Warden's residence . . . . .	5,000
Additional shop-room . . . . .	5,000
Sewer . . . . .	5,000
Water works and lighting prison . . . . .	10,000
	<u>\$ 300,000</u>
Estimated earnings . . . . .	60,000
Appropriation required . . . . .	<u>\$ 240,000</u>



In regard to these improvements I will say that there is a pressing necessity, at the present time, for additional cell-room, and for a convenient sewerage system. The other improvements suggested would add much to the convenience of the prison, but are not absolutely required at this time.

In my opinion the daily average of convicts will not exceed 425, so that the maintenance estimate of the Commissioners might safely be reduced \$15,000. The actual requirements for the two years will be as follows:

Maintenance expense . . . . .	\$ 210,000
Stable, lime kiln and quarry . . . . .	20,000
Cell building . . . . .	30,000
Sewer . . . . .	5,000
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	\$ 265,000
Estimated earnings . . . . .	60,000
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Amount to be appropriated . . . . .	\$ 205,000

The prisoners should be steadily employed for many reasons. The sentence of the Court requires that they shall be confined at hard labor; when employed they are more contented and less liable to devise means of escape; more easily managed and can aid, to some extent, in defraying the expense of their imprisonment.

With the law restricting convict labor to the prison grounds, and with the growing feeling against leasing convicts to outside parties, it is evident that the State, in order to realize any material benefit from prison labor, must establish manufacturing enterprises upon the prison grounds.

INSANE ASYLUM.

The new asylum has been occupied by the male patients since November 20, 1883. The main building is 320 feet long by 100 feet in depth, with two dormitories 64 by 28 feet, and three stories in height. The east wing is designed for the male patients and the west wing for the females; each wing is divided into three wards; each ward will accommodate 35 patients, so that the building, when finally completed, will accommodate over 200 patients, and this will doubtless meet the requirements of the State for the insane for a number of years to come.

In the east wing two wards have been furnished and are now occupied by 70 male patients. The third ward has been completed, but is not furnished. The west wing has not been completed; the walls are up, the roof is on



and the halls and rooms have been partitioned off but not plastered, the work having been stopped for want of funds.

The Superintendent states that the female patients can be comfortably cared for in the old building for the next two years. It has therefore not been deemed advisable to ask for an appropriation to complete the west wing at this time.

The building is constructed of stone and brick and finished with well seasoned yellow pine. It is heated with steam and is supplied with all the appliances required for properly administering to the wants and comfort of the afflicted inmates.

On November 30, 1882, there were 49 patients at the asylum; since then 125 have been admitted, making a total of 177 treated in the two years ending November 30, 1884. Of this number 77 have been discharged, 53 having recovered, 1 improved, 3 escaped and 20 having died, leaving 97 at the Asylum at the present time, being an increase of 48 since 1882.

This large increase is due to the fact that a number of our insane were being cared for outside of the State, and quite a number were lying in the county jails awaiting the completion of the new building. During the past two years a large quantity of vegetables have been grown on the asylum farm, and the grounds have been greatly improved and beautified with trees and lawns, this work having been done by the patients.

The maintenance expenses for the two years ending November 30, 1884, amounted to \$55,676.78. The present tax levy of one-fifth of a mill yields an annual income of about \$22,000. This is not sufficient for the support of the institution with the increased number of patients. I, therefore, recommend that for the two years, 1885 and 1886, the tax levy for the support of the Asylum be increased from one-fifth to one-fourth of a mill on the dollar per annum. I also recommend that the sum of \$1,000 be appropriated for the purpose of furnishing the third ward in the east wing.

In their biennial report for 1882 the Commissioners asked that the sum of \$73,310 be appropriated for the purpose of completing, furnishing, plumbing and heating the new building, and for the purpose of adding on a west wing and for building a kitchen, laundry, boiler-room and supplying an engine, boiler, pumps, etc.



The Legislature of 1883 appropriated \$80,000 for the above purposes. The estimates of the Commissioners seem, in some way, to have been greatly at variance with the actual requirements of the institution. After spending the \$80,000 it was found necessary to incur an indebtedness of \$25,718 for fixed improvements before the building could be occupied. An itemized statement of this indebtedness will be found in the Superintendent's report. I am not sure that it is a wise policy, under any circumstances, for the Trustees of a State institution to incur a debt of this magnitude for fixed improvements, without authority from the Legislature.

However, in this case it seems to have been absolutely necessary to incur the debt in order that the insane might be properly cared for. I, therefore, recommend that a suitable sum be appropriated for the purpose of meeting this deficiency.

Owing to the serious illness of Dr. Thombs, the report is not as complete as it should be. A supplementary report will be prepared by the Commissioners of the Asylum and submitted to the present Legislature, giving an itemized statement of all expenditures for buildings and improvements in 1883 and 1884.

The entire sum expended on the new building so far is as follows:

In 1881 and 1882 . . . . .	\$ 55,000 00
In 1883 and 1884 . . . . .	83,146 90
Outstanding indebtedness . . . . .	25,718 00
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Total . . . . .	\$163,864 90
Estimated cost of completing and furnishing west wing .	\$ 20,000 00

MUTE AND BLIND INSTITUTE.

The last Legislature appropriated \$6,000 to complete the third story of the Institute building. This work has been done in a satisfactory manner and other improvements have been made, consisting of a stable, gas works, laundry, shop room, etc.

During the past two years provisions has been made for receiving and instructing the blind. There are now ten blind children and thirty-seven deaf mutes at the Institute. The work of instructing these children is progressing satisfactorily. Some of the children will soon be old enough to leave the school. Owing to their unfortunate condition I feel that it is the duty of the State to give them a fair opportunity to familiarize themselves



with some practical trade while at school, and I recommend to your careful consideration the valuable suggestions of the Matron with reference to the establishment of different trades at the Institute.

The present method of heating the building has proven insufficient, and the Trustees recommend that steam heating be introduced.

The present tax levy of one-fifth of a mill yields a larger revenue than is required for current expenses, so that any changes or slight improvements required can be made with this excess of revenue from the present tax.

#### INDUSTRIAL SCHOOL.

In the report of the Trustees and Superintendent will be found a full statement of all the proceedings in connection with the management of the State Industrial School for the past two years.

The Legislature of 1881 appropriated the sum of \$20,000 for the establishment and support of this school for two years from May 1, 1881. On January 1, 1883, there was a deficiency of \$12,500. The Legislature of 1883 appropriated \$60,000 for the benefit of the school:

To meet deficiency . . . . .	\$12,500
Maintenance for two years . . . . .	26,000
Buildings, library, repairs, etc. . . . .	21,500
Total . . . . .	<u>\$60,000</u>

There were seventy-five boys at the School in November, 1882; by the first of January, 1884, this number had increased to 140, with a corresponding increase in the maintenance expense, so that the maintenance fund of \$26,000, for the two years, was exhausted at the end of one year. The Trustees being prohibited by section 9 of the act establishing the school from incurring any debt, it was found necessary either to disband the School, or to secure the money from private parties for current expenses during the year 1884. In this dilemma a number of gentlemen at Denver and Golden endorsed a note for \$20,000, and secured sufficient funds for the expenses of the School up to the present time.

There have been 196 boys sent to the School since it was established. Of this number 101 were sent there under sentence of larceny, forgery, assault and battery, etc.; 79 for incorrigibility, and 16 for vagrancy.



This institution is a deserving one. It is doing good work and should be liberally supported by the State. I think it is a mistake to admit vagrant and incorrigible boys at the school. No boy should be sent there except under sentence for some crime; I, therefore, recommend that sections 15, 16 and 17 of the act establishing the School be repealed. Those are the sections relating to vagrants and incorrigibles, and unless they are repealed the School will always be overrun with the lazy, worthless boys of shiftless parents, who want their children fed and clothed at the expense of the State.

Of the 196 boys who have been sent to the School, 95 were vagrants and incorrigibles and 101 were under sentence for crime. By repealing sections 15, 16 and 17, the number can be kept under 100, and the expense at \$20,000 per annum.

On a basis of 150 boys per day the Trustees ask for the following appropriations for the two years ending January 1, 1887.

150 boys at 30 cents per day each . . . . .	\$35,040
Officers' salaries and expense of Trustees . . . . .	15,250
Fuel and lights . . . . .	2,250
Repairs and improvements . . . . .	10,000
Water works and library . . . . .	1,250
	<hr/>
	\$63,790
• Existing deficiency . . . . .	20,000
	<hr/>
Grand Total . . . . .	\$83,790

I recommend that the School be supported by a tax levy of one-fifth of a mill on the dollar per annum, and that the Governor and Attorney-General be authorized to issue certificates of indebtedness for the current expenses of the School, whenever it may be found necessary on account of the failure of the appropriation to meet said expenses.

REPORT OF STATE ENGINEER.

The State Engineer represents that the total appropriation of water in the State amounts to 43,546 cubic feet per second.

Each cubic foot of water will irrigate about 50 acres of land, and is estimated to be worth \$750. On this basis the water rights of the State have a value of over \$30,000,000. The present ditch capacity is sufficient to irrigate 2,000,000 acres of land. As the land under ditch is not worth over \$12 per acre, it will be seen that water in Colorado is more valuable than land.



Every measure looking to its preservation and proper use should receive your careful and considerate attention.

The laws relating to irrigation and water rights are very imperfect. In many instances no provision has been made for their enforcement. I invite your careful attention to the many valuable suggestions of the State Engineer with reference to these matters. Mr. Nettleton has compiled a table of reliable statistics showing that we annually expend \$6,000,000 for farm products shipped into the State, every one of which could be successfully and profitably produced on our own soil. He further estimates that 113,000 acres of land properly irrigated and cultivated with reference to the needs of a home market would annually yield an amount of produce equal to that now shipped into the State.

The internal improvement lands of the State will eventually yield a revenue of \$700,000. The expenditure of a portion of this fund in preserving the water and reclaiming the waste land of the State would, in my opinion, be in entire accord with the spirit which prompted its donation to the State by the General Government. In view of the important character of the work committed to the care of the State Engineer, I respectfully recommend that a liberal appropriation be made for defraying the expenses of this department of the State Government.

In this connection I wish to call your attention to the necessity of some practical step on the part of the Legislature looking to the preservation of the forests of the State. Unless the timber on the mountain sides is preserved from destruction, a large portion of the snow will melt in winter and early spring, and pass off on the plains before it is needed for irrigation purposes. Every encouragement should be given to the Forestry Association in its efforts to preserve the forests.

#### STATE LANDS.

Exclusive of the public school lands, which embrace every sixteenth and thirty-sixth section, except mineral lands, the following lands have been donated to the State by the General Government:

	Grant.	Acres.
Internal improvements . . . . .		500,000
University . . . . .		46,080
Penitentiary . . . . .		32,000
Public building . . . . .		32,000
Salino . . . . .		18,336
Agricultural College . . . . .		90,000
Total acres donated . . . . .		718,916



The following amounts have been selected and confirmed in the different funds:

Grant.	Acres.
Internal improvement . . . . .	492,360
University . . . . .	44,841
Penitentiary . . . . .	25,227
Public building. . . . .	29,146
Saline . . . . .	18,836

Total acres confirmed . . . . . 610,410

leaving the following amounts to be selected and confirmed in the different grants:

Grant.	Acres.
Internal improvement . . . . .	7,640
University . . . . .	1,239
Penitentiary . . . . .	6,773
Public building . . . . .	2,854
Agricultural College . . . . .	90,000

Total acres to be selected . . . . .	108,506
Selected and confirmed . . . . .	610,410
To be selected and confirmed . . . . .	108,506

Total acres donated . . . . . 718,916

The present Land Board have selected 52,954 acres of the Agricultural College grant, and have forwarded a description of the same to the proper authorities at Washington for confirmation. The remaining 37,046 acres will doubtless be selected during the present year.

LANDS SOLD.

GRANT.	Acres.	Av. price per acre.
Internal improvements 1883 and 1884 . . . . .	146,436	\$1.51 1/2
Internal improvements prior to 1883 . . . . .	45,244	1.31 1/3
University, 1883 and 1884 . . . . .	22,445	2.61
University prior to 1883 . . . . .	8,360	2.00
Penitentiary, 1883 and 1884 . . . . .	7,761	1.36 1/2
Penitentiary, no sales prior to 1883 . . . . .		
Public building, 1883 and 1884 . . . . .	12,394	2.37 1/2
Public building prior to 1883 . . . . .	7,520	2.00
Saline, no sales . . . . .		
Public school, 1883 and 1884 . . . . .	1,889	3.58
Public school prior to 1883 . . . . .	2,408	3.37

Total sales in 1883 and 1884, 190,925 acres, for the sum of \$326,973.76.  
 Two hundred and fourteen city lots in Pueblo County, at \$64 a lot, \$13,695.80.  
 Total sales, \$340,659.56.



Lands remaining unsold, which have been confirmed :

Grant.	Acres.
Internal improvement . . . . .	300,680
University . . . . .	14,036
Penitentiary . . . . .	17,510
Public building . . . . .	9,232
Saline . . . . .	18,836
Total acres . . . . .	360,294

Most of these sales have been made in accordance with the provisions of an act approved February 18, 1881, which requires that 30 per cent. of the purchase money be paid in cash at the time of sale and the balance in seven annual payments, with interest at the rate of seven per cent. per annum.

The 214 city lots and the 1,889 acres of public school lands have been sold in accordance with the provisions of sections 73 and 77 of chapter 90 of the General Laws for 1883.

In selling the State lands belonging to the other funds, the construction of irrigating ditches has been encouraged, and a large amount of capital and a desirable class of settlers have been attracted to our State.

Land is of little value in Colorado, unless supplied with water for irrigating purposes. There is enough land, exclusive of the State lands, bordering the streams in the State, to absorb all the water of said streams. This water is all likely to be appropriated at an early day by private parties, and unless the State lands are brought under irrigating ditches, they are liable to become less valuable in the future than they are at the present time. The present Land Board have, therefore, deemed it advisable to sell these lands whenever fair prices could be realized.

#### LANDS LEASED.

Total number of leases now in force 967, embracing 577,357 acres, at an annual rental of \$29,178.34, divided among the different funds as follows:

GRANT.	ACRES.	RENTAL.
Internal improvement . . . . .	115,126	\$ 6,010 90
Public school . . . . .	449,850	22,484 00
University . . . . .	3,680	239 00
Penitentiary . . . . .	3,661	114 04
Public Building . . . . .	2,400	104 00
Saline . . . . .	2,560	226 40
Total . . . . .	577,357	\$29,178 34



Number of acres leased, according to the biennial report of the Land Board of 1882 was 116,259 acres, showing an increase of 461,098 acres since November 30, 1882.

Total receipts from land sales and leases in 1881 and 1882, \$112,184.04. Total receipts from land sales and leases for the two years ending November 30, 1884, \$239,508.89, showing an increase of \$127,324.85 in the past two years.

From the above figures, it will be seen that the duties devolving upon the Secretary of the Board have largely increased, during the past two years. To properly discharge the duties of the office in the future, will require the entire time of the Secretary, with an efficient assistant.

I, therefore, recommend that the sum of \$900 per annum be allowed for an Assistant Secretary, and that the salary of the Secretary be increased from \$1,200 to \$1,800 per annum. I also recommend the appropriation of \$5,000 to defray the ordinary expenses of the Land Board, for the two years ending November 30, 1886.

AGRICULTURAL COLLEGE, UNIVERSITY AND SCHOOL OF  
MINES.

I respectfully refer you to the reports issued by the authorities of these institutions for a detailed statement of the progress made during the past two years, and the general character of the work undertaken by them. These institutions are supported by a direct tax of one-fifth of a mill each on the dollar per annum, making a total of \$60,000 per annum.

The President of the Agricultural College and the Board of Agriculture ask for an appropriation for the purpose of enlarging the buildings and making other improvements that will materially aid them in carrying forward the good work committed to their care.

I respectfully recommend that a special tax of one-fifth of a mill per annum be levied in 1885 and 1886 for the purpose of making said improvements.

COAL MINE INSPECTOR.

The last General Assembly passed an act providing for the appointment of a Coal Mine Inspector. The Inspector was appointed and entered upon the duties of the office in May, 1883. He reports that the mine owners



have generally complied with the laws, and that under his supervision the timbering and ventilation of the mines have been greatly improved and a number of safeguards thrown around the existence of the miner.

In his report will be found much useful information respecting the coal beds of the State and the production of coal, and also many valuable suggestions with reference to safe and economical methods of working the mines.

#### COLORADO NATIONAL GUARDS.

It has been remarkably quiet in the State for the past two years. The civil officers of the counties have been able to enforce the laws and preserve the peace and dignity of the State without calling the militia to their assistance. This may not always be so, and the necessity and importance of having a well drilled and thoroughly equipped militia organization cannot be too thoroughly impressed upon the minds of the people.

The Colorado National Guard comprises thirty (30) companies—twenty-five (25) infantry companies, four (4) cavalry and one (1) artillery, with 1,372 active men. During the past two years nine (9) companies have been mustered into service and one (1) disbanded.

The poll tax collected for 1883 and 1884 amounted to \$37,914.64. This shows quite an increase over the collections of the two previous years. The military poll tax ought to yield a revenue of at least \$40,000 per annum; and with due vigilance on the part of County Assessors and Treasurers it would yield this amount.

The State could then pay the expenses of an annual encampment, furnish the companies with uniforms, and assist in organizing bands for every three or four companies. With handsome uniforms, ammunition for target practice, good bands of music, and the prospect of an annual encampment, the militiamen would take great pride in the service, and in addition to being a needed source of security, would reflect credit upon the State. The last Legislature appropriated the sum of \$1,000 for the purpose of copying and preserving the muster rolls of all Colorado soldiers engaged in the war of the rebellion. This work has been done in a thorough manner. The Adjutant-General reports that he has already received and answered 600 applications for certificates of service in Colorado companies.



## FISH HATCHERY.

The Fish Commissioner, Hon. W. E. Sisty, reports that he has distributed about 1,400,000 young fish in the streams of the State, and has sold 121,000 to private parties during the past four years.

The law designed to protect fish against destruction by giant powder is not enforced, nor is it likely to be until the lands bordering the streams in the mountainous portions of the State are more thickly settled than at the present time.

The object of a State Hatchery is to replenish the streams with fish. The streams in Colorado are naturally well stocked with fish and would doubtless remain so were the fish not driven out by the stamp mills and killed off by giant powder.

Unless the laws for the protection of fish are more effectually enforced it will be a useless waste of money to put young fish into the streams.

The success attending the hatching of eggs and the growth of fish at the State Hatchery has stimulated a deep interest in fish culture in all parts of the State. A number of our citizens are now successfully engaged in cultivating fish on a large scale in lakes and ponds. The State Hatchery has served a good purpose in supplying these parties with eggs and young fish.

Any quantity of eggs can be hatched and any number of young fish thrown into the streams at a small expense, but, as the conditions are not favorable to their protection, I doubt the propriety of any further expenditure on the part of the State in this direction at the present time.

## STATE BOARD OF EQUALIZATION.

For a number of years past the Board of Equalization has made no attempt to equalize the assessments, as returned by the Assessors of the different counties.

According to the statutes the Board cannot reduce the aggregate assessment as returned by the County Clerks; nor can they increase the aggregate assessment so returned. As the law now stands the Board, in fixing a scale of valuation, would have to adjust it so that the aggregate assessment would not vary from the sum total returned by the County Clerks. This would require an interminable amount of work.

The chief variation in values is on live stock. The accompanying table shows the number of cattle and gives



the average valuation placed upon them by the Assessors in a number of leading counties in the State.

COUNTIES.	Number of cattle assessed, 1884.	Average value.
Elbert . . . . .	66,774	\$12 21
Bent . . . . .	92,181	12 77
Las Animas . . . . .	83,454	14 88
Weld . . . . .	71,456	16 13

If the cattle in Elbert, Bent and Las Animas counties had been assessed, as in Weld county, \$16.13 per head, instead of \$12.21, \$12.77 and \$14.88, respectively, the aggregate increased assessment on cattle in these three counties alone would have amounted to \$660,805. The cattle in the eastern and southern counties of the State are chiefly range cattle, and they should all be assessed at the same value.

I therefore recommend that the Assessors in each county in the State be required to make returns of all live stock in their respective counties to the State Board of Equalization, and that the Board be authorized to fix a value upon said stock, and forward a statement of said valuation to the different County Clerks.

Taxes are collected on all railway property in the State, except Pullman Palace cars. Under existing statutes they have so far eluded the vigilance of the Tax Collector. In order that taxes may be collected on these cars, I recommend the passage of an act making all railroads in the State responsible for the taxes on all rolling stock of every kind operated on their respective lines.

#### JUDICIAL DISTRICTS.

The Seventh Judicial District as now constituted consists of ten (10) counties, as follows: Gunnison, Montrose, Mesa, Delta, San Miguel, Dolores, Ouray, Hinsdale, San Juan and La Plata. These counties cover a vast amount of territory, and at certain seasons of the year it is sometimes necessary for the District Judge to travel several hundred miles in passing from one point to another in his District.



Owing to the large amount of litigation in this District, and the frequency with which the Judge is required by law to hold court in each county in the District, it is utterly impossible for him to meet all of his appointments.

I therefore respectfully recommend that the counties of Fremont and Custer of the Sixth District be attached to the Third District, and that the counties of La Plata, San Juan and Dolores of the Seventh District be attached to the Sixth District. The counties of Las Animas, Bent, Huerfano, Pueblo, Custer and Fremont, will then constitute the Third District. The counties of Costilla, Conejos, Rio Grande, Saguache, La Plata, San Juan and Dolores, the Sixth District, and the counties of Gunnison, Montrose, Delta, Mesa, Hinsdale, Ouray and San Miguel the Seventh District.

#### MILITARY RESERVATION IN COLORADO.

I herewith submit for your consideration a letter from the Secretary of War in relation to certain military posts in this State. The United States desires to secure exclusive jurisdiction over the Military Reservations of Fort Lewis, Fort Lyons and the Cantonment on the Uncompahgre River.

#### QUARANTINE LAWS.

During the past year cattle in nearly all parts of the country have been attacked with Texas fever, pleuropneumonia or some other contagious complaint. The facility with which contagious diseases may be communicated from one herd to another on the plains has aroused the people of the State to the necessity of enacting a quarantine law. Such a law should be framed in a spirit of fairness to all parties—to those who are driving cattle into and through the State, as well as to those whose herds are already in the State. It must be borne in mind that we have no extensive tracts of vacant lands in the State upon which large herds of cattle can be quartered while in quarantine. In stopping large herds and confining them to a limited grazing space, many of them may starve and the State required to pay all damages.

In order to prevent the spread of a disease it may be found necessary at times to kill a limited number of sick cattle at the expense of the State. In such cases the State should only pay one-half the value of sound, healthy cat-



tle. It might be advisable, also, to limit the number of cattle so killed for which the State may be required to pay in any one year.

With these general suggestions I invite your attention to a careful consideration of the subject.

#### BOUNTY LAWS.

I imagine there can be no difference of opinion among members of the present Legislature as to the necessity of repealing these bounty laws.

If this is not done the credit of the State will be seriously impaired in the near future.

These laws were designed to exterminate the hawks, wolves and loco weed. The number of hawks and wolves killed in the State in any one year, doubtless bears some fixed relation to the number in existence during that year. If this be so, then the hawks and wolves, instead of being exterminated, have steadily increased under the auspices of these bounty laws.

In 1878 the State paid \$4,714.25 for hawks and \$1,135 for wolves.

In 1884 it paid \$9,067.25 for hawks and \$9,888 for wolves. This would indicate that 36,269 hawks and 6,592 wolves had been killed in the State during the past year.

It is hardly reasonable to suppose that any such number of hawks and wolves were really killed in the State during that time. With these laws in force, the State is evidently unequal to the task of protecting itself against the dishonesty of its own citizens. The loco bill was passed in 1881. The total loco certificates for 1883 amounted to \$34,556.30. Total for 1884, \$91,998.23. In 1883 El Paso county produced only two tons of loco weed; in 1884 it produced 567 tons. Granting that loco weed is poisonous, and that wolves, lions and skunks are unpleasant neighbors, the State is under no more obligation to clear the farmer's ranch of poisonous weeds; under no more obligation to protect the herdsman's flock against wolves and lions than it is to pump the water from the silver and lead mines and to free the coal mines from poisonous gases.

These bounty laws represent a species of provincial legislation that the State can well afford to relegate to those counties whose citizens have displayed such aptitude in scalping wolves and harvesting loco weed.



## REQUISITION EXPENSES.

Section 3, chapter 44 of the General Laws of 1883, provides that the expenses of a properly commissioned messenger from this State to another in search of a fugitive from justice shall be paid by the State. These expenses have not been paid by the State except in a few cases, owing to a lack of funds. This law should either be repealed or an appropriation should be made sufficient to meet the expenses incurred under its provisions.

There are a number of claims against the State for expenses incurred under the provisions of this act. These claims will likely be presented to the Legislature for adjustment. They are usually exorbitant and should be closely scrutinized before being paid.

I respectfully recommend that the law be amended so that the State shall not pay these expenses, except in cases where the fugitive has committed a very grave crime.

## PRISONERS COMPUTATION OF TIME.

Section 2596 of the General Laws of 1883, provides that the Warden shall compute the time of a prisoner's sentence from the date of his arrival at the Penitentiary. This law should either be changed or the officers should be compelled to remove the prisoners to the Penitentiary within a few days after receiving sentence.

Prisoners are sometimes kept in the County Jails for weeks after sentence of confinement in the Penitentiary has been pronounced by the Court.

## COMMISSIONER OF DEEDS IN FOREIGN COUNTRIES.

I respectfully recommend the passage of an act authorizing the Governor of the State to appoint Commissioners of Deeds for Colorado in foreign countries. I have received a number of applications for such appointment during the past two years.

## NEW ORLEANS EXPOSITION.

An effort will doubtless be made to secure an appropriation for the purpose of defraying the expenses incurred in looking after the exhibits of the State at the World's Fair. An appropriation of \$5,000 for this purpose, if properly expended, would doubtless be of much benefit to the State.



I herewith transmit for your consideration the report of the Supreme Judges, the Board of Agriculture and the State Geologist.

CONCLUSION.

The State of Colorado, though the youngest in the Union, is far in advance of many of the older States in the management of its public affairs, in the perfection of its school system and in the humane and liberal provision made for the unfortunate classes of society.

The wonderful natural resources of the State have enabled our people to move along in the even tenor of their way, almost unconscious of the serious business trouble in other parts of the country. We are all prepared to enter upon the duties of the new year with a feeling of renewed confidence in the stability of our institutions and in the permanency and great value of our mining and agricultural resources.

In retiring from the office of Governor, I desire to tender my thanks to the various State officers, Trustees and Managers of the different State institutions, for many acts of kindness and courtesy and for the valuable assistance rendered me in the discharge of my duties.

JAMES B. GRANT,

*Governor.*



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