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Report of the Governor of Utah, 1879

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REPORT

OF

THE GOVERNOR OF UTAH.

UTAH TERRITORY, EXECUTIVE DEPARTMENT,
Salt Lake City, October 29, 1879.

SIR: In compliance with your request relative to a report of the condition of affairs in this Territory, I have the honor to submit the following

AGRICULTURE.

The past season has been one of unusual drought, and in consequence the crops of this part of the country are light; possibly one-half the usual amount of grain, vegetables, fruit, and hay have been produced here. The people depend more upon the snows which fall in the mountains and remain there during the summer for water to irrigate their lands than upon the rains. During last winter very little snow fell in this Territory; the result has been a short supply of water and very meager crops. The largest streams in the Territory have gone dry, something never known before by the oldest settlers. The drought has been so severe that the waters of the Great Salt Lake have fallen four or five feet in depth. Horses, sheep, and cattle have suffered severely on the ranges for the want of water. Mountain streams went dry early in the season, and farmers have realized this year for the first time that they have more land under cultivation than they have available water in the country to irrigate. What has been known here for a few years past as "dry farming," that is, land sown in grain and dependent upon the rain for moisture, has wholly failed this year. Notwithstanding the severity of the drought the crops produced will probably be sufficient to carry the people through the year, except, possibly, in a few localities.

GRAZING LANDS.

The commission created by Congress at its last session for the purpose of visiting the Territories and States of the Pacific coast has visited us for the purpose of information as to what the government should do with existing tracts of country which can never be put to any use but grazing. This is a very pertinent inquiry. The government should take some measures to classify the public lands and adopt some methods whereby settlers and stock-growers can acquire rights to the grazing lands here, which constitute at least seven-eighths of the entire country. As the law now exists in the Territories there is no way whereby stock-growers and wool-growers can acquire any title, either by lease or otherwise, to these pasturage-lands, and they are in a great measure unprotected. In the early days of ranching a rancher's rights were, to a considerable extent, respected by common consent, but such rights are disappearing. Till within a few years men took up their ranches and stocked them with

cattle, sheep, or horses, as the case may have been, and their claims were respected by virtue of their being the first occupants and by priority of location, but as they had no legal title to the land and could acquire none from the government, and as stock increased in the country, these squatters' rights have been invaded.

Another serious drawback to the stock-growers of this country are immense herds of sheep, which have been driven into the Territories from California. Large flocks of fifteen, twenty, and thirty thousand sheep not unfrequently make their appearance here from the west. It is not so much the grass they eat that the settlers complain of, but they poison and kill out what is known here as the buffalo or bunch grass, which is the only grass of any value indigenous to this soil. Where sheep range for one season there is left a barren waste upon which grass will not grow for several years after. If Congress would pass some law whereby parties can acquire rights to this pasturage, it would undoubtedly be a source of revenue to the government as well as to parties engaged in stock and wool growing.

MINING LANDS AND LAWS.

The mining laws of this country are very deficient in many respects. Instead of defining and settling miners' rights, they are often a fruitful source of litigation. Under them the most vexatious lawsuits have arisen, and are constantly arising, and so uncertain and unsettled are titles to mines and mining properties, that capitalists hesitate, and often refuse, to invest their money in them. A man's patent to his mine should be a perfect title to the property covered by his patent, and parties purchasing patented mines should be required to trace titles no further than to the patentees. A person who discovers and locates a mine should be required, by law, to have his claim surveyed within a few months of its discovery—say three—and the survey made a matter of record in the surveyor-general's office; and the exact distance and location of every such claim from some mineral monument should be stated in the survey. I would suggest the propriety of having the surveyor-general, through his deputies, cause an accurate survey of every mining district to be made as soon as the district is located, and also cause a sufficient number of mineral monuments to be erected in the district, in order that subsequent surveys of claims may tally exactly with the original survey of the district. I would further recommend that the law should fix the length and width of every claim, instead of leaving these limits to be decided by the miners of a district. I am of the opinion that more surface ground should be allowed to a mining claim—that every claim should be six or eight hundred feet wide; if this is not enough, allow more, so that every miner can follow the dip of his vein as far as may be desirable and still be on his own ground. In other words, a mining claim should carry with it the right to work inside of its *side* and *end* lines, perpendicularly down, but not beyond these perpendicular lines. A miner's claim should be governed by the same rules as a city lot in respect to its side lines. I am aware that this idea is unpopular with miners and mining engineers, but I think their objections to it are more or less selfish. Following the dip of the veins onto the ground of other parties is a most fruitful source of litigation.

INDIANS.

In this Territory there have been no troubles with the Indians during the past year, that I am aware of. A majority of them have abandoned

their tribal relations, and are living in different parts of the Territory on little farms, and are supporting themselves by agriculture and by raising horses and cattle. They also devote a portion of their time to hunting, but are peaceable and friendly. The only reservation in Utah is at Uintah, situated about two hundred miles east of this city. This agency is under the control and management of Colonel Critchlow, who has been stationed there for several years. He has under his management some five or six hundred Indians, with whom he seems to get along remarkably well. During the last few weeks the agent and employes of the White River Agency have been massacred, and the Indians are on the war-path; yet the Uintah Utes, although neighbors, have remained at home in peace, and seem to be under the control of their agent. This certainly speaks well not only for these Indians but for their management.

When the outbreak occurred at the White River Agency, I apprehended trouble at the Uintah Agency, and advised Colonel Critchlow to prepare for any emergency that might arise; to strengthen his post by building a log fort, if necessary, where he could have a supply of water. I offered to furnish him with guns and ammunition with which to defend himself and other white people about him. This suggestion he did not think well of at first, but finally concluded to adopt it. It is to be hoped that Colonel Critchlow will have no trouble with his Indians, and it is hardly probable he will; certainly not this year, if peace is made immediately with the Colorado Utes.

MINING PROSPERITY.

Although the agriculturists among us have suffered severely during the past season, the mines have prospered. The business of mining has never been more prosperous or more profitable than at the present time, and it is regarded as a safer and more legitimate business than formerly. It has taken a series of years to educate mining men up to the business of mining and to conduct such enterprises with skill. New processes and better methods have been introduced for reducing ores, by which larger profits on them are realized. Ores which a few years ago were regarded as refractory and worthless, are now, under the new treatment, worked at a profit. In order to give you some idea of the extent to which mining is carried on in this Territory, I beg leave to submit the following extract taken from a report on the "Resources of Utah" prepared recently by the Utah Board of Trade:

From the end of 1870 to the end of 1878, as appears from the books of the Utah Central Railroad Company, there were shipped from Salt Lake City 76,912 tons of ore, 109,276 tons of argentiferous lead bullion, and 8,197 tons of lead, worth in the aggregate quite \$40,000,000. For the last three years the value of Utah's mineral output, ascertained with great care and accuracy by J. E. Dooley, agent for Wells, Fargo & Co., at Salt Lake City, was \$18,558,805.48. Most of the ores so far worked have been argentiferous galena, and the present depression in the price of lead decreases the profits realized from that kind of ores. But lead represents only \$5,379,446 of the product of the last three years, against \$13,137,033 of the precious metals; and of last year but \$811,068 against \$5,224,580, or less than 16 per cent. And further, as the profit on lead has decreased, mines producing gold and silver ores proper have been discovered, or have risen into prominence. Such are the Ontario, which has paid 42 consecutive dividends of \$50,000 each; the mines of Silver Reef, which, first discovered two years ago, are now producing fine bullion at the rate of \$100,000 per month; and the gold mines in Bingham Cañon, the ores of which, though of comparatively low grade, are very cheaply mined and milled, and occur, so far as work has shown, in veins or deposits of extraordinary size and strength. There is not a county in the Territory where mines have not been located, and mining districts in greater or less number organized. Froiseth's new map of Utah shows 80 of these new mining districts, covering more than 1,000,000 acres, crowding each other most in Salt Lake, Utah, Juab, and Beaver

Counties. Box Elder, Tooele, Millard, Pi Ute, and Iron Counties have a plentiful sprinkling of them. Wherever there are mountains the prospector has been and left his foot-prints in the shape of mining-districts. Very many of them are abandoned, true, but this is more often on account of inaccessibility, want of capital, and other unfavorable circumstances than because of the lack of merit or promise of the mining locations.

FINANCES.

The finances of the Territory are in a most satisfactory condition. There is no indebtedness that is not covered by uncollected taxes. The Territorial scrip, which three or four years since was worth only 40 cents on the dollar, to-day is worth 98 cents on the dollar. There is assessed annually an *ad valorem* tax on the taxable property in the Territory of Utah, as follows: three mills on the dollar for Territorial purposes; three mills on the dollar for the benefit of district schools; and such sum as the county courts of the several counties may designate for county purposes, not to exceed three mills on the dollar.

RAILROADS.

There have been built the past year, and are now in operation, some one hundred and fifty miles of additional railroads—about one hundred miles of broad-gauge railway and fifty miles of narrow-gauge. The broad-gauge extends from York, the former terminus of the Utah Southern Railroad, towards Frisco, situated in the southwestern part of the Territory, the mining district in which the famous Horn silver mine is located. The narrow-gauge railway, built the past year, runs from Springville, Utah County, to the coal-fields in Pleasant Valley, San Pete County. This road opens up a new and superior quality of coal to any as yet discovered west of the Rocky Mountains.

COURTS AND LAWS.

Our Territorial courts are running smoothly and, I believe, satisfactorily. The laws of the Territory I referred to in my last report; and as there has been no session of the legislature since, they remain unchanged.

The above is respectfully submitted, trusting it will afford such information as will be desired concerning this Territory and its affairs. There are many matters here to which I could refer, but I doubt if they would be of interest to any one outside of Utah.

Very respectfully, your obedient servant,

GEO. W. EMERY,
Governor of Utah Territory.

Hon. C. SCHURZ,
Secretary of the Interior.