

Farewell address
of
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Farewell Address

To the General Assembly and people of Vermont:

As I come to the end of four years as Governor of Vermont, it becomes my duty to give to you an account of the events of this period so that you may know what steps have led to this day, when a new legislature and a new governor must continue along the path way of Vermont's destiny.

During these four years Vermont, in common with the rest of the nation, has experienced changes and put into practice new functions of government that were either unforeseen or in the visionary stage a few years ago. Our task has been to apply these innovations in a practicable manner and to meet the will of the people without departing from our hereditary principles.

We have been successful for the most part. Of course, there have been times when we have encountered rough places on the highway of our history.

I will now take up one by one the work of our state departments :—

ADJUTANT GENERAL

The Vermont National Guard which will be inducted into Federal service soon will be in the best condition in which it has ever entered Federal service, better clothed and better equipped than ever before.

During the last four years, the strength of the Guard has been increased from 90 officers and 1,141 enlisted men to 115 officers and 1,443 enlisted men—being on January 1, 1941 the largest National Guard ever maintained by the state. The morale of this organization is high. We need have no fear that the men of Vermont will be poorer than the best when inducted into regular army service.

The state has cooperated fully with the War Department in its plans for our national defense. A State Defense Council has been organized and is prepared for work; the selective service organization is operating smoothly. Plans are on hand to organize home guard units on short notice.

AGRICULTURE

Agriculture has long been the mainstay of a large percentage of Vermont's population. In January, 1937 the condition of our farmers was most distressing. The milk market on which so many depend was in a state of almost complete demoralization. Our dairymen seemed hopelessly divided among themselves. Meeting after meeting between different groups failed to produce satisfactory results until finally state officials and several of the farm cooperatives appealed for a federal marketing order.

As a sufficient percentage of farmers voted for this order, it went into effect. The result was a general stabilization of the Boston milkshed and later of the New York milkshed so that the year 1940 saw the best income since 1930 accrue to the state from the sale of fluid milk and its by-products.

This condition has been brought about by the wholehearted cooperation of producers themselves, the state and the Federal government. It needs all three of these forces to maintain prosperity for the dairymen. No two of them could succeed working alone.

The most gratifying result is the fact that today the milk producers of Vermont are working together for the purpose of maintaining our agricultural welfare. It is safe to say that over 90% of our production is now marketed at wholesale through the farmers' own organizations.

That our farmers are cooperatively minded is indicated by the fact that during the last four years there has been a net gain of twenty-five new farm cooperatives. So long as we work together we may expect this better era in agriculture to continue.

The State Department of Agriculture has been actively working for better farming conditions. Re-testing the state for bovine tuberculosis continues, and the percentage of infection in Vermont herds is being kept below one-half of one percent.

The Legislature of 1939 enacted a Bangs' Disease Law. This has not resulted as its sponsors expected, and comparatively few reactors have been slaughtered because of the blood test. The appropriation of \$50,000 has not all been used.

This is probably fortunate, for it appears that a better plan will soon be available, that calf vaccination—a preventative measure—is rapidly coming forward and through its use in combination with the blood test, it is believed that we may avoid the slaughter of many valuable cattle and the payment of enormous sums for indemnities.

Recently there has been established a pathological laboratory which is rendering a much needed service in testing for disease in poultry. Poultry growing and turkey growing have taken on added importance. Production has been handicapped somewhat by lack of an adequate course in poultry husbandry at our state university.

The uniform milk inspection law enacted in 1939 has worked out successfully and has corrected some very unsatisfactory conditions. It is no longer possible for producers whose milk will not pass requirements in other states to sell this milk to the people of Vermont and our out-of-state guests.

Vermont farmers have received good cooperation from the Federal Surplus Marketing Administration. In the season of 1939, approximately 100,000 bushels of Vermont apples were inspected and marketed through this collaboration. The purchase of surplus milk by this federal agency has done much to maintain a better market in the city distribution areas.

ATTORNEY GENERAL

Our state is cooperating with the Council of State Governments both financially and through active participation of our officials. We have done much toward the elimination of interstate trade barriers as well as the adoption of uniform state legislation for the control of crime. The Attorney General's Department has sponsored uniform legislation enabling Vermont to work in cooperation with other states in law enforcement.

Many recommendations of this office have been enacted into law, making the pursuit of crime a more hazardous occupation in Vermont. Schools for the instruction of enforcement officials have been held at Windsor. An additional state investigator has been employed.

The Legislature of 1937 authorized the appointment of a Deputy Attorney General who has aided materially in liquor law enforcement and in other ways.

BANKING AND INSURANCE

Banking conditions in Vermont show one of the most gratifying improvements of this four year period. The system of state charter banks has been materially strengthened in many ways. In 1938 a merger of six mutual savings banks was completed, which brought under a single management the task of administering and liquidating a substantial amount of real estate and foreign mortgages, besides strengthening and clarifying the banking situation in southern Vermont.

The situation was further strengthened by the liquidation of three banks. The amount of foreclosed real estate owned by Vermont banks has been cut in two during the past four years.

The proportion of sound banking assets to total assets has increased greatly. Deposits are now stabilized for the first time in ten years and are increasing. Seven trust companies within the state have completely retired their Preferred "A" Stock. Bank statements are now more generally dependable, as assets are carried at reasonable figures by most banks.

COMMISSIONS

During my term of office, it has been my privilege and duty to choose a great many Vermont men and women for commissions authorized by the legislature, as well as for many unofficial committees whose advice

and efforts I found to be of great value. These committees, official and unofficial, have spent hundreds of hours in studying such important matters as state institutions, taxation, transportation service, banking laws, the dairy industry and a dozen other important matters. Hardly a person has declined to serve on one of these unpaid commissions. Almost invariably they have gladly given their services to the state.

One of these commissions that I would specifically mention is the Industrial Agricultural Products Commission. These men have not only given their time and paid their own expenses, but have raised funds to carry on demonstration and experimental work. They have made definite studies and accomplishments in the field of paper milk containers and soy beans.

More recently they have engaged in an effort to promote the use of whatever small idle factories there are throughout the state. It appears that Vermont has very few empty plants suitable for present day manufacturing purposes.

We all desire our Vermont industries to prosper and enjoy seeing our plants working at capacity, yet I do not share the perturbation of some because Vermont is not experiencing an industrial boom at this time. The present war time boom is necessarily of a temporary nature and is bound to be followed by serious problems of dislocated population, unemployment and relief.

CONSERVATION AND DEVELOPMENT

The Department of Conservation and Development has been very active. The increasing importance of recreation as an economic factor in Vermont life has brought about demands for more facilities. A decade ago the Country Life Commission recommended that the state acquire forest land to the amount of 100,000 acres. During the last four years, 20,512 acres including Smugglers Notch, have been purchased, making a total of approximately 74,000 acres now state owned. It is advantageously located for recreational purposes in nearly all parts of the state. A few sections—such as western Rutland County—are still inadequately serviced in this respect.

There has been a great and profitable development in winter sports throughout the state, particularly in the Mansfield and Pico Mountain regions. Vermont is one of the few states that can sell four feet of snow and twenty below zero at a profit.

The hurricane of 1938 felled a great quantity of timber. With the splendid cooperation of the United States Forest Service, a large percentage of this timber was salvaged with good returns to the owners. In this respect, let me say that during my term of office, we have received nothing but the best of cooperation from this branch of the Federal government.

Our forest fire fighting equipment has been greatly improved and increased, and a new system has been developed which promotes control of forest fires with a minimum loss of time and expense.

A recent venture of the Fish and Game Department, which should be of immense value, has been the purchase of 1,000 acres of land in the towns of Newark and Westmore on which to establish trout and salmon rearing stations. I am told that this location is one of the very best in New England.

The Fish and Game Service has inaugurated a system of competitive examinations in the selection of wardens.

The 1939 Legislature, delegated to the Board of Conservation and Development the right to make rulings for the protection of wildlife where problems of a strictly local nature are involved. Six hearings have been held under this law, and I have had no complaint but what they were all conducted fairly with satisfactory results to the community.

With the difficult problem of trying to satisfy all the people all the time, the Department of Conservation and Development has occasioned a minimum of complaint.

EDUCATION

Educational work in Vermont has been progressive but not spectacular. We haven't had the high cost that many other states have had, but I feel we are getting much for our money. Vermont rural schools particularly

rank high. There are many private schools within our borders. Enrollment at our colleges and private schools is at capacity, and at most of these institutions, applicants have to be turned away. It is gratifying to us that people from other states think highly enough of Vermont to wish to have their children educated here.

FREE PUBLIC LIBRARY

The most important work of this Commission has been the organization and development of the regional library system. Four regional offices have been located in Montpelier, St. Albans, St. Johnsbury and Rutland, and book service made available to all citizens of the state.

Over 1,000 rural schools, 114 villages and 626 farm homes are now being served as well as the 227 organized libraries in Vermont. The circulation of books has increased from 80,000 four years ago to over 200,000. The demand still far exceeds the ability of the Commission to meet it.

Vermont is the only state with a state regional library system organized as state aid. Other states are making plans to follow our example.

HIGHWAYS

I believe that the people of Vermont are generally satisfied with the work of the Highway Department. In the last four years, 230.77 miles of new road have been constructed—about 26 miles on the state-aid system and the rest on the state system. New bridges totalling 246 have been built.

During the year 1940, the Highway Board placed contracts for 62.3 miles of highways, 9 bridges of over twenty foot span and 11 railroad flashing signals. There remain to be contracted for on the present program 3 short highway projects and one overpass.

Two of these highway projects are held up by legal proceedings. Although the second article of the Vermont Constitution says that “private property ought to be subservient to public uses when necessity requires it,” yet it is possible for persons so minded to delay public construction through legal processes. Much of the delay in highway construction has been due to this cause.

It is perfectly right that property owners should be fairly recompensed as provided for in the same article two of our Constitution. But it is also wholly conceivable that the state at some time might receive irreparable damage because of lack of statutory authorization to acquire private land for highways and airports without delay. The very safety of our state might well hinge upon the ability of persons so minded to impede and delay construction through legal processes.

In September, 1938 the highways of Vermont received a severe setback because of a destructive hurricane. Repair work was started immediately, and \$500,000 was made available from the general fund Treasury by the Emergency Board. This, with what the towns and federal agencies contributed carried the work along until the Legislature of 1939 met.

That Legislature, after much discussion, authorized the expenditure of three and one-half million dollars, or as much thereof as might be necessary, to reimburse the afflicted towns for their earlier expenditures, and to complete the restoration or relocation of highways and bridges destroyed and damaged by the hurricane.

As the work progressed, it appeared to me and to other state officials that the sum of two and one-half million dollars would be sufficient to make restoration complete.

Considerable repair work and construction was done in connection with new projects and permanent betterments which had been planned or were desirable.

The Attorney General ruled, “If, in the repair, reconstruction replacement or relocation of such **State and State Aid Highways and Bridges** the Board has expended money in permanent improvements or betterments in excess of the cost of restoring such highways and bridges to as good condition as existed prior to such flood and hurricane, such excess should be charged to the regular construction program and not be charged against the appropriation made by said Act No. 42.”

Under date of December 11th, the Chairman of the Highway Board advised me, "The cost of flood repair over and above the amount of the bond issue of two and one-half million dollars has been taken care of by the regular highway funds and is charged to betterments which is a very small percentage in view of the total expenditure."

Of the two and one-half million dollars borrowed for hurricane and flood repair work, \$800,000 has already been repaid and the remaining payments will be made over a period of four years as required by statute.

Although I have not received or heard of one single complaint from town officials that the work in their town was not well and satisfactorily done, and although many town officials have advised me that the work was done far better than they had hoped for and that their roads and bridges are in the best condition they have ever known, yet there has been criticism by a few interested parties because only two and one-half million dollars was spent.

If there is any blame attached to the failure of the state to spend a million dollars more than was necessary, you may place it on me because I refused to authorize the borrowing and spending of the other million dollars. Certainly it could have been spent in stream control work, in building wider roads and in a hundred ways, but so could ten million or fifty million more.

My insistence on saving this million dollars, which the towns afflicted did not demand, was because every dollar borrowed for the purpose of highway and bridge reconstruction has to be paid back and be paid back out of the so-called surplus highway funds which remain in the treasury on July 1st of each year.

These surplus funds are the money on which we depend to extend construction of the state highway system, which is not part of the federal highway system. This money belongs to the people of all the state, not to any particular section, and I refused to penalize all for the benefit of a few and in a manner which I knew to be illegal.

The so-called back roads of Vermont, or farm roads, are of ever increasing importance to our agricultural, our industrial and recreational life. It is from our forests and our farms that a large percentage of our wealth originates. The condition of high ways leading to the farm and forest areas may determine whether they can be profitably occupied and operated or not. The 1937 Legislature increased the appropriation from state funds to the towns for town road work from \$500,000 to \$750,000.

In my opinion, this was one of the most profitable investments the state ever made. By building and maintaining better back roads, by keeping these roads open for winter travel, it has been possible for Vermont farmers to get their children to school, to deliver milk and pulp and lumber and other produce to market, or to shipping stations, at a cost which enables them to continue operating their farms in this highly competitive agricultural world. I feel that a large part of this additional \$250,000 appropriated for the maintenance of back roads has been returned to the state in the form of increased gasoline tax receipts and increased registrations.

INDUSTRIAL RELATIONS

On my recommendation, the General Assembly of 1939 created a Department of Industrial Relations to supersede the old Department of Industries, which was merely a division under the Department of Public Service.

This new department began functioning on March 2, 1939 and has taken a major and rightful position in our department system of state government. It has given the laboring people a new department to which they can appeal their grievances and impart their needs.

The following legislation has been enacted: increased benefits under the Workmen's Compensation Act; a reduction in the daily and weekly hours of labor for women and children; a new, intelligent and workable Child Labor Law; inclusive of the Sergeant-at-Arms employees within the provisions of the Workmen's Compensation Act; elimination of the requirement of a full trial before the Commissioner in Workmen's Compensation hearings; provision for the enforcement of awards in such cases through suits in courts of law, and an enactment of an entirely new and workable law to facilitate mediation and arbitration in labor disputes.

In 1937 the Commissioner of Industries was for the first time given sufficient funds with which to employ a Deputy Commissioner. This resulted in an industrial statistical division being established within the department. In 1939 an increased appropriation made possible the employment of two more factory inspectors bringing the number to three.

During the first fiscal year thereafter, field inspections increased from 526 to 2,579—or about 500%. Employers and employees have become more safety conscious. Information concerning labor laws has been widely disseminated, and a marked improvement in working conditions in many plants has directly resulted in elimination of accident hazards.

Several strikes have taken place in Vermont since January, 1937. Most of these have ended with a better understanding between employer and employee. The cost to the state for maintaining order has been negligible. The public-spiritedness of both labor and employers has made Vermont outstanding in the matter of harmonious labor relations.

LIQUOR CONTROL

The Liquor Control Board has functioned well. We are fortunate in this respect. The state policy has been to discourage excessive use of intoxicating liquor. To this end about \$9,000 has been spent for reference text books for use in the public and private schools and libraries.

The creation of the office of Deputy Attorney General has resulted in more effective prosecution of criminal violations of the liquor law.

I am advised that Vermont probably has the lowest cost of operation of any state liquor system of the seventeen states handling spirituous liquors by a similar method.

MERIT SYSTEM

Recent federal legislation has required installation of a merit system for employees in the departments of Public Welfare, Old Age Assistance, Public Health and Unemployment Compensation. The system has not yet been completed, but it is expected that the first qualifying examinations will be given within a short time. It is anticipated that the merit system may soon be extended to include any state departments which benefit from federal funds. This means that the Department of Highways and the Department of Agriculture may be required to hire and employ all persons under the merit system.

The 1939 Legislature authorized a Commission to study the feasibility of adopting an official merit system for all state employees. This Commission has worked faithfully without pay over the two year period. It will submit its report to this Legislature.

After four years' experience, I realize what a benefit may result to the state, to the Chief Executive and to department heads by the adoption of a merit system for employees. It was realization of this which prompted me last month to direct department heads by Executive Order to put into effect a uniform salary schedule and classification plan for their employees. The order does not make provision for qualifying examinations.

Like most innovations, this uniform salary system will require smoothing up. Doubtless much reclassifying will have to be done. My order does not materially affect salaries at this time, and will not later create any particular increase or decrease in the total amount the state pays for services.

It will take at least until July 1, 1941, to get it really working. It may take two years to get it into full operation. But it can be made to work to the definite advantage of our state and the people who work for it.

Another problem which we constantly face is that of faithful employees who by reason of age or physical condition can no longer perform their duties efficiently. Except for school teachers and the Motor Vehicle Patrol, we have no retirement system for public employees in Vermont.

Yet we have men and women who enter the service of the state in our offices, on our highways and in our institutions who devote their years faithfully. They are not highly paid; they grow old in the service until the time comes when they can no longer do their work, and they haven't much to look forward to. The plight of these old employees has disturbed me much.

MOTOR VEHICLES AND AVIATION

The Motor Vehicle Department is one of our most efficient and outstanding departments of state. In 1937 seven men were added to the Highway Patrol, bringing the total number now employed to thirty-eight.

Our Highway Patrol not only brings into the State Treasury each year more than enough funds to maintain itself, but it has earned the confidence of Vermonters and the admiration and respect of our out-of-state guests. By providing state-owned vehicles for the use of our highway patrol, a considerable saving to the state has been made.

Another outstanding feature of this department has been the rapid development of School Safety Patrols, until now approximately 2,000 children are continually in training. During the past four years, no school child has been fatally injured while under the supervision of the School Safety Patrol.

In 1937, the appointment of an Advisory Board on Aeronautics and the employment of an Inspector-Examiner of Aeronautics was authorized as a Division of the Motor Vehicle Department. As far as the Department is concerned, this work has progressed well and has been done faithfully. I am disappointed in the progress made by Vermont in aviation.

Not that our people are not anxious to develop this extremely important phase of economic life as well as national defense, but because we are lagging behind terribly in the matter of facilities.

In 1936 we had 12 airports, 57 aircrafts and 86 licensed pilots. This year we have 81 aircraft, 493 licensed pilots and fewer airports than we had four years ago. With the number of pilots increasing 573% in four years' time, we cannot hope to keep these young people in Vermont unless there are available opportunities for them to use this training which they have received.

Development of air transportation would increase every activity of our economic life including other means of transportation. Without this development, we cannot hope to keep up with other states that are going ahead of us at high speed.

PLANNING BOARD

The major activity of the State Planning Board for the past four years has been the study of the flood control problem and the river systems in Vermont. This has involved actual field surveys of possible dam sites and compilation of considerable information about them.

This work has been done to provide a measure of protection for our state against possible unwise decisions of the Federal government to locate storage reservoirs where great harm to Vermont would result.

We believe that in the construction of dams, consideration should be given to the viewpoint of all affected industries, rather than to the engineering viewpoint alone. We have already given consent to the construction of four or five dams on tributaries of the Connecticut River and would doubtless consent to the building of several more where little serious damage would be incurred.

I feel that it would be unwise to give blanket consent to the Federal government to acquire jurisdiction over any and all lands that Federal officials might desire.

Such consent by the state of Vermont would be the same as telling the Federal government, "We are ready to abandon our statehood." Such has not been the attitude of Vermont during my administration. We have been willing at all times to cooperate, but at no time have we been willing to submit to virtual domination by those who do not know our problems or understand our ways.

Let no one get the idea from what I have just said that I am opposed to public development of natural resources. I mean that each proposed project should be considered by itself in its true light, and we should proceed with a full knowledge in detail of what we are doing and why.

PUBLIC SERVICE COMMISSION

Vermont on the whole is a thinly populated state. Previous to 1935, there were many sizeable areas without any electric service. In 1935, a Rural Electrification Law was enacted and the ground work was laid for

extension of power lines into unserved rural territory. A program calling for the construction of 500 miles of line over a five year period was agreed upon by farm leaders and utility operators.

This program moved ahead the first two years a little faster than the expected rate, but it was apparent that even with the completion of this program there would still be great areas and thousands of farms which could not be profitably served by private corporations as they are set up. To meet this need in thinly populated areas, there have been three Rural Electric Cooperatives organized.

In May, 1939, power was brought to the first group of some 150 previously unserved homes and farms in the towns of Eden and Lowell. Since then, these rural cooperative lines have been extended rapidly to a constantly increasing number of members. When lines now under construction are completed, which will be soon, the two rural electric cooperatives with headquarters at Eden Mills and East Montpelier will have built in two years time 608 miles of line, carrying light and power to over 1500 rural homes. The work of extension still goes on.

A recently organized rural electric cooperative in Windham County has not yet started construction.

With the coming of electricity to these thinly populated areas and with the maintenance of better roads, we may expect a larger development of these communities. Combining the number of farm homes serviced by private corporations with those of the cooperatives, we find that between three and four thousand Vermont farms have had the advantages of electricity brought to them within the last four years.

When I took office four years ago, this was one of the things I hoped for most strongly, and I am very much gratified with the results.

In addition to the extension of electric lines to thousands of farm homes—other users of electricity are constantly gaining additional benefits by the way of reduced rates. Although Vermont produces an excess of electrical energy, yet we are one of the high rate states of the Union.

Until 1939 the Public Service Commission had practically no means, except that of persuasion, at its disposal by which it could regulate, to any extent at all, utility companies charging excessive rates or rendering inefficient service.

The 1939 Legislature made available the sum of approximately \$12,000 for the use of the Commission. As a result, during the two year period from September 1st, 1938 to September 1st, 1940 – 22 electric utility systems filed 51 new retail rate schedules with the Commission. This is an average of over two new schedules per month. All of these new rate schedules were designed to encourage increased use, and all except two gave reductions to present users. With one exception, all schedules were adopted voluntarily after a conference with the Commission.

The saving to retail customers for this two year period amounted to approximately \$150,000. Most of these reductions in rates were made by the smaller companies. Besides rate reductions, improved service has been brought to many towns.

There seems to be reluctance on the part of certain non-resident controlled companies to reduce rates in Vermont to a point comparable to those paid by consumers in other states. To enforce regulation on these corporations controlled by out-of-state holding companies, with their confusing schedules of rates, costs and valuations; their army of retained engineers, lawyers, economists and experts; their thousands of small investors who know little about the business in which they have invested; their interlocking directorates with other utilities, financial institutions and industrial enterprises and their mediums for disseminating such information and news as they wish to have disseminated, would incur great cost.

It may be greater than the people of Vermont can pay. But before deciding that, as a state, the problem is too big for us, and that we will adopt the easier course of non-regulation, we might consider well these facts.

There is a definite trend in the United States toward centralization of authority and control of all resources in the national capitol. There is a majority demand by the people, even of our own state, that no industry or group of industries shall be more powerful than government itself. Failure of the state to properly regulate those to

whom the right to develop natural resources has been granted will result in absolute federal control if not federal ownership of these resources.

After four years of intimate observation, in spite of the extension of rural lines to over 3,000 Vermont farms; in spite of the many substantial rate reductions and in spite of all earnest efforts by the Public Service Commission, I am forced to confess that the steps toward federal control have been more rapid than the steps toward adequate state control of the larger corporations.

PURCHASING AGENT

The office of State Purchasing Agent has become of increasing importance. It is conducted efficiently and without favoritism, and orders of any size are placed on a purely competitive bidding basis. This practice may have disappointed some, but it has been a high contributing factor to the satisfactory condition of the state treasury.

During the four year period the business of the department has increased 37% while operating costs increased only 17%. Last year this department wrote 26,004 orders amounting to \$5,550,204.07.

In 1939 a full time engineer was added to the Purchasing Agent's staff. His services are available to all departments and institutions and have proven very valuable.

The Purchasing Agent also serves as administrator of the Institutional Industries which produced over \$46,000 worth of merchandise in the last biennium and furnished the inmates of Windsor Prison with 68,012 man hours of labor.

The salary of the Purchasing Agent for doing nearly \$6,000,000 worth of business is fixed by statute at \$3,000 a year and will remain at this figure until some conscientious legislature puts it where it ought to be.

SOCIAL WELFARE AGENCIES

The world has ever possessed a social consciousness, and legislation expressive of this state of mind is as old as government itself. Yet it has been during the last decade that this social consciousness has been translated into full-speed-ahead action.

It is during the last four years, that many developments built upon previously laid ground work have fully transpired. The departments dealing with social welfare in Vermont are the Public Welfare Department, the Unemployment Compensation Commission, the Old Age Assistance Department and the Department of Public Health.

Besides these four major departments are several smaller ones of a public, semi-public or private nature, such as the Cancer Commission and organizations for the aid of the crippled, the blind and the tubercular.

PUBLIC WELFARE

Among the outstanding steps taken for the Department of Public Welfare has been the beginning and completion of a \$500,000 building program at our state institutions, through the office of the State Purchasing Agent. This has provided badly needed facilities, even though they are still inadequate.

On July 1st, 1937 a system of full time probation and parole officers was installed. I have no hesitation in saying that six full time officers and a supervisor are doing much better work than large number of part time officers could do previously.

To meet the problem of handling out-of-state parolees, the Interstate Probation and Parole Compact was drawn up by the Council of State Governments. As Governor of Vermont, it was an honor to be the first Chief Executive to sign this compact. Since Vermont signed the compact, thirty-two other states have joined, making supervision of parolees and probationers more effective

The state has pursued a policy of preventative work seeking to hold the population of our institutions at a minimum. To this end a psychiatric service for children and mental hygiene clinics have been established.

The rapid increase of health inspection in our schools has aided this program. More attention is being paid to under-privileged children in their own homes. During the last two years, there has been a reduction in the average cost of care per child from \$145.45 to \$135.25.

This saving has been accomplished partly through cooperation with the National Youth Administration sewing centers. The state furnishes the material, and the sewing centers make clothes to fit each individual child, at no labor cost to the state.

During the last two years, the Department of Public Welfare has taken over the Junior C.C.C. enrollment, the Veterans' Service and work for the adult crippled. I think the public has little realization of the tremendous and widely diversified work that falls upon the Department of Public Welfare today. The Commissioner would need to be super-human to do all that is expected of him.

UNEMPLOYMENT COMPENSATION

The Vermont Unemployment Compensation Commission was just sixteen days old when I took office and had been occupying its office only seven days. A few days later, January 15, 1937, the first employer contribution was received. From that time until November 30th, 1940, \$5,333,805.68 had been collected.

From January 31st, 1938, when I personally handed the first recipient check number one, to the close of the books, November 30th, 1940, \$2,254,121.49 has been paid out in benefits. The record of the employment of over 78,000 people is kept by this department.

A new and well equipped office building built to order was occupied in 1940.

The State Employment Service and the Unemployment Compensation Commission have been merged into a unified administration for the purpose of more efficient operation and maintenance of records.

In 1936, the State Employment Service with a total personnel of forty-one doing nothing but placement work made 3,763 private placements. In 1940 with a personnel of forty-eight, this division will make approximately 10,000 private placements besides taking over all of the Unemployment Compensation claims in local offices and a great deal of other work.

The U.C.C. pays out on an average \$2,550 each agency working day in unemployment compensation benefits. During the three years that benefits have been paid, only seventy claimants and employers have taken exceptions to the benefit determinations of the Commission, and many of these seventy did not present their cases on appeal. No employer has as yet sought to restrain any act of the Commission.

I will say, however, that efficient as the work of this Commission is, some new amendments to the law will be necessary if it is to fully meet its purpose, but it is not my prerogative to propose these amendments to you today.

OLD AGE ASSISTANCE

The Old Age Assistance Department pays 5500 people over sixty-five years of age approximately 1,000,000 a year—half of which is furnished from federal funds. This amount has constantly increased each biennium, and yet does not meet the needs of the old people of the state. Probably it never can, for the amount available for those who need is governed by the ability of others to pay. We can only hope that a proper balance will be maintained.

PUBLIC HEALTH

One of the most gratifying features of state government in Vermont is the cooperation existing between different departments. A good example of the benefits of cooperative effort is the manner in which the Department of Public Health has received the cooperation of the Departments of Agriculture, Highways, Industrial Relations, Publicity, Public Welfare, Education and the Liquor Control Board. Without this cooperation, the Department of Public Health could not have maintained its splendid record.

The 1937 Legislature authorized inspection and licensing of tourist homes and camps and all eating places within the state. Last year, they were inspected and licensed 1,483 tourist homes and camps, 787 restaurants and

201 hotels, or a total of 2,471 places in all—thus assuring out-of-state visitors as well as our own residents that food and lodging obtained in Vermont are up to standard.

There has been an increase of interest in public health in Vermont. Sixty-eight towns now appropriate money for public health nursing. These funds are being matched by state and federal appropriations. Today the death rate in our state is the lowest ever recorded and compares favorably with other states.

TAXES

The collection of taxes has been ably handled, and few changes have been made in our tax laws. Railroad taxes have been reduced materially. But this loss of revenue is more than made up by the cigarette tax which is now yielding a little more than \$500,000 a year.

Our tax laws are not all airtight. Failure of previous legislatures to correct deficiencies in the inheritance and income tax law is resulting, I believe, in a loss of about \$50,000 a year, which should properly accrue to the state.

STATE FINANCES

I shall say little about state finances. The situation can be summed up by saying that our state finances are satisfactory. In spite of the fact that we spent three million dollars for hurricane repair work and \$500,000 on an institutional building program, the net debt of the state is a few hundred thousand dollars less today than it was four years ago today.

The Treasury has a substantial balance, and there are no temporary loans at this time. This is the first winter for many years that the state has not borrowed anything to carry us through the late fall and winter months.

An efficient accounting system has been worked out and set up by the State Auditor's office in collaboration with the State Treasurer's office.

I am not making recommendations to you today, because that is the prerogative of the new Governor who you will hear this afternoon. But I do want to make one request of the members of this Legislature.

Governor Wills has indicated on many occasions that he earnestly desires to keep the expenses of the state within the amount of probable income. I am asking you to stand back of him in his determination to do this. He can't do it without your support, but with your support he can handle the affairs of state in such a manner that a few years hence, if financial disaster should come to other states or even to our nation itself, all persons may look to Vermont as a beacon light typifying progressive government with sound financing.

You need have no fear that the people of Vermont will not endorse your stand in this respect. During the past, every time those who would have Vermont depart from traditional ways of sane government or who would emulate the extravagances and wastefulness of some other governments, have proposed this to the citizens of Vermont, they have been defeated decisively.

CONCLUSION

I now come to the close of the review of the past four years. I have told you what work the departments have done but have not mentioned the employees and heads of departments by name. Nearly all have cooperated with my office to the fullest extent and have given the best they have to the service of Vermont.

They have worked together in a manner that has brought definite progress to our state and definite stability to our finances. It is with great regret that I give up the pleasant associations which I have had with the departments of Vermont's government, but I know that all of them will give to my successor the same loyalty and the same spirit that they have given to me.

The Governor, having concluded the reading of his message, was escorted to the Executive Chamber by the committee appointed by the Chair.

The Joint Assembly dissolved.

RAWSON C. MYRICK,
Secretary of State, Clerk.

Farewell address

of

Harold J. Arthur

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1951

Thursday, January 4, 1951

Farewell Address

Members of the General Assembly:

Traditionally, Vermont governors, upon retiring from office, offer to the Legislature a report or review of state government activities undertaken and pursued during their administrations. In doing so it has become the practice to make some specific suggestions which the retiring executive believes might be constructively helpful to the legislative body, resulting from his experiences in discharging the executive functions and responsibilities devolving upon him by virtue of the Constitution and subsequent statutory requirements.

One short year ago it became my honor and privilege to be elevated from the office of lieutenant governor and take over the reins of government as chief executive. Upon induction into office I realized fully, not only the importance of my duties and my tasks, but also the fact that I was assuming in mid-term an administration the policies of which had already been established and in operation for some time. Aware of this fact, it was my obligation, as I saw it, to carry on, insofar as it was possible, the policies and programs of the unfinished regime. This I have tried faithfully to do.

With a view to avoiding departmental disruption, I have made no changes in appointive personnel within the administration I inherited, and have maintained throughout my tenure the open door policy, making it possible at all times for any and all to have ready access to the Executive Chamber for discussion with the Governor of any question or problem.

Five major matters, which I found upon my desk as unfinished business, have been disposed of or have been completed this year. On September 1, 1950, the Merit System for employees was put into effect, a matter that has been under consideration by several legislatures and governors since it was first recommended by Governor William H. Wills in his inaugural message in 1941. He also recommended at that same time the construction of a new state office building. This was brought to fruition in 1949 when the present imposing and modern building was dedicated by my predecessor as a memorial to Vermonters who have gone forth from time to time in defense of our Country. In view of this beautiful structure having emerged from the original proposal of Governor Wills, it would seem fitting and proper that a plaque appropriately inscribed to his memory should grace the building in some suitable place.

The Wilder Dam project, an issue which had been under violent controversy since 1942, has been finally settled, and two departmental investigations, that of the Highway Department and the Liquor Control Board, conducted by special legislative investigating committees under authorization of the 1949 Assembly, have been completed. In regard to the Wilder Dam, it was not achieved without the sacrifice of some fertile farm land, but in the long run the benefits to the State and its people to be derived from the generation of much needed electric power will greatly outweigh the value of the soil lost by flooding.

The problem of constructing a state health laboratory is still unsolved because of the prolonged deadlock between the two commissions charged with its construction. However, two alternative architectural designs and plans are now ready for presentation to this legislature. It is hoped that adequate legislation will be enacted so that speedy progress will be forthcoming in the construction of this much-needed health facility.

AGRICULTURE

Re-emphasizing what may be a self-evident fact that sound economic life in Vermont depends heavily upon a sound and prosperous agriculture, I feel that no opportunity must be overlooked to present agriculture in its true importance to all of our people.

While the past year has witnessed large agricultural production, rising costs have in many cases resulted in too narrow margins for producers and have increased debt loads.

General agricultural practices in Vermont have sound foundations. It is of vital importance to continue to stress wider adoption of these practices which have been sponsored by our leaders. In meeting our immediate needs, we must guard against too heavy exploitation of our natural resources.

Many Vermont farmers suffered grievous damages in the recent wind storm. All Vermont has extended sincere sympathy and action, already underway, should be continued to assure rehabilitation of storm victims.

Careful consideration of the needs of the Vermont Department of Agriculture should be given. Its program, largely of a regulatory nature, provides very definite protection to our agriculture. The control of livestock diseases as provided by this program is, of course, absolutely essential to the operation of our dairy and livestock industry. In this connection it should be noted that the Department's plan of Brucellosis control has shown marked progress within the past year and merits full cooperation and support. Milk and dairy inspection and the enforcement of laws and regulations affecting grades of farm products, such as maple, and improving their marketability are likewise of prime importance. The poultry improvement program, carried out by the department, is doing much to foster this growing industry in the state and of direct service to all the state is the enforcement of weights and measures laws and regulations, a function of the department. The control of plant pests, another project, always of essential value in crop protection, has taken on added importance as the agency designated to combat the Dutch elm disease.

I believe these programs are sound and are administered by a capable, experienced staff worthy of continued support.

We can justly boast of the production records established by our farmers at all periods of great national need. In making these records farmers in many cases worked beyond their strength and many suffered impaired health. These effects may become apparent as they strive after little let down to meet again national emergency conditions.

Wartime has always meant a strong demand for farm products at favorable prices. At the same time it creates shortages of manpower, electricity, equipment and essential supplies together with high costs and often unreasonable controls.

I feel convinced that history warrants confidence in our farmers capably to meet the challenge of the future, which, we must all acknowledge, looks perilous for freedom.

EDUCATION AND HEALTH

The problem of adequate secondary education has been increasingly on the minds of the people of the state during the past year. We want conditions which make it possible for every Vermont youth to secure an education suited to his needs and capacities. The Department of Education has explored the problem with lay citizens in meetings which have covered every part of the state. As a result 21 areas have been tentatively identified, each one of which could economically establish a suitably varied high school program. But these include less than half the area of the state. More work yet needs to be done with specialized assistance before we get the answer to the high school problem over the state as a whole. Every young person should be provided with the opportunity of obtaining a high school education as well as graded school.

The Department has also been active in helping teachers and superintendents keep the school curriculum up to date. During 1950 it has cooperated with other agencies and groups interested in vitalizing the curriculum in alcohol education, aviation, conservation, driver training and United Nations.

We cannot have good schools without prepared teachers. Right now we have more young people taking the regular four-year program of teacher preparation than ever before. But there is present need for approximately forty per cent more. Under these conditions every facility we have for training teachers must be used to the maximum. The state's long-run policy for teacher education needs to be cleared up in an authoritative manner. The sooner that steps can be taken toward this end, the better for all concerned.

In its effort to improve the health of our people the Health Commission has been confronted with many perplexing problems. Poor laboratory facilities have added to its difficulties in carrying out the provisions of the law. The responsibilities resting upon the Commission in meeting the requirements imposed by the Statutes

have been increasing over the years and these responsibilities will continue to grow as we advance into the last half of this century.

SOCIAL WELFARE

Payments of old age assistance, aid to dependent children and aid to the blind have been on a current basis since October 1, 1949. This means that for the longest period in the fifteen year history of these programs there have been no waiting lists of applicants whose eligibility for assistance has been established and that Federal requirements in this respect have been met. This has not been easily achieved.

To avoid an overall 10 percent reduction in all assistance checks beginning July 1, 1950, the department has been forced to overspend its budget and incur a deficiency which will amount to about \$130,000.00 for the fiscal period. Demands for additional funds to meet the increasing living costs are continually being made and should be a matter for your serious consideration.

A great forward step in alleviating the long existing settlement problem has been accomplished during the past eighteen months. Children from non-settled families, committed to the Department of Social Welfare since July 1, 1949, are accepted at full State expense when properly certified by the towns and cities. The local municipalities have also been relieved from responsibility for financial participation in payments of aid to dependent children in non-settled families.

The number of committed children has been reduced from 1,154 to 974 during the past two years—a reduction of 16 percent.

The efficiency and economy claimed for integration of all social welfare services and function is now a part of the record. Public Assistance programs in Vermont are being administered for 4 percent, virtually the lowest per case cost in the nation. During the past fiscal year the Department of Social Welfare reduced its administrative cost by 14 percent, an accomplishment worthy of commendation.

CIVIL DEFENSE

Recent international events and the increased tempo in military programs and civil defense should prompt us to consider carefully legislative action on matters which involve the safety of our people and their property. General disaster in our neighboring states can suddenly swell the flow of families from the urban areas into so-called shelter areas, of which Vermont is typical. We may not need to arrange immediately for the care or shelter of thousands of families, but under our present laws the problem of caring for a limited number of additional families in each of our small towns will present an urgent and direct need for some type of financial assistance.

The additional burden of sheltering and caring for even relatively few family groups in many of our towns can result in financial requirements beyond the ability of the community to provide. The gradual drift of people, who have substantial properties and incomes, to summer or winter homes in Vermont does not appear to create the problem, but any general movement of those who enjoy only a working wage or salary, with their families, and with the attendant financial and social adjustments, will require some legislation beyond that which we now have providing for the relief of unfortunate persons by the several cities and towns. No doubt this Legislature will consider the problem and provide legislation and the means for equalizing the load which may be cast on certain of our cities or towns in the event such an emergency situation is suddenly thrust upon us.

NATIONAL GUARD

The National Guard of our State has made excellent progress, and the elements of the 43rd Infantry Division, the 172nd Infantry and the 206th Field Artillery Battalion were alerted on August 1st of this year while we were in training at Pine Camp, New York. These Units were ordered into Federal Service September 5th and have been in training at Camp Pickett, Virginia, since that time. It is interesting to note that the 43rd Infantry Division; the famous "Red" Wing Victory Division of World War II, was one of the first four National Guard Divisions in our Country to be ordered to active duty. We were fortunate in being able to visit the Vermont troops at Camp Pickett early in November, and were favorably impressed.

Recently the 134th Fighter Squadron and other elements of the Vermont Air National Guard were alerted and will be inducted into Federal Service the first of next month. The Vermont Air Squadron was also one of the early ones to be ordered to duty which speaks highly for the training and efficiency of the National Guard of our State. If called upon, we know that our troops will keep up the traditions handed down from the days of Ethan Allen and the Green Mountain Boys.

Plans for the State Guard have been revised and much work has been done in the selection of key personnel. In the light of critical conditions in the World today, this Legislature will undoubtedly take early action authorizing the organizing of a State Guard.

WARTIME ACTS

During the last war, we experienced the demand for certain enactments at frequent intervals which necessitated special legislative sessions. I have given some study and consideration to this problem and believe we should at this time make a careful review of the various war acts which were required only a short time ago. Most of our war legislation has expired by its own terms. It could well be suggested that our previous plans for voting by those in the armed forces, for civil defense and disaster relief, and the several war-time measures which may be classed as licensing matters, be re-enacted with some provision to make them effective upon the occurrence of acts of war, disaster, or upon proclamation of the Governor with the approval of the Emergency Board or such other state agency as might seem advisable. This same principle could well be applied to our laws relating to soldiers' bonus payments. Control of the affairs of the State ought to remain directly in the people and any emergency or disaster legislation which, by its very nature, grants extraordinary powers to the executive and administrative officers of the State should be limited to a period which will permit review by successive Legislatures.

During this extremely critical period in world history the fact must be faced that, wholly aside from military acts of aggression, the forces of Communism, through insidious falsehoods, are waging continuous conflict to conquer the minds, the allegiances, the very souls of men. It behooves us to consider the advisability of appropriate legislation to curb Communistic activities and halt the infiltration and spread of propaganda and ideologies destructive to Democracy and freedom within our own Green Mountain state.

INSTITUTIONS AND CORRECTIONS

Vermont is fortunate in having an effective, well-staffed Department of Institutions and Corrections. The key positions in this Department are occupied by individuals with particular training and skills in the correctional field. Recognizing that as yet there is no panacea which is guaranteed to cure crime, and that we are dealing with inadequacies associated with criminal tendencies which are peculiar to certain types of individuals, it is difficult to obtain a comprehensive and accurate picture of the dynamic characteristics of the individual offenders. Nevertheless, we are continually striving to rehabilitate the individual by keeping pace with modern practices in the institutions and in the field of probation and parole. The 1947 Legislature created a Board of Institutions and Corrections, which serves, along with the performance of other duties, as an Advisory Parole Board to the Governor for the penal institutions, and to the Commissioner concerning discharges from the Weeks School. The methods and procedure of the Board in this capacity have resulted in a sound parole policy protecting the safety of the public and at the same time the best interests of the prisoner.

While prison population throughout the country is on the increase, Vermont has been expanding its probation and parole services, effectively rehabilitating an increased number of offenders by treatment and supervision in the community at a minimum expenditure.

VERMONT STATE PRISON AND HOUSE OF CORRECTION FOR MEN

An Act was passed by the Vermont General Assembly in 1807 which authorized the building of a state prison. The prison was practically completed in 1809 and the first commitments to it were made the same year. In 1919 a law was passed which provided that it also be used as a House of Correction.

Colonel John L. Ferguson, a typical soldier, was appointed warden on June 1, 1947. A man of strong character, Col. Ferguson pursued a true course and progressed from private in the army of the United States in

World War I to become full Colonel of a regiment which served in the European Theatre of World War II. His qualities as a leader have been exemplified so many times as Warden of the oldest prison in the country. In September 1950 he was given Military Leave and is now commanding the 172 Infantry, Vermont's own regiment.

This institution has not been favored with building funds as have other State Institutions of newer vintage. A Pasteurizing plant is needed at the prison. This is the only state institution not equipped with this essential health measure. A sprinkler system to avert disaster in case of fire should be a priority.

The state service known as Vermont Institutional Industries has expanded since its creation in 1987 to nearly a hundred thousand dollar industry. Because prison labor is used, manufacturing is limited to the State or its political subdivisions. This rehabilitation service nets a saving of a good many thousands of dollars to the State of Vermont and her cities and towns.

The fundamental purpose or function of Prison Industries is—through trade training—to establish habits of industry, to rehabilitate and reclaim the largest percentage of State Prison inmates. The outstanding advantages of Prison industries, are:

1. They are maintained on a fully self-supporting basis which is vitally important when funds for other forms of rehabilitation are not available—as is generally the case.
2. These industries are carefully patterned after industries on the outside to which the prisoner will be returned when paroled or released.
3. Prison Industries compel or permit prisoners to produce many of their own requirements such as work clothes, underwear and canned goods, to mention a few, and thereby pay a portion, at least, of the costs they impose on the rest of society.
4. Prisoners are given a thorough trade training in all phases of one or more of the seven Prison Industries now operating at Vermont State Prison.

An additional building for the Industrial shop, in my judgment, should have high priority to care for the expansion of this service program which has already outgrown the existing facilities.

WEEKS SCHOOL

The Legislature of 1865 passed a law establishing the Vermont Reform School. A farm in Waterbury was purchased for this purpose and additional buildings were erected. In 1874, however, a disastrous fire swept away the entire plant. A special session of the Legislature was called and laws were passed establishing the school at Vergennes and providing for the admission of girls. The name was later changed to Vermont Industrial School.

During his life, Governor John E. Weeks had a strong personal attachment induced by sympathetic understanding of the school. It was altogether fitting and proper that the 1937 Legislature should enact into law Number 137 effecting from passage on April 9, 1937 that the school was named Weeks School in honor of that great and good man.

The date of April 18, 1949, brought good fortune to Weeks School in the appointment of Harrison C. Greenleaf as its superintendent. Mr. Greenleaf has had an enviable record of achievement in newspaper, state government and juvenile fields. "Weeks" is a cottage-type school, requiring a considerably larger staff and more expensive to run than a centralized barrack type of school. Students eligible are given opportunity to attend Vergennes High School. Elementary subjects are taught at the institution. Vocational training, including the following is emphasized: printing, agriculture, cooking, music, homemaking, arts, crafts, waitress and laundry work. Physical training, both correctional and recreational, is carried on.

The policy of allowing children the privilege of making community contacts while being cared for aids in preventing them from becoming institutionalized. The cruel monotony of institutional regimentation is, under the present administration, being broken by active participation in inter-community athletics, frequent home visits, and attendance at community affairs in Vergennes and the neighboring cities and towns. The widening

range of activities in this School keeps the children busy every waking hour. The constructive work in helping the students to learn the art of living with their neighbors, now being done by Mr. Greenleaf and his staff, is to be highly commended.

WOMEN'S REFORMATORY

The Women's Reformatory has this year reached the twenty-ninth anniversary of its founding. It has been a period of progress characterized by the same ideals and efficiency which marked the administration of Lena C. Ross, Superintendent from the day of its founding until May 1936. Her work at Riverside Reformatory received wide recognition in our own country and was commended internationally. As her health failed she chose as her assistant, Helen M. Koltonski, a woman whose loyal support was unflinching to Miss Ross. The Department was fortunate in having Miss Koltonski ready to assume the position of Superintendent, continuing many of the same ideas and methods of her predecessor and keenly alive to the need of desirable innovations.

So many cases are sent to this institution requiring medical and hospital attention it is often impossible to make a prophecy or estimate of future appropriation needs. It is not uncommon to spend \$200.00 on a single operation to free an inmate of moral defilement. The costs for operations and hospital treatments have run as high as \$1,200.00 for a single case during the past year.

My observation is that this institution is run in a skillful manner. Miss Koltonski has sent earnings in the amount of \$13,867.29 to the General Fund. Acknowledgment is made to a further amount of \$11,354.50 which has been saved the State in office rentals for five State Departments now housed within this institution.

HIGHWAYS

Our State Highway Department has been operating during the past two years under some rather severe handicaps. Since the end of World War II state appropriations have been insufficient to match available Federal Aid construction funds. Maintenance requirements still are showing the effects of war restrictions. Engineering personnel has been difficult to obtain and keep.

In spite of diverse handicaps, I consider that our State Highway Board, and personnel all along the line, have administered the work of the Department in an expeditious manner and in the best interests of the State. I have traveled on highways in many states, and in other countries, and have passed over the greater portion of Vermont's approximately 14,000 miles during the past year. In comparison I believe our accomplishments in highway development have been creditable, and as long as we keep administrative costs at a minimum, utilizing every available dollar for actual construction and maintenance on all routes of travel, our Highway Department will continue to enjoy its present rating, as determined by the firm of experts, Bigelow, Kent, and Willard, in its report submitted after thorough investigation—that of being “fundamentally sound”.

The year 1950 witnessed a record of more than 125,000 motor vehicle registrations. Highway business must necessarily become increasingly important.

AVIATION

Aviation has continued to progress through improvement of airport facilities which are basically essential to any future plans in this field. Through the federal-state-local formula of financial participation, the Burlington Airport was further improved by the installation of high intensity lighting on one runway, and reconstruction of a part of the north-south runway.

Acceptance was made of the new Administration Building which has been under construction for a year and a half. Several impartial observers have stated that this is the best designed building of its type in the east. Partly as a result of improvements made under this program during the past several years, this airport is now under consideration by the U.S. Air Force as a possible location for a major base in the near future.

Under the same financial program, needed improvements are being made at the Barre-Montpelier Airport, and at St. Johnsbury. This latter field was re-dedicated with the Lightplane Airlift, the first of its kind which is known to have been planned in the interest of civil defense. The use of planes was contributed by the pilot-

owners around the state. The operation received nation-wide attention, and accounts were carried in metropolitan newspapers and national aviation magazines.

Aircraft were again used as a means of spotting forest fires and of preventing the starting of outdoor fires during dry periods. This system of aerial patrol has proved an effective supplement to other means of forest fire control and prevention. Waterfowl census and beaver counts were also taken by aerial observation.

The use of aircraft in agricultural spraying and dusting is increasing especially among our orchardists, with the work carried on under the new regulations established by the Aeronautics Commission.

A step forward in both education and aviation within this state was taken in the form of a two-week summer Aviation Workshop at Johnson College for elementary and high school teachers.

It is estimated that a total of about 52,200 passengers departed or arrived at airports served by commercial airlines during the year.

Some of my most pleasant hours have been spent aloft with our State pilots Knapp and Hurd where I have enjoyed the beautiful panorama during the various seasons and have made use of the facilities available at eight of the twenty-one public airports in Vermont. These pleasant hours of speedy travel will be missed. This is a fast growing enterprise making unbelievable progress in the first half of the century and we should do all possible to keep abreast with other States in promoting this modern mode of transportation.

FISH AND GAME SERVICE

The year of 1950 was a record License Sale year for the Fish and Game Service and one of record activity and accomplishments.

Considerable land acquisition and development work was done on lands owned and acquired. The Sandbar Waterfowl Area of 1,400 acres was a major project. There was a 550 foot earth filled dike completed to control water levels on 150 acres of marsh for waterfowl and muskrats. A second 1,400 foot dike is nearing completion in the Cranberry Bog section and this will be most attractive to waterfowl. Other waterfowl management areas include, a 1,600 acre area on Dead Creek in Panton, a 350 acre area in Ferrisburg and Keenan Pond and a small area in Topsham. This work is and will be financed by Federal Aid and Wildlife funds, 75% of which is contributed by the U.S. Government.

Duck banding operations were increased and over 1,000 ducks were banded along Lake Champlain. Houses were erected for wood ducks at Sandbar and at Newport with a record hatch of 85% of the 919 eggs deposited in these boxes. More checks were made of waterfowl hunters to get kill data, sex, age and band returns of ducks taken.

There was the first beaver season in fifty years held in 1950 and 1081 animals were taken. The population has continued to increase and by proper management can continue to provide a significant crop.

New oil heating systems were installed at Salisbury, Canaan and Roxbury. A walk-in cooler was completed at Canaan similar to the ones at Bennington and Roxbury. These units make economical purchases of meat possible at real savings. At Morgan a new 32 x 40' building was erected.

At Bald Hill two raceways were constructed and 40,000 salmon were reared. The ponds were used and produced over 1,100 pounds of trout from a start of 58 pounds of 1½" fingerlings. More raceways for salmon and a residence are being designed with hopes that building will be possible in 1951.

We have an excellent warden force and this year it was used more for conservation, working with youth groups in several sections of the state. The Service worked more closely with the State Education Department and the University of Vermont in order to increase the conservation education possibilities at all levels.

With increased federal aid money to be available for fisheries work, it is hoped to step-up a stream acquisition and improvement plan.

A preparedness program now underway contemplates greater attention to the conservation of all available resources.

FINANCIAL CONDITION

The financial condition of our State is impressively sound, and, to use the term of our investment friends, "Triple A". As of June 30, 1950, the records in the Treasurer's office indicated that the year closed with cash, temporary investments, and advances on hand totaling \$7,377,893.87. Of this amount the greater portion was earmarked for the new state buildings and for bridges. The fiscal year closed with an unappropriated surplus of some \$319,000.00 in the General Fund.

Under the provisions of Number 46 of the Acts of 1949 the Legislature authorized the issuance of serial bonds in the amount of \$1,534,000.00 for the construction of certain state buildings. By number 47 of the same Acts the Legislature authorized issuance of \$2,800,000.00 of serial bonds in order that new bridges might be provided the citizens of the state.

We were able to issue these bonds at the most favorable rate the State has enjoyed, and more favorable than many other states have experienced. The coupon rate is one and one-tenth per cent and we received a premium of \$8,407.96.

The State has three major tax collecting agencies. It is my opinion that greater efficiency and saving could well be effected if these departments were combined and under the jurisdiction of the Treasurer.

BOARDS AND COMMISSIONS

It is my opinion that there are altogether too numerous boards and commissions, many having conflicting and overlapping authorities. Other states have effected substantial savings in streamlining their governments by reducing the number of departments and commissions without retarding the progress of government. Some of our most conscientious board members like the personnel in our State Guard units serve without pay and I believe that many civic-minded and patriotic citizens are ready to serve in various capacities without remuneration. I cite for example the Personnel Board and the Commission on Foreign and Domestic Commerce.

The money spent for Interim investigating Committees would be of greater benefit if used to meet the manifest needs at the overcrowded State Hospital in Waterbury, the Brandon State School for Feeble Minded and aid our State Sanitoriums. Interim investigations obviously have a decided influence upon the morale of those connected with the department under scrutiny. Investigation should be completed during the legislative session. Every department is equipped to furnish the necessary information promptly, and the legislature should be brought up-to-date regarding the condition of all departments and phases of government. Such knowledge is of material help in formulating policies for the ensuing biennium, the basis on which the chief executive should proceed to carry out the will of the General Assembly without interruption.

The law requires the Sergeant-at-Arms to inspect all state buildings semi-annually and to make recommendations for repairs. The Statute omits provisions for compliance with such recommendations. Funds appropriated for repairs are often diverted to other purposes detrimental to property maintenance. The Building Council of which the Sergeant-at-Arms is a member, charged with new construction might well be the agency entrusted with the responsibilities for the upkeep of all State buildings.

CONSTITUTIONAL AMENDMENTS

The Committee on Constitutional Amendments has rendered a report to be considered by you. As a result of your deliberations you may make changes in the organic law of the state. Safeguards with which our Constitution is surrounded should be preserved and any recommended changes should have the most serious consideration. By my experience in state government, extending through twenty years, I am inclined to believe that the state would greatly benefit if the term of chief executive were extended to four years without the right of succession.

CONCLUSION

This moment culminates an ambition and a period of my life stemming from an inspiration quickened in this very hall thirty years ago when, as page boy in the Assembly, I listened attentively to the retiring address of

Governor Percival W. Clement. At this point I wish to express my appreciation to all living ex-Governors, from each of whom I have sought advice and counsel which at all times has been cheerfully given. Especially it is my desire to acknowledge publicly the help and encouragement received from former Governor Stanley C. Wilson who, because of his nearness to the State House, has been generous with his helpful counsel.

I am indeed grateful for the good fortune which has been mine, for the encouragement and support of many loyal friends, for the cooperation of all state employees, for the privileges and opportunities so well provided by our system of free enterprise and our American way of life. And, last but by no means least, I am grateful to Almighty God for his Divine guidance and protection throughout these exciting and uncertain years. We have confidence that you, in your judgment and wisdom, based upon your experiences as members of a liberty-loving and free society, will hold steadfast to the tried and true provisions of our Constitution and our Christian philosophy, ever remembering the homely tenet that—"that government is best which governs least."

The Governor having completed the reading of his message, was escorted from the hall by the committee appointed by the Chair.

The Joint Assembly dissolved.

HOWARD E. ARMSTRONG,
Secretary of State, Clerk

Farewell address
of
John L. Barstow
As it appears in the
Journal
of the
House of Representatives
1884

Wednesday, October 1, 1884
Farewell Address

Gentlemen of the Senate

and House of Representatives:

The law imposes upon the retiring governor the duty of making certain reports to you, while the increasing duties devolving upon the executive by the action of each succeeding legislature seem to make a general report, or message, at the close of the biennial term, the only method of conveying to the general assembly the information necessary to legislation upon the subjects to which those duties relate. I shall, therefore, without apology, follow the example of my predecessors, and lay before you such report with some brief comments and suggestions upon matters of public interest.

BENEFICIARIES.

In obedience to the requirements of law, I have the honor to transmit a report of disbursements for the support of the deaf, dumb and blind and of feeble-minded youth. (See appendix.)

The provisions of section 684 of the Revised Laws, making it the duty of boards of civil authority to report the number of these unfortunates to their respective county clerks are not observed, and I recommend that this duty be transferred to the listers, and that they report to the secretary of state, or else that the law be repealed.

MISCELLANEOUS REPORTS AND MEMORIALS.

The reports of the Mary Fletcher hospital at Burlington and of the St. Albans hospital, made in accordance with law, will be found in the appendix.

I have the honor to transmit, as requested, certain joint resolutions adopted by the legislature of the State of Tennessee, relating to an anniversary celebration of the inauguration of President Washington.

I also transmit, by request, the following documents:

A communication from the secretary of the interior at Washington, calling attention to the provisions of the United States law under which the general government pays one half the expense of a state inter-decennial census;

A communication from the Hon. Geo. B. Loring, commissioner of agriculture, relating to forestry;

A communication from the American committee of the statue of Liberty in regard to the inscription of the coat-of-arms of the State of Vermont upon the pedestal of the Bartholdi statue of Liberty in the harbor of New York;

A communication relating to an American Exhibition in London;

A memorial from the chiefs of the Iroquois, or St. Regis Indians, asking the appointment of a commissioner to adjust their claim against the State of Vermont. The claim of these Indians has frequently been laid before the general assembly. In 1855, the committee on claims of both houses recommended the payment to them of a certain sum, the amount of which is not now known, as the papers were burned with the state house in 1857. Full information on the subject can be found in the appendix to the house journal for 1855 on page 619.

APPOINTMENTS.

Under the joint resolution of 1882, relating to the forests of the state, I appointed Redfield Proctor, Frederick Billings, and Edward J. Phelps, as commissioners. These gentlemen, realizing the importance of the subject, accepted the appointment, and their report will be laid before you.

Having received from the secretary of state at Washington a request to nominate a commissioner and alternate commissioner for the New Orleans Cotton Exposition, I complied therewith by selecting Joel H. Gates,

of Burlington, and Henry G. Root, of Bennington, and they were duly commissioned by the president. As commissioners for the woman's department of the same exposition, Mrs. J. Gregory Smith, of St. Albans, and Mrs. Edward W. Peck, of Burlington, were appointed.

Gen. Edward H. Ripley was appointed commissioner for Vermont to the American Exhibition at London, and William P. Fairbanks, of St. Johnsbury, commissioner to the Denver National Mining and Industrial Exposition.

Delegates to various national educational, agricultural and charitable conventions have also been appointed.

Vacancies occasioned by death occurred in the probate districts of Manchester and Washington. They were filled by the appointment of Loveland Munson in the first, and Hiram Carleton in the second named district. Both of these gentlemen have since been elected by the people to fill the office in their respective districts.

Under the provisions of "An act regulating the practice of dentistry," I appointed, as commissioners, O.P. Forbush, of Montpelier, Jas. Lewis, of Burlington, L.T. Lawton, of Rutland, G.H. Swift, of Manchester, and R.M. Chase of Bethel.

Prof. Chas. D. Mead, and Principals Chas. E. Putney and C.C. Gove, were appointed examiners of normal schools for the year ending Nov. 30, 1883. Believing that the interests of the state would be subserved by subjecting these institutions to the scrutiny of a larger number of our eminent teachers, I appointed an entirely new board of examiners for the year ending November 30th, 1884, consisting of Principals C. H. Dunton, B.F. Bingham and S.W. Landon.

RIOT AT VERSHIRE.

I regret to state that for the first time since 1846, there has been an instance where the local civil authorities of our state have been unable to enforce the laws and preserve order without calling upon the executive for military assistance. On the 6th of July, 1883, I was informed by the sheriff and other prominent men of Orange county, including the selectmen of Vershire, that there was a riot and insurrection in the town of Vershire beyond the power of the civil authority to suppress; that a body of men, composed mainly of miners who had not been paid their wages, to the number of 300 or more, partially armed and organized, held possession of the village and the mining property at Vershire, including a large quantity of powder; that money had been extorted by threats of violence, and private houses had been broken open and searched; that, fearing further outbreaks, families had packed their valuables and were preparing to leave the vicinity, and that notice had been given by a delegation from the rioters to the managers of the mine, that, unless the men were paid before 4 o'clock, P.M., the next day, the whole property of the company would be destroyed. It was also represented that these threats would undoubtedly be carried out unless the rioters were subdued by a force greater than the local authorities could command, and a formal demand was made upon me for assistance. It was stated that the amount due the men was about twenty-two thousand dollars, and that the mining company could not possibly raise over four thousand dollars. As Vershire was beyond telegraphic communication, and I was unable to obtain information from other sources, I informed the sheriff by messenger that assistance would be rendered, but that I should insist upon having the four thousand dollars in the hands of the company distributed among the workmen, in proportion to what was due them. I directed Adjutant-General Peck to order five companies, under command of Col. Greenleaf, to report to the sheriff of Orange county, at Vershire, at daylight the next morning, and gave Col. Greenleaf written orders to the end that the military force should be held under strict subordination to the civil power.

It was not supposed that over twenty men from a company could possibly respond to a sudden call, but nearly double this number were found in the ranks. Col. Greenleaf is a brave, cool, and discreet officer, and I was sure that no rash or imprudent measures would be adopted, particularly after I learned that Adjutant-General Peck had volunteered to join him.

I accompanied the force solely in the interest of the laborers, hoping, in case resistance was offered, to be able to influence them to submit to the laws without a conflict.

I exacted a promise from the managers of the mining company that the money in their hands should be paid to the workmen that day, but as Col. Greenleaf succeeded in surprising the miners in their beds, no resistance was offered, and the payment was by mutual consent deferred a few days. I visited the place again the next week and I learned upon both occasions, from consultation with a number of the most reliable citizens and town authorities, that the representations made to be my the sheriff and others were not exaggerated except in some minor points. Differing statements come from those who in the beginning evinced the greatest alarm and anxiety.

The men were paid according to agreement, but there still remain due them over sixteen thousand dollars. The mining company is in the hands of a receiver, but the unfortunate men have scattered away without filing their claims. In view of these facts, I respectfully submit that legislation should be enacted to give labor a first lien upon its products, and a speedy method of enforcing its claims.

The expense of the expedition was much less than I expected, a the bills of the Central Vermont and Passumpsic railroad companies were at the regular muster rates and made no extra charge for special trains. The state auditor places the expense under the head of "militia," while it might with equal propriety have been classed with "court expenses."

Whatever may be said as to the propriety of my action, the expedition demonstrated that the

NATIONAL GUARD OF VERMONT

are not merely "on paper." Ninety per cent of officers and men responded to a call for instant, actual service. The regiment and battery have reached a point of proficiency that is indeed gratifying. They are, with few exceptions, made up of the very best young men in their respective localities.

Adjutant-General Peck and Col. Greenleaf have for years been assiduous in their efforts to promote that feeling of pride and emulation so indispensable in an organization of this kind.

I earnestly recommend that the governor be given the power to appoint the adjutant and inspector-general and the quarter-master-general. In every state where the best methods of fostering the National Guard are adopted, the governor is allowed to appoint his staff.

The expenses of the militia for two years past have been increased by the legislation of 1882 which requires an officers' drill each year, and authorizes the purchase of new uniforms when found to be necessary by a board of survey.

In considering the expense of the militia, it should be borne in mind that the state has received, during the past twenty years, according to a statement furnished by Brigadier-General Kingsley, from sales and exchanges of military property and from credits at the war department, the sum of one hundred and ninety-seven thousand two hundred and ninety dollars. The interest on this sum will nearly pay the expenses of the National Guard.

At the annual muster at St. Johnsbury in 1883, a private in the battery lost his arm while in the discharge of his duty. It will be in accordance with precedent, and justice as well, that suitable provision be made for him.

THE BOARD OF AGRICULTURE

is appointed biennially in accordance with the law of 1880 under which Governor Farnham appointed the present members of the board. I found their report for 1882 so full and valuable and their work so satisfactory that I re-appointed the entire board. In 1882 they printed an edition of over two thousand copies of their report, and, during the biennial term ending that year, held forty-four meetings, all at an expense within the limited appropriation. During the last term forty-seven meetings have been held and a larger edition of their report will be printed. The services of Dr. Cutting, secretary of the board, are of great value to the state in many directions.

CONSTITUTIONAL AMENDMENTS.

The two articles of amendment of the constitution which were concurred in by the last legislature were duly submitted to the people at their town meetings in March, 1883, and the same having been ratified and adopted by a majority of the freemen voting thereon, proclamation thereof was duly made, as required by an act passed in 1882.

I trust that the legislature will properly enforce the first article of amendment which is designed to carry into effect the previously existing provision of our constitution – so often disregarded – making federal office-holders ineligible to membership in the general assembly. There are several cases reported of the election of United States officials to the present legislature.

THE HUNTINGTON BEQUEST.

The duty of securing to the state the full benefit of this bequest was by joint resolution of 1878 imposed upon the governor. I gave the matter my first attention, and finding that the validity of the will was likely to be established, and that no person had been designated and authorized by the state to receive the funds and receipt therefor to the executor, I called the attention of the judiciary committees of the two houses to the necessity of legislation conferring such authority upon some one. The result was the passage of a joint resolution giving the state treasurer requisite power to act in the case, and, on the 18th day of December, 1882, all the papers in the case were turned over to that officer, who, with Auditor Powell, as counsel, made full settlement with the executor and received the funds, securities and accrued interest, amounting, at par value, to two hundred and five thousand one hundred and eleven dollars and twenty-two cents. This duty was performed in a discreet and economical manner.

PARDONS.

There have been nearly sixty applications for pardon during this biennial term, and their careful consideration has involved much time and labor, and has been a painful duty.

In addition to my own examination of these petitions, I have referred many of them to the board of state prison directors, but both the directors and myself have been reluctant to interfere with the action of the courts.

Two pardons have been granted to inmates of the state prison, but in one case the sentence had nearly expired. One prisoner at the house of correction, having thirteen days to serve, was pardoned that he might be present at the death-bed of his wife. One child at the reform school was pardoned, but the parents in a few days applied to have him returned.

In two cases fines have been remitted, and five conditional pardons have been granted. In one case the prisoner failed to comply with the conditions of his pardon, and was remanded under the law of 1880.

THE PENAL INSTITUTIONS AND REFORM SCHOOL

are in the hands of experienced and able men, and are equal to the best in equipment and management. The still unsatisfied demand for labor removes the temptation to crime and keeps the number of inmates at a low figure. These three institutions have a capacity for accommodating four hundred and twenty-six persons, while the number of inmates in each, on the first day of August, was as follows:

	1878	1880	1882	1884
State Prison	176	142	90	89
House of Correction.....		70	45	61
Reform School	145	122	86	84
	-----	-----	-----	-----
	321	334	221	234

On the 9th of May, 1883, Mr. Rice, superintendent of the prison, whose administrative ability had been of such service in enlarging and rebuilding the prison, and who had brought order and system out of confusion and dishonesty, resigned his office, and, upon the recommendation of the directors, Mr. E. W. Oakes, who was his assistant, was appointed to fill his place. He has greatly reduced the expenses of the prison without any diminution in the comfort or welfare of the inmates and had introduced some much needed changes.

Both he and Mr. Eayres, superintendent at the house of correction, are faithful, honest, economical and capable men. At the reform school, Mr. and Mrs. Fairbank continue the same kind and paternal government

that has distinguished them for so many years, while the trustees have performed the numerous and somewhat complicated duties devolving upon them with great thoroughness and humanity.

In the appendix will be found an interesting table as to the cost of these institutions. In my judgment, one board of three persons should be appointed by the governor to have charge of all the institutions, and a uniform system of book-keeping should be adopted at the beginning of the next fiscal year. The governor should have the power of granting conditional pardons to inmates of the reform school; prisoners should work out their fines and costs at the state prison as they do at the house of correction; contracts for labor should not be made without advertising for proposals.

It is claimed that United States prisoners sentenced to confinement, but not at hard labor, in the house of correction, are entitled to the privileges accorded to jail prisoners under section 4452 of the Revised Laws. Whether this claim can be maintained is uncertain, but I recommend that such legislation be enacted as shall beyond all doubt subject United States prisoners confined in the house of correction, under sentence, to the same regulations of prison discipline which are applied to state prisoners committed to that institution.

SAVINGS BANKS AND TRUST COMPANIES.

The reports of Mr. DuBois, the able inspector of finance for 1880 – '81 – '82 gave repeated warning as to the inadequacy of his power under the law to protect depositors in these institutions from the results of mismanagement and dishonesty. Deeply impressed with his pointed statements, I joined him in most earnest efforts to secure needed legislation. To the legislature of 1882 I said with reference to his report, "*his cautious but decided words in regard to certain banks that he does not name, if not heeded, may lead to disaster and distress. I especially recommend to your notice his remarks as to trust companies, and in regard to large loans to, and deposits from, a single person.*"

In the failure of the St. Albans trust company the predicted disaster and distress were fully realized. Aside from the alleged criminality of its officers, its weakness was due to the precise fault in regard to which Mr. DuBois so often asked additional legislation viz.: large loans to one person, and that person an officer of the bank.

Believing it to be quite possible that one or two other institutions were similarly situated, I judged that, in the language of the law "the protections of the rights of the state: demanded that I should indicate to these self-constituted guardians of the weak and defenceless, throughout the state, that any infraction of the law, or violation of their charters, would not go unwhipped of justice, if my efforts could prevent it. I therefore informed the state's attorney of Franklin county that assistance would be furnished him to ascertain, in this instance, whether the law had been violated, and, if so, to bring the guilty parties to punishment, and an attorney was assigned to this duty whose ability and honesty were a guaranty that nothing would be left undone on the part of the prosecution to accomplish this end.

When, on the 6th of October, 1882, Mr. DuBois resigned the office of inspector to accept that of treasurer, I persuaded him to withhold his resignation until the adjournment of the legislature, so that he might be able, in his official capacity, to assist in framing suitable restrictive laws. At that time, I appointed Mr. Charles Dewey, of Montpelier, as his successor, a gentleman who for a long time had been at the head of one of the largest and most successful moneyed institutions in the state, and who was thoroughly conversant with bank bookkeeping and with the value of all securities in the market. He accepted the office only after much hesitation. He has devoted a great deal of time to his duties, and has accomplished much desirable work, and I regret to learn that his business interests will not allow him to continue in office. I commend his report to your consideration with the firm belief that all needful legislation will no be enacted and with the hope that the excitement and distress occasioned by the failure of one institution will not lead to such radical measures as to destroy the usefulness of others.

UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

I am happy to call your attention to the unusual prosperity and bright prospects of this institution. These are due in large measure to the generous gifts which the university has lately received from its friends. The reconstruction of the main college buildings through the bounty of Mr. John P. Howard, alluded to in my former

message as in progress, has since been completed, and his recent gift of a new medical school building adds one more to the many benefactions of that gentleman to the university. The library building, which is now in process of erection and will cost \$100,000, is the gift of Mr. Frederick Billings, who takes this beautiful way of providing a suitable repository for his former invaluable gift, the library of the late Geo. P. Marsh, and for the other literary treasures of the college.

On the 26th day of June, 1883, the university celebrated with appropriate exercises the relaying of the corner-stone of the main college building and the unveiling of a bronze statute of Lafayette, also a gift from Mr. Howard. I detailed two companies of the National Guard to participate in the ceremonies of that occasion.

THE SUPREME COURT.

The announcement that Judge Redfield would retire from the bench at the close of his present term, though not unexpected, occasions general regret. The cause of Justice suffers when so eminent a judge withdraws from her councils, and in the deliberations of that court whose decisions continue to hold so high a place in the jurisprudence of the country, the loss of Judge Redfield's experience and fine legal instinct will be most deeply felt.

Since the last session the great railroad suits have been ended, and I am informed that the general business of the courts had declined. Hence, as my successor is a member of the bar, and may feel some delicacy in the matter, I shall venture to express what I believe is, in the main, the opinion of many members of the bar and of numerous other well informed persons, by recommending that the number of judges be reduced to six; that their salaries be increased four hundred dollars each; that they be paid their actual expenses for railroad and stage fare while on official duty; and that they be prohibited from acting as referees, auditors or special masters.

The eminent ex-Chief Judge Poland said, on the floor of the house, in 1878, that six judges were all that were needed, and that when ever a vacancy occurred, he should favor a reduction in the number. This is the highest authority and may well carry conviction to the mind of every one not having personal knowledge of the matter.

THE INSANE.

Section 7 of the Revised Laws reads as follows: "*The words 'insane person' shall include every idiot, non-compos, lunatic, and distracted person.*" It is under this definition that towns, according to statements of previous boards of supervisors, have sent their vicious, demented and idiotic paupers to the asylum as burdens upon the state, and it was to this class that two years since I applied the term "harmless insane," while the supervisors call them "not dangerous." Under the corrective legislation of last session, the supervisors, up to this time, have discharged twenty-nine persons for whom the state was paying over four thousand dollars per year, and for whom it had paid in the aggregate over twenty thousand dollars.

The supervisors propose to pursue this reform still further, provided additional authority is given. The wise and practical suggestions of their report are heartily approved, and I earnestly solicit your attention to them. The present board are eminently qualified to perform their duties under the law and have been faithful and fearless in the discharge of them. It would be a misfortune to the state to have a change made in the board at this time.

In view of the crowded condition of some of the wards at the asylum, I respectfully suggest that the new asylum at Burlington be allowed to receive state patients upon the same terms upon which they are received at Brattleboro.

It should be made the duty of the supervisors to verify and approve all bills before payment.

The state paid for the support of its beneficiaries at the asylum the fiscal year ending

July 31, 1861	\$5,065.00
“ 1871.....	13,061.00
“ 1881.....	35,345.00
“ 1882.....	37,198.00

“ 1883.....	35,241.00
“ 1884.....	35,085.00

These figures in each case represent the sum paid for the preceding year, and the bill for the year 1883 – '84, paid since the closing of the fiscal year, is \$33,834.00.

FINANCES AND TAXATION.

The current state expenses for the last two years were \$648,494, or over \$70,000 less than for the term ending in 1882.

Great discrepancy exists in official reports of the aggregate court expenses of past years. I have, therefore, placed in the appendix a statement of the gross amount of these expenses each year since 1878, with the chief items of the same. The auditor's report of *net* court expenses shows that they are \$134,468 less than for the term ending 1878. The saving of this sum is of less consequence than the eradication of the evil methods in vogue at that time. Legislation is needed to prevent a return to those methods when public attention becomes diverted or a less faithful auditor is in office.

The treasurer's report shows a deficiency of \$32,171, which amount was borrowed from the Huntington fund. For many years previous to 1883 large balances were in the hands of the treasurer, and were the direct incentive to extravagance and loose practices in administration. The present situation is more satisfactory though less convenient to the treasurer.

The clause in the grand list requiring returns of the list to be made to the secretary of state was inadvertently omitted in the amendment of 1882. But Dr. Nichols, with the attention and fidelity that have for so many years characterized his administration of that office secured the returns for 1883, though he was unable to obtain them for the present year, several towns not responding to his call.

I append the list of taxable property for 1883 and former years:

	1880	1881	1882	1883
Real estate	\$71,114,747	\$102,437,102	\$106,577,559	\$104,549,674
Personal property	15,037,262	46,896,967	46,996,025	49,586,310
	-----	-----	-----	-----
Total	\$86,152,009	\$149,334,069	\$153,573,584	\$154,135,984

Offsets on personal property for debts were, in 1882, \$32,000,000. No returns have since been received.

The direct taxes levied and collected on the grand list,

For 1881 and 1882 were	\$479,097
For 1883 and 1884 were	162,710

Reduction in taxation on grand list	\$316,387

The amount of taxes received from corporations, less savings bank tax refunded to towns, as per treasurer's report,

For 1883 and 1884 was	\$197,714
For 1881 and 1882 was	36,107

Increase in taxes from corporations	\$161,607

CORPORATION TAX LAW.

Under the corporation tax law of 1882, I appointed, with the advice and consent of the senate, William P. Dillingham as commissioner of state taxes, and he has performed the duties of his office with such ability, tact and discretion as to win universal commendation. His comprehensive report merits your careful attention, and I

doubt not the claims of injustice made by certain corporations will be met by you in a spirit of fairness and with a desire to do justice to all, even to the extent of refunding any tax that may be found to have been excessive.

The taxes collected for the first and only year that the law has been in practical operation amount to \$196,678.51, of which \$85,516.96 were collected from railroads and \$56,506.70 were paid under protest. I have the sanction of the commissioner for suggesting that the time within which suits may be brought for the recovery of taxes paid under protest should be limited by special statute.

The theory of many of those advocating this law was that, although the principle of the constitution, that every member of society is bound to contribute his proportion toward the expense of the protection afforded by the laws, should be adhered to, it did not follow that all taxes must be levied in the same way or for the same purposes; that they might be levied in one way on certain kinds of property for certain purposes, and in another way on other property for other or for the same purposes. But the utmost wisdom of the legislature should be exerted to have taxation as nearly equal as possible upon all property not exempt by law.

To ascertain whether the present tax is "equal" it is necessary to know the average rate of taxation through the state upon real and personal estate. No statistics are gathered upon this subject, but from a somewhat extended inquiry, I am satisfied that it is not less than sixty per cent upon the grand list.

It is also necessary to know the value of all railroad property in the state. Of this no official appraisal has been made, but the railroad commissioner, who has better opportunity of knowing the value of this property than most others, estimates it at \$41,000,000.

If these estimates are substantially correct, we find that trust companies pay a tax equivalent to one hundred per cent on the grand list; real estate and personal property, sixty per cent; savings banks, fifty per cent; railroad property, twenty-one per cent.

If the receipts, expenditures and the law remain substantially the same as they have been for the last two years, the deficit at the end of the fiscal year 1885, will be about \$100,000, and at the end of the fiscal year 1886, will be further increased to about \$130,000.

Under these circumstances it is manifest that you will seek to increase the revenue either from present sources, or by a tax upon the people or otherwise. If the Huntington fund is turned into the treasury and its interest made a perpetual charge upon the state, to be paid annually to towns for the support of common schools, in the same manner that the United States surplus fund is now paid to the towns declining to take the principal, no tax per capita or upon the grand list would seem to be necessary at present.

RAILROADS.

In my former message I suggested the appointment of a commission to which should be delegated the general powers of the state over railroad companies. Such commission, if appointed, should, I think, be paid by the state, and be required to make inquiry as to complaints in regard to discriminating and excessive rates for freight and passengers.

The free-pass system constantly brings obloquy upon the state, and I trust you will consider the propriety of wiping out the reproach.

But nothing is of such paramount importance to the material interests of the state as proper action by congress in regard to the regulation of inter-state commerce. I am informed that freight is sent from Chicago to Liverpool at a less rate than is charged Vermont farmers on their products to Boston. All are aware that the value of farm lands and products is largely increased by their proximity to manufacturing centres. But it is claimed that high and discriminating rates on raw material, fuel, and manufactured goods are such as to practically exclude manufacturers from establishing themselves in this state, except, perhaps, at a few points, and if we seek our markets in Boston or New York, we are charged higher rates than are paid to the same points by dealers in the far west.

This is a grievance that neither Vermont nor Vermont railroads can remedy.

You have doubtless observed that Mr. Steward, our member of congress from the first district, has introduced a bill for the regulation of inter-state commerce. The governors of several states have advocated the necessity of national legislation upon this subject, and the president urged its propriety in his message to congress in December last. The republican national convention at Chicago committed that party to the adoption of measures looking to the same end.

Allow me to express the belief that if you follow the example of many other states and give the people a railroad commission and also give an impetus to the inter-state commerce movement by arousing the interest of the remaining members of our delegation in congress, you may be assured of a life-long and kindly remembrance from your constituents.

JOHN L. BARSTOW.

EXECUTIVE CHAMBER,
Montpelier, Vt., Oct. 1, 1884

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Farewell address

of

Charles J. Bell

As it appears in the

Journal

of the

Joint Assembly.

1906

Thursday, October 4, 1906

Farewell Address

Gentlemen of the General Assembly:

It is the duty, as well as the pleasant privilege of the retiring Executive, to call the attention of the incoming Legislature to matters of general interest and importance. I will endeavor to do so briefly, making such recommendations as experience suggests to be wise and for the best interests of the State and all its people.

OUR SCHOOLS.

The Legislature of 1904 did a most commendable thing when it passed the bill making the \$240,000 received from the Spanish-American war claim the nucleus of a permanent school fund. I appointed a commission, of which Hon. Joseph A. DeBoer of Montpelier was chairman, to see that this fund was safely and productively invested. I heartily approve the recommendation of this commission and of the Superintendent of Education that this fund be combined with the Huntington fund and the United States deposit money toward a permanent and adequate common school fund.

On August 1, 1905, I appointed Hon. Mason S. Stone of Montpelier, State Superintendent of Education. This was to fill the vacancy caused by the resignation of Hon. Walter E. Ranger to become Commissioner of Public Schools for the State of Rhode Island. Mr. Stone is a tireless worker in the interests of our schools and an ardent advocate of constant improvement along educational lines. I am heartily in sympathy with his efforts for a more ideal educational system and recommend his suggestions in this respect as fully set forth in his valuable biennial report.

Our Normal Schools are doing good work. Teachers educated there should feel under obligation to fill positions in the state for a given time, if required.

Morrill Hall, now under construction, a part of the University of Vermont and State Agricultural College at Burlington, will offer exceptional advantages to the farmer boys of Vermont in fitting them for careers of success and usefulness in their chosen calling.

Our colleges are prosperous and constantly gaining in influence. Would not some plan for their better cooperation and specialization be in the interests of economy and greater efficiency? For instance, with Burlington and Middlebury for the higher education of the young men and women and Norwich devoted exclusively to military science and engineering, would we not obtain the best possible results?

Among recent profitable experiments have been the school for manual training at Woodstock, and the series of public institutes in the interest of elementary agriculture in our public schools. We are coming to realize the necessity and importance of a healthy, well-developed body as well as an active mind. The boy who can drive a nail, or strike twice in the same place with an ax, or tell the essential points of a good horse or cow, and the girl who can sew, cook and lay the table well, is better prepared for the battle and responsibility of life than the one who is ignorant of such things.

I believe, as does the Superintendent of Education, that an ideal educational system for Vermont must include equality in support and advantages, efficiency in administration and supervision, an adequate and productible permanent school fund and an unrestricted course of study as its essential features.

Good things always cost something, but we are not disposed to complain when we see that we are getting our money's worth. In our transaction of public business we should always exercise a wise economy. There is, however, an economy that is shortsighted. Liberality is economical when the education of our children is under consideration. We can make no surer provision for the continued success and prosperity of Vermont than by providing the best possible educational advantages.

DEAF, DUMB AND BLIND AND FEEBLE-MINDED CHILDREN.

As Vermont has no school for these classes, provision is made by law for their education at approved institutions in other states.

The Governor, by virtue of his office, is made Commissioner of these wards of the State, and a specified sum is annually appropriated for their benefit.

The number of children now being educated in this way is 56, including one blind girl residing in the State who has been furnished supplies for educational purposes at home. These pupils are apportioned among the several institutions as follows:

Massachusetts School for the Feeble-Minded, Waverley, Mass.,	20
Clarke School for the Deaf and Dumb, Northampton, Mass.,	14
Perkins Institute for the Blind, South Boston, Mass.,	11
American School for the Deaf, Hartford, Conn.,	10

Of this number, 30 have been designated during the present biennial term.

For the board and tuition of state beneficiaries I have approved bills to date as follows:

Massachusetts School for the Feeble-Minded,	\$6,414.46
Clarke School for the Deaf and Dumb,	4,083.32
Perkins Institute for the Blind,	5,040.00
Arnencan School for the Deaf,	4,375.00
Minnie C. Fisher, supplies,	38.80

This makes a total of \$19,951.58, as compared with \$17,767.75 for the last biennial term. The Auditor's account for the two years ending June 30, 1906, shows that of this amount \$19,799.71 has been paid.

While I have granted every application made by indigent parents, or by those interested in indigent children, under the conditions imposed by the statutes for the education of children belonging to any one of these classes, the actual amount expended is well within the original appropriation of \$22,000 for the biennial term, although the last Legislature generously doubled this amount, making the total of \$44,000 available for this purpose if required.

I have visited each of the above named institutions during my term of office and have devoted considerable time to an inspection of the work done for and by the children who have been designated as beneficiaries of the State. I have no hesitation in saying that I believe the money thus appropriated is wisely expended in a necessary and most important service.

ATTORNEY-GENERAL.

One of the most important acts of the last session was the passage of the bill creating the office of Attorney-General. Hon. Clarke C. Fitts, then the representative from the town of Brattleboro, was elected to that position.

The promptness and energy with which the Attorney-General has conducted his work proves the wisdom of this choice, and his recent election by the people to succeed himself is a deserved compliment to his faithfulness and ability.

That this new department was necessary is evident from the immediate and numerous demands for the services of this official and the great number of opinions he has been called upon to furnish. His assistance in preparing important cases has greatly aided the state's attorneys, and has brought more speedy justice and reduced the expense of trial by avoiding needless delay in criminal prosecutions. His first biennial report will be before you. It contains a detailed record of his, more important acts, together with several recommendations for legislation that should receive your early and favorable consideration.

OUR COURTS.

A re-organization of our judicial system is suggested. I am in favor of it, if the ends of justice can be better and more quickly served thereby.

A law is recommended to provide against the unreasonable practice of continuing cases in county court without cause. The county court docket should be a new book from term to term, and not a continued story.

To fill the vacancy on the Supreme Court bench caused by the death of Judge Henry R. Start of Bakersfield, I appointed Hon. Willard W. Miles of Barton, a man peculiarly fitted by education and training to discharge the important duties of the office with credit to himself and the State. He was able to commence his work immediately.

In making this appointment, the number, fitness and unusual ability of the candidates suggested impressed me with the fact that Vermont's best material for offices of highest trust is always available.

REVISION OF THE RULES.

A committee was appointed at the last session to revise the rules of procedure of the Senate and House. This committee visited the legislatures of several nearby states and has prepared its report. While the change suggested are not numerous, they are important, and I recommend their adoption as the working rules of this General Assembly, as I believe by so doing the business of the session can be more carefully, speedily and intelligently transacted.

SILVER SERVICE FOR THE BATTLESHIP VERMONT.

One of the most important public functions of my administration was the visit to Quincy, Massachusetts. August 30, 1905, to attend the christening of a great battleship, when the official party were the guests of the contractors, the Fore River Shipbuilding Company. The new giant of our navy was duly christened the "Vermont", in honor of our State.

The Legislature instructed me to purchase a suitable silver service to be presented to this battleship when it goes into commission, and appropriated \$5,000 for the purpose. I contracted for this work with the Gorham Manufacturing Company, through Bogle Brothers of White River Junction, state agents, and hope to be able to present it to my successor at an early date, so that it may be placed on exhibition here at the State House during this session. It consists of fourteen very handsome pieces of solid silver, in cost not to exceed \$3,350. Among the decorations are the State Coat of Arms, the State House, the State flower, the sugar camp, the Jersey cow, the Morgan horse, things typical of the State's life and activity, to be constant reminders of the brave little commonwealth among the hills which is never afraid of conflict, but believes that the nation best prepared for war is best prepared to dictate terms of honorable peace.

This noble battleship, the largest of its class is fast approaching completion and will be ready for service early in 1907. It is our hope and prayer that it will sail the mighty deep on errands of peace, a messenger to proclaim the progress, the industry and the Christian spirit of the great nation of which our State is a part, but if it becomes necessary to bare its guns for battle, may it be in a just cause, and when that time comes, let whoever is in command remember to put the "Vermont" ahead and keep the line well closed up.

TOLL BRIDGES.

It is the opinion of a progressive people that toll bridges on the highways across our rivers are a relic of the past and should be abolished.

Authorized by the Legislature, I appoint a commission of which Hon. Gilbert A. Davis of Windsor was chairman, to consult with a similar commission appointed by the Governor of New Hampshire as to the advisability and expense of freeing the toll bridges across the Connecticut river between Vermont and New Hampshire.

The commission has investigated the subject in all its bearings and finds that there are twenty-seven bridges in the territory named, ten of which, including three to be constructed, are toll bridges. It is estimated that to free these, and to reimburse those already free so as to place all on an equal footing, would cost Vermont about \$100,000, this amount being one-third of the total expense. Vermont's share should then be divided equally between the towns interested and the State.

The report of this commission is ready and should be ordered printed for the instruction of the Legislature on the subject. The recommendations suggested by the commission are made after due deliberation and are worthy of your careful consideration.

CAPITAL PUNISHMENT.

Our law makes capital punishment the penalty for murder in the first degree. This is common with all but five states of the Union.

During my term of office it became my duty to see that this law was carried into effect. In the general discussion of the subject thus occasioned, in the State as well as elsewhere, I have been deeply impressed with the fact that Vermont has more regard for the dignity of law than for sickly sentimentality.

I am more firmly convinced than ever before that, as a safeguard against violence and as a protection to society in general, the law making capital punishment, in some form, the extreme penalty for crime should be retained on our statute books.

STATE INSTITUTIONS.

I direct special attention to the reports of the public institutions of the State and the recommendations therein contained. The publicity given these institutions through the investigations recently held has had good effect.

Following the investigations by the legislative committee, I was empowered to appoint a commission to make a thorough investigation of the conduct and condition of our State institutions. I named as this commission, Gen. N. G. Williams of Bellows Falls, Col. H. F. Brigham of Bakersfield and Hon. C. H. A. Stafford of Morrisville, gentlemen of sufficient standing to at once lend weight to their work and place their findings beyond the suspicion of party politics or neighborhood prejudice. The thorough and impartial manner in which they have conducted their inquiries has brought out information that is of great value to the State. The commission has completed its labors and its several reports have been given currency through the medium of the public prints. The recommendations made have been adopted in every case where possible under present appropriations, and should result beneficially for all concerned.

Vermont should be proud of her Soldiers' Home at Bennington and the ample provisions there made for the comfort and proper care of the boys who wore the blue, as the evening shadows fall across their pathway.

We have a splendidly equipped hospital for the insane at Waterbury and everything is done that is possible to relieve the sufferings of our unfortunate wards.

The State penal institutions, the Prison at Windsor, the House of Correction at Rutland and the Industrial School at Vergennes are all economically conducted. The appropriations asked for, as set forth in the officers' reports and the recommendations of the investigating committee, should be favorably considered. The Industrial School in particular needs money for immediate repairs and improvements, if that institution is to be maintained on a par with our other state institutions.

The conditions at Windsor are excellent. The discipline at that institution is conducted with a view to make necessary punishment a reform, whenever possible.

The crowded condition at Rutland should be relieved. I suggest an amendment to the present law so that short term sentences and fines for intoxication may be served out in the county where the conviction occurs, and that such prisoners be made to work out their sentences, on the roads and streets in summer and in chopping or sawing wood in winter. This is healthy, honorable work and would afford some return for their expensive burden to the community.

TAX COMMISSION.

As at present conducted, this office is an important and profitable one for the State.

The Commissioner is Hon. J. E. Cushman of Burlington. The fact that he has increased the revenue of his office 149,000 during the last biennial term, and \$600,000 during the period he has occupied this position, is an eloquent tribute to his faithfulness and efficiency.

CATTLE COMMISSION.

The work of this commission has recently been criticized. Vermont has always taken an advanced position in the attempt to free our cattle from the contamination of disease and has done more than most states to reimburse the owner for loss in this respect, until, under the provisions of the law as it stands today, we are practically placing a premium on disease. This is the fault of the law and criticism of the commissioners has grown largely out of their construction of that section of the statute relating to the disposal of cattle condemned as diseased. The law is wrong on this point and should be amended.

A diseased animal should be condemned, slaughtered and buried or burned immediately, and never be allowed to pollute the channels of commerce.

Vermonters have established an enviable reputation for producing the best. This should be a true of our cattle as of our other products. The comparatively small amount derived from the sale of condemned cattle is tainted money, and is no fair offset for our lost reputation for pure food products.

In my message to the General Assembly two years ago I advised the establishing of some date after which the State should cease to be responsible for nearly the full value of condemned cattle. I wish to emphasize this recommendation, for I believe that, with stringent police regulations governing the importation of stock and an enforced test of all cattle within the State, disease should soon be practically eradicated, and the State should be free from further expense in this direction.

OTHER COMMISSIONS.

Vermont has many important commissions in charge of the several departments. The work required is more varied and of greater value than at first supposed, and under the law every commission is busy.

I believe it would benefit the service if all state commissioners were paid the same per diem. I so recommend.

The railroad commission must be given more power if its work is to be made effective and of the greatest value to the State.

The Governor is frequently called upon to appoint delegates to represent the State at conferences and conventions of a general nature and of national importance. No provision is now made to defray the expense of such commissions. This State should make a reasonable appropriation to cover the necessary expense thus incurred, and not be obliged to depend upon the loyalty and public spirit of the persons designated to suitably represent us on such occasions.

CAUCUS LAW.

The caucus law should be given a fair trial. Experience will show that it is an important step in the right direction. Until we know more of its actual workings, it is best to suspend judgment. A critic without experience is nothing but a common scold.

We are a liberty loving people. The caucus law does not infringe upon our rights as free citizens. The political intention clause of the law is intended to check the dangerous individual who so far forgets his responsibilities that he turns liberty into license.

The voter who is honest in his political convictions is always willing to signify his party intentions.

NEW TUBERCULOSIS SANITORIUM.

Good health is ours by inheritance. Nowhere on earth is the air clearer, the water purer or the climate more invigorating than in Vermont.

We have come to recognize the importance of pure food laws, a careful inspection of water supplies, the prevention of epidemics and of the needless spread of contagious diseases. In this the truth of the old maxim, "An ounce of prevention is worth a pound of cure", has been duly recognized, and the work of the Board of Health and the Tuberculosis Commission has been an important factor.

The new tuberculosis sanatorium now under construction at Pittsford marks an epoch in the life of the State, and when completed will be a means of valuable service in our fight against what has come to be termed "The Great White Plague."

This magnificent institution, fully equipped and endowed, is a gift to the State, and is not the first instance of the thoughtfulness and generosity of Vermont's "Grand Old Man", Hon Redfield Proctor.

TAXATION.

In this connection I can only repeat what I said on the same subject in my message of two years ago.

Taxation is a simple matter when all property, both real and personal, without exemption of any class or kind, is made to pay its just proportion. The moment we begin to legislate in favor of one class, some other class is sure to suffer, and trouble begins.

Double taxation is an acknowledged evil. Its remedy is a perplexing problem, difficult of solution, unless we are willing to start from the general proposition that all property should be taxed.

This General Assembly can build for itself no more lasting monument than by placing upon our statute books a law that does away with double taxation. In any sincere attempt in this direction I am sure you will have the hearty co-operation of my successor in office.

HIGHWAYS AND AUTOMOBILES.

Under the direction of our present State Highway Commissioner, Hon. C. W. Gates of Franklin, our appropriation for highways is wisely expended. With skilled supervision, the amount now raised annually for this purpose ought to make our good roads better and keep them repaired.

For several months in the year, Nature provides abundant material for surfacing our highways and renews the supply from year to year without the necessity of legislative enactment. During this period the snow roller has the right of way and automobiles have no terror for our horses.

Good roads are not a sure mark of civilization, nor are automobiles the only advance agents of prosperity. Many ancient and heathen nations boasted better roads than ours. The use we make of our highways is a safer indication of our progress. When the driver of the automobile and the driver of the horse practice the golden rule, speed laws will be unnecessary and many of our road problems will be successfully solved.

The automobile has its rights. It has evidently come to stay. The Morgan horse is a Vermont product and also has its staying qualities. The horse is rapidly becoming accustomed to its new rival, but the educational period is filled with dangers.

I still believe the suggestion contained in my former message was reasonable and just and that, for a time at least, automobiles should be excluded from the narrow, winding country roads and less frequented thoroughfares.

FISH AND GAME.

The lack of uniform seining regulations between the United States and Canada has operated to the great disadvantage of our fishermen in Missisquoi Bay, in Lake Champlain. The last Legislature attempted to correct this wrong by adopting a joint resolution providing for the appointment of a commission to act with a similar commission from the State of New York, and the proper authorities of the Province of Quebec, in the formulation of some plan for the protection of our fishing interests in the upper waters of Lake Champlain. A commission was appointed, of which Hon. Nelson W. Fisk of Isle La Motte was chairman, and several important conferences have been held. The matter was finally referred to the Federal authorities at Washington. At the suggestion of President Roosevelt, the then Secretary of State, the late Hon. John Hay, brought the

subject to the attention of the Canadian authorities, with the suggestion that this individual case be included in the general plan for the adjustment of the fishing rules all along the border, in other states as well as our own. This method of settlement seems wise and will probably prove more permanent and effective. While it necessarily occasions considerable delay, it is believed that a satisfactory and amicable adjustment will be agreed upon in the near future whereby our border fishermen may obtain the desired protection without injury to their neighbors across the line.

Our laws should operate not only to the pleasure of the sportsman, but to the profit, (or surely not to the loss,) of the land owner who often suffers inconvenience and actual damage when his fields are made a run-way and his crops a forage for wild game.

Deer are an aesthetic attraction when a part of the landscape picture in forest or pasture, but the poetry of the situation is lost to the farmer whose grain fields are trampled down and crops destroyed.

Cattle and sheep frequently become wild in the back pastures and the farmer's dog is often trained to drive them and all other intruders from his master's fields. It must be a discriminating dog who can see the difference between deer and domestic animals under such circumstances. A careless hunter often makes more real damage than the game he seeks. While we protect the man with the license, let us not forget the resident taxpayer who summers and winters with us.

The present Commissioner, Hon. Henry G. Thomas of Stowe, is an enthusiast in his work. His exhaustive report furnishes valuable information concerning Vermont's valuable resources of forest and stream. Our fish and game, if properly safe-guarded, will continue to be an increasing source of pleasure and profit.

IN CONCLUSION.

During my term of office I have been asked to represent the State on many public occasions of an official or social nature. I have considered it my pleasant duty to accept these invitations when opportunity permitted. I have attended many meetings of Vermont societies in other states and have been deeply impressed with the loyalty and patriotism everywhere displayed. The sons and daughters of Vermont, who have gone forth to make homes and fill honorable positions in broader fields of usefulness, still have true hearts, and their thoughts always turn fondly to the hills and valleys of the old Green Mountain State.

In my recent inspection of state institutions, I extended the trip somewhat, and with my staff and friends, visited a large number of our leading industries. The better we come to know Vermont, the more proud we are of her present enterprise and grand possibilities. The wheels of industry are busy, the barns full, and success and happiness are evident on every side. Our great prosperity as a State is made substantial by the individual success of the humblest citizen. There is no trouble between labor and capital. These two giants walk hand in hand in Vermont. Our most serious problem at the present time is the lack of help, in the factory, on the farm, in the kitchen. Our industrial possibilities have just begun to be developed. There is no lack of funds for this purpose, for our savings bank deposits are increasing by millions of dollars annually. Vermont is no place for idle hands.

Of course, we cannot make a man honest and temperate, or a State industrious and prosperous, by statute, but we can by wise legislation encourage and foster these conditions

It is to legislate for the good of all our varied interests that you are assembled here. The farmers are a majority in every Vermont legislature. They should remember that majority means power and power means responsibility. Avoid class legislation. Be honest. Be faithful. Be fair. Be economical. Remember that the goose that lays our golden egg is not a foreign product but a native of our soil. Act for the good of Vermont, and every individual interest will be benefited, and, in the blessings of Providence, the continued prosperity thus assumed will amply repay your honest efforts.

FREDERICK G. FLEETWOOD,

Secretary of State, Clerk.

Farewell address
of
Franklin S. Billings
As it appears in the
Journal
of the
Joint Assembly

1927

Thursday, January 6, 1927

Farewell Address

Members of the General Assembly:

In accordance with a long established custom, the retiring Governor delivers to the members of the General Assembly a message in which it is expected that he will recount some of the important events during his administration and may make some recommendations. I fully realize that you will give more attention to the incoming Governor's suggestions than to mine, but I consider it a duty to give you my observations on some of the things which have come to my attention during my term.

FINANCES

A short synopsis of the finances of the State is as follows:

Cash on hand July 1, 1924	\$1,593,062.93
Receipts to June 30, 1925	<u>7,666,879.19</u>
<i>Total</i>	9,259,942.12
Disbursements year ending	
June 30, 1925	<u>7,768,908.96</u>
Cash on hand June 30, 1925	1,491,033.16
Receipts to June 30, 1926	<u>7,290,624.98</u>
<i>Total</i>	8,781,658.14
Disbursements year ending	
June 30, 1926	<u>7,114,613.95</u>
Balance on hand June 30, 1926.....	1,667,044.19

Of this amount \$1,165,152.27 is specifically appropriated for various purposes, which leaves \$501,891.92 for working capital available for current expenses. This is not large enough for the State to avoid making large temporary loans each year.

TAXATION

When United States Attorney General Sargent took away from the State its Tax Commissioner, I was most fortunate in securing such an able attorney as Judge Erwin M. Harvey to fill the position. It required a man of experience to interpret the tax law passed by the General Assembly of 1925 and Judge Harvey has done it well.

On the general subject of a revision of the tax laws, the Commissioner says: "I recommend that our tax laws be rewritten, consolidated and simplified. Conflicting statutes should be repealed. Many provisions are obsolete and tend to confuse rather than aid the listers. Our exemption laws have not kept pace with general business conditions in the State. Worthy objects are being taxed while other taxable property is exempt. So far as possible our tax laws should be redrafted in language capable of being understood by both listers and taxpayers. This work should not be done hastily during the session but authority should be given by the Legislature in 1927 so that the work may be done and passed upon in 1929. The Commissioner of Taxes should have this work in charge but should be granted authority to employ a competent attorney to aid him. This does not necessitate the employment of a so-called tax expert at a considerable expense. The work should be to revise our existing statutes and not to develop new and untried theories of taxation. We have too many laws on the subject rather than too few. What we need is revising and consolidating". I consider this a very wise suggestion. In the Commissioner's report you will find his other suggestions. I agree with some of them.

It is unnecessary to remind you that I vetoed the so-called intangible tax bill which was passed over my veto.

TAXATION OF HYDROELECTRIC PROPERTIES

In my inaugural message I recommended a tax on these properties. By most skillful lobbying this was made an unpopular measure. I have somewhat changed by views but I do think that all electric current generated in the State and going out of the State should be taxed. Otherwise people of the State are giving away to private or corporate interests a valuable asset.

GASOLINE TAX

This tax has proved a great success as the returns have been good and the cost of collecting small.

The situation as to prices of gasoline throughout the State has been very unsatisfactory. There have been great differences in prices within the State, and in some places in bordering states much lower prices have ruled than in Vermont. An effort should be made to equalize prices and if possible legislation passed to stop the unfair discrimination.

STATE INSURANCE SINKING FUND

This fund amounts to \$103,388.67. For the past two years \$10,000 has been appropriated each year to be added to this fund. This ought to be continued and increased. To my mind nothing should be taken from this fund until it amounts to at least \$300,000—better \$500,000—and then the State should do its own insuring.

THE VERMONT-NEW HAMPSHIRE BOUNDARY SUIT

When I came into office my attention was called to a suit pending in the United States Supreme Court entitled, State of Vermont vs. State of New Hampshire, concerning the Connecticut River boundary. The preparation of this case had been in the hands of Honorable John G. Sargent until he was appointed Attorney General of the United States. As this was an action that would take more time than the Attorney General could give in view of his other duties, and as it seemed to me that this case should be prosecuted with vigor and ended at the earliest possible date, I employed Warren R. Austin, Esq., of Burlington as special counsel upon an understanding with him that this matter would be thoroughly and speedily conducted.

I am delighted to say that he carried out my wishes. The evidence of Vermont has been presented and that of New Hampshire is about to be introduced. The case is therefore, proceeding as expeditiously as circumstances will permit.

MILITARY

The roster authorized and required under an act of 1919, and containing the name and record of every person who served in the army, navy, marine corps and army nurses corps during the World War, has been finished by the Adjutant General's department and the printing and binding of one thousand copies for distribution will be completed early in the year.

The National Guard of the State is in a very healthy and satisfactory condition and well officered. The field officers, without exception are men with World War training. The ranks are well filled with a good type of young men who appear much interested in their work.

The Adjutant General has, during the past two years, been fortunate in obtaining from the Federal Government over \$50,000 for construction of new kitchens, mess halls, etc. This gives the State one of the best equipped National Guard camps for its size in the country.

The policy of constructing one armory each biennial period is a wise one and in my judgment should be continued.

PUBLICITY

There is no doubt that efficient work has been done by the Secretary of State and the Director of Publicity with limited appropriation for this purpose. With all that the Chambers of Commerce and private individuals are doing for Vermont along this line, it would seem as if a larger appropriation, say \$25,000 each year, should be granted for this purpose.

The results of the Vermont Maple Sugar Special Train show what can be accomplished by concerted effort.

PUBLIC SERVICE COMMISSION

By the enactment of No. 85 of the Acts of 1925, this Commission has been given power to employ experts so that they may have proper facts on which to base their decisions in regard to the change of rates and the issuing of securities by public service corporations. This law has worked well. Before it was passed the public could not be properly protected.

MUNICIPAL LEGISLATION

The law respecting the issuance of bonds by municipal corporations was thoroughly considered and amended by the last General Assembly so that its provisions are now definite and certain where before indefiniteness and uncertainty existed. Under these circumstances it no longer should be necessary for municipalities to come to the Legislature for special authority for the general law now wisely confines the issuance of bonds within reasonable limits and these should be respected and enforced. If the General Assembly insists that these provisions be adhered to, much valuable time, which has been expended in this line of endeavor in the past, can be saved for the consideration of other measures, and a large expense for printing eliminated.

FISH AND GAME

In an address before the New York Waterways Association, Congressman Clarence MacGregor quotes from "The Outlook", "The nation has an inalienable right to clean waters." Its close association with fish life makes the subject of pollution of Vermont waters one of great interest and importance to this department. There should be a uniform antipollution law without discrimination and with penalties and enforcement provisions that are clear and unmistakable. You must all feel that it is poor business for the State to spend money for stocking streams and then permit private individuals or corporations to dump poisonous matter into these streams. Such an antipollution law should have been passed long ago but it has been defeated by the lobbying of selfish interests. When I recommend a law that forbids the polluting of our streams, I mean a law that will stop all pollution. Such a law would be not only a benefit to our fishing but also a protection to public health and of great benefit to our scenic attractions.

Town clerks or others selling fish and game licenses should be placed under bonds or some means taken so that the money received for fish and game licenses will be turned in promptly to the department on the dates specified. During my administration there have been many cases where it has been difficult to collect the money due the State.

MUNICIPAL COURTS

In my judgment there are too many municipal courts. The Justices of the Peace can take care of many more cases than they do and at less expense to the State.

I strongly believe that no municipality should have a court unless it furnishes a suitable court room. The counties furnish the county court rooms. Why should not the towns and cities do the same for their courts?

The expenses of the department of justices have been increasing too fast and the suggestions mentioned would, I think, reduce them somewhat.

INSTITUTIONS

INDUSTRIAL SCHOOL. A farm has been purchased which has aided greatly in the work of the school, but a refrigerating plant is needed.

SCHOOL FOR FEEBLE MINDED. This institution is greatly congested and a new dormitory should be built. I mentioned this in my inaugural message and must now repeat it. A new dormitory would not only relieve the situation at Brandon but would take some cases from the Industrial School at Vergennes and the State Hospital at Waterbury—cases that ought not to be in these institutions.

STATE PRISON AND HOUSE OF CORRECTION. The situation in these institutions is most serious. With two hundred and five cells, it is not difficult to realize what the situation is with from three hundred to three hundred and fifty prisoners. Even the library has had to be used for beds and the room where the night school was held and the night school given up. There has been criticism of some paroles. If this situation continues, either sufficient accommodations for the prisoners must be provided or many more paroles will have to be granted. No one can more heartily approve of an amendment to the Constitution to provide for a pardon and parole board than I do. I would suggest the purchase of the Evarts farm, which adjoins the prison farm and is now under lease with an option to buy, and another adjoining property, and erect a building to hold at least one hundred prisoners.

STATE HOSPITAL AT WATERBURY. With the appropriation provided by the General Assembly of 1925, a power house and some new equipment have been built and installed and by the new installation it is planned to save in fuel alone over \$7,000.00 annually—besides being assured at all times of a safe and sure source of power and heat which is a necessity in an institution of this character.

EDUCATION

The rural school to me is one of the most important branches of this department. I believe that many of our farms have been abandoned on account of a lack of educational facilities in their neighborhood. The General Assembly of 1925 appropriated \$30,000 per year for improving these schools and much has been accomplished but there is still a great deal of work to be done.

During my term of office the question arose as to the children at Fort Ethan Allen attending school. Fortunately the matter was amicably settled. I feel, however, that a law should be passed in regard to the admission of these children to the public schools.

VERMONT STATE SCHOOL OF AGRICULTURE

During the last session of the General Assembly, suggestions were made that this school should be discontinued on account of the small attendance. I was told that farmers were discouraging their sons from attending the school and for a time I believed it. Finally, I made up my mind that Vermont, with agriculture its basic industry, ought to be able to have a good agricultural school. I found a very unfortunate state of affairs at the school and the Board of Education and Commissioner willingly took up the work of improving conditions there. On January 1, 1926, Mr. Stanley G. Judd became principal. When he assumed his duties there were thirty students and the year ended with twenty-eight students, fifteen graduating. The fall term opened on September 14. Eleven students reported from those present last year. Forty-four new students have enrolled, making a total enrollment of fifty-five students, lacking but one of one hundred per cent increase in enrollment. The present entering class was secured without any of the faculty traveling around the state to urge boys to register and I, therefore, feel that this represents a sound situation and an encouraging interest in the school. The large enrollment of Orange County boys is a healthy indication of local support. While there are many things in connection with the administration of this institution which are not yet adjusted to our satisfaction I believe progress has been made since the beginning of 1926.

It appears to me that a grave mistake would be made to discontinue the school, but I do think it should be under the care of the Commissioner of Agriculture as formerly and not in the department of Education.

AGRICULTURE

No feature of agriculture at the present time is receiving more thought, effort and attention than the marketing of farm products both cooperative and otherwise. The importance of the matter is attested by the consideration given it by Congress in its recent session as well as by agricultural economists throughout the country. Vermont, being preeminently an agricultural state and producing quantities of food for outside consumers, should not lag behind in providing ways and means to enable her farmers to dispose of these products to their financial advantage.

Under No. 103 of the Acts of 1925, the legislature established the office of Director of Markets and made it incumbent upon the Commissioner of Agriculture to assume the duties set forth in the Act. The contemplated

appropriation was omitted thus emasculating the measure as this department has not sufficient funds to develop another major division. The appropriation of a sufficient sum to make a beginning of this work is recommended.

As will be seen from the Commissioner of Agriculture's report, which should be carefully read, more cattle, under the accredited herd plan, have been tested during the past biennial period than in any other two years. The department has more applications on the waiting list for such testing than the appropriation will allow. It, therefore, does not seem to be for the interest of our farmers to decrease this appropriation.

In considering the amount to be appropriated for eradication work, we must not lose sight of the fact that this is a highly contagious disease and the faster it is eradicated, the less the ultimate cost will be.

Some of you may remember that in my inaugural message, I strongly recommended area testing. An annual appropriation of only \$5,000.00 was made for this work, but even with that sum splendid results have been accomplished. Already sixteen towns have had the area test which covers 2,183 herds and 31,469 cattle. Nineteen towns are on the waiting list with 2,691 herds and 36,098 cattle. After observing the results of area work in other states and in Vermont, I am firmly convinced that the area plan will be a great factor in shortening the time necessary to completely eradicate tuberculosis from our herds. The area test at the present time and under present conditions should be considered only as a follow up method to complete the work of eradication so efficiently advanced by the accredited herd plan. In order that the department may be able to comply with the demands made upon it for area testing, I would recommend that the appropriation for this work be increased.

FORESTRY

STATE FORESTS. There are fifteen state forests with an aggregate area of 30,664 acres. These lands have been acquired by gift and purchase and on these forests there have been planted 2,250,000 trees. The State of Vermont should own 100,000 acres of state forests and the Legislators would do well to enlarge this appropriation. During the past two years the Calvin Coolidge State Forest of 559 acres was established in the town of Plymouth.

TOWN FORESTS. A good start has been made by some of the towns, villages and cities of Vermont in acquiring forest lands for municipal forests. At present there are thirty-three such forests which is a gain of seventeen over two years ago.

REFORESTATION. Our present policy of supplying trees for reforestation at cost price should be continued. During this biennium over 3,000,000 trees were planted by Vermont land owners and more would have been planted if the trees had been available. I recommend that the State tree nursery at Essex Junction be enlarged in order to supply the demand for trees.

FOREST FIRES. Every Precaution should be taken to prevent forest fires and provisions made for fighting them. The work of years and large expenditures may be wiped out in one day.

It gives me great pleasure to speak of the splendid gift from Miss Mary E. Waterman of Williamstown to the State of approximately 206 acres of land in the Williamstown Gulf. This makes a great addition to our State forests as such picturesque spots should be preserved.

A portion of the State forest in the town of Underhill is to be purchased by the United States Government for part of an artillery range.

MOTOR VEHICLE LAW

The Uniform Motor Vehicle Code, consisting of the Registration Act, the Anti-Theft Act, the Operators' and Chauffeurs' License Act, and the Act Regulating the Operation of Vehicles on Highways, is the outgrowth of more than two years work by the National Conference on Street and Highway Safety in co-operation with the National Conference of Commissioner on Uniform State Laws, and has been endorsed by the American Bar Association. I realize the great importance of measures so affecting the lives and safety of our people and the

need of uniformity in such legislation throughout the country and for that reason I am calling your attention to this matter in this way. Such recommendations are entitled to very serious consideration.

However, this State has been progressive in this form of legislation and the last Legislature spent much time in revising and codifying our motor vehicle statutes. The law covering this subject embraces thirty-seven pages or nearly one tenth of the printed matter in the Acts of 1925. Under these circumstances, it would seem to me unwise and expensive to supplant our law without a fair trial with one which has not received a practical test of its adequacy, particularly as the whole subject is undergoing changes in conditions. What is needed as a permanent code can be determined better a little later than at the present time.

One minor matter to which I would like to call attention is the saving of time and expense which can be occasioned by the repeal of Section 9 of Number 70 of the Acts of 1925, and the adoption of some other mode of distribution of registration and license blanks.

HIGHWAYS

The continuation of the same policy has made for a constant improvement in our highways and during the past season I have heard much praise as to their condition. An appendix is printed at the end of my message giving in a concise form, for the period beginning July 1, 1924, to June 30, 1926, the mileage of the different kinds of roads built and the cost of the same, the number of bridges built and their cost and the roads and bridges under construction and other information. I trust this will prove useful to the members of the General Assembly.

As I have frequently stated, I do not believe in bonding the State for highway construction, but do think that means should be found to construct more hard surfaced roads.

A traffic survey in conjunction with the United States Government has been made the past summer and fall and the Government report is expected to be ready for the use of this General Assembly. I judge that it will be most valuable and of great assistance in working out the highway problem.

In 1917 an act was passed requiring the heads of departments to make their headquarters at the State Capitol. It was a most wise measure but one important department was omitted and that was the Executive. From my experience I am certain that the Governor should make his headquarters in Montpelier and spend most his time here.

The last Legislature by refraining from introducing needless measures, and by early and decisive action on the less important matters materially shortened the length of the session and avoided a congestion of bills in the Executive department the last few days of the session. On the morning of the last day of the session of 1925 there were no bills in the Executive department for attention and only six for consideration of the General Assembly. This action also resulted in lessened cost to the State. A continuance of such a policy may result in even greater economy of time and money. In this connection, I wish to warn you against appropriating money for any purposes that are not purely governmental. A departure from such a course will soon result in a reckless expenditure of public funds. When enacting laws, endeavor to have them benefit the entire State.

As my public career closes today, I extend to my fellow citizens my heartfelt appreciation and thanks for all the honors bestowed upon me.

As my parting words, allow me to quote a message given to our country by Daniel Webster:

“Hold on, my friends, to the Constitution of your country, and the government established under it. Perform those duties which are present, plain and positive. Respect the laws of your country, uphold our American institutions as far as you are able, consult the chart and the compass; as if our united constitutional American liberty were in some degree committed to your charge, keep her, so far as it depends on you, clear of the breakers.”

FRANKLIN S. BILLINGS.

Executive Speech
of
Thomas Chittenden
As it appears in the
RECORDS
OF THE
GOVERNOR AND COUNCIL
OF THE
STATE OF VERMONT.

Volume III.

1789

October 19, 1789.

Gentlemen of the Council and Gentlemen of the House of Representatives:

I have had the honor to hold the important trust of your chief magistrate a number of years past, in the whole course of which I have endeavoured to serve the interest of the state to the best of my abilities; and on my retiring to private life, can assure you, that I feel a consciousness of having discharged my duty with simplicity and unremitting attention.

Since I find that the election has not gone in my favor by the freemen, and that you, gentlemen, would prefer some other person to fill the chair, I can cheerfully resign to him the honors of the office I have long since sustained, and sincerely wish him a happy administration, for the advancement of which my utmost influence shall be exerted.

I ardently wish you, gentlemen, happiness and prosperity; may the blessing of heaven attend your useful deliberations, and render you subservient in all your public exertions to the best good of your constituents.

Executive Speech
of
Thomas Chittenden
As it appears in the
RECORDS
OF THE
GOVERNOR AND COUNCIL
OF THE
STATE OF VERMONT.

Volume IV.

1796

Tuesday, October 18, 1796.

Gentlemen of the Council and Assembly – You are so well knowing to the manifold favours and blessings bestowed on us, as a people, by the great ruler of the universe, that it would be unnecessary for me to recapitulate them. I would therefore only observe, that but a few years since we were without constitution, law or government, in a state of anarchy and confusion, at war with a potent foreign power, opposed by a powerful neighbouring state, discountenanced by the congress, distressed by internal dissensions, all our landed property in imminent danger, and without the means of defence.

Now your eyes behold the happy day, when we are in the full and uninterrupted enjoyment of a well regulated government, suited to the situation and genius of the people, acknowledged by all the powers of the earth, supported by the congress, at peace with our sister states, among ourselves and all the world.

From whence did these great blessings come? From God. Are they not worth enjoying? They surely are. Does it not become us as a people, to improve them, that we may have reason to hope they may be continued to us, and transmitted to posterity? It certainly does.

What are the most likely measures to be taken by us, as a people, to obtain this great end? To be a faithful, virtuous, industrious, and a moral people.

Does it not become us as the legislature, to take every method in our power to encourage virtue, industry, morality, religion, and learning? I think it does.

Is there any better method that can be taken by us, to answer this purpose, than by our own example, and having a sacred regard to virtue, industry, integrity, and morality, in all our appointments of executive and judicial offices? This is the day we have appointed to nominate all our subordinate, executive, and judicial officers, through the state, for the present year.

The people by their free suffrages, have given us the power, and in us they have placed their confidence, and to God, to them, and our own consciences we are accountable.

Suffer me, Sir, as a leader, as a father, as a friend and a lover of this people, and as one whose voice cannot be much longer heard here, to instruct you in all your appointments, to have regard to none, but those who maintain a good moral character, men of integrity, and distinguished for wisdom and abilities; in doing this you will encourage virtue which is the glory of a people, and discountenance and discourage vice and profaneness, which is a reproach to any people.

Farewell address
of
Percival W. Clement
As it appears in the
Journal
of the
Joint Assembly
1921

Thursday, January 6, 1921
Farewell Address

Gentlemen of the Joint Assembly:

Man is an optimistic creature. He lives in the hope of the future and cares but little to look backward, unless perchance to recall some pleasant memory. It is fortunate that we are endowed with faith and hope; otherwise we would be very uncomfortable companions and neighbors. I know that you are awaiting expectantly the words of the incoming governor; but I should be derelict in my duty if I neglect to render an account of stewardship, or fail to call to your attention some of those things which merit your earnest consideration.

PUBLIC SERVICE COMMISSION

There has been in recent years large expansion of the so-called public utility companies manufacturing and distributing heat, light and power; and, in order to foster this development as a benefit to the industries of the State, these companies have been granted privileges far beyond those enjoyed by the ordinary business corporation. In return for these privileges, the people of Vermont are entitled to be furnished with adequate service at a reasonable charge. Of late there has been considerable complaint that the people are not receiving these benefits.

While the power of fixing rates and of requiring adequate service, as well as the duty of passing upon the character and amount of the securities issued by these companies rests with the public service commission, the commission is very much handicapped from lack of authority and funds to investigate such matters properly. To the end that the people of Vermont may be fully protected in all respects, the public service commission should be given authority to investigate, on its own behalf, such matters as come before it, including rates charged for power generated in this State, whether sold within or without the State; and the commission should be provided with necessary funds to conduct such investigation.

COMMISSION OF FOREIGN AND DOMESTIC COMMERCE

A year ago, Governor Coolidge of Massachusetts requested me to appoint a commission on foreign and domestic commerce. Inadequate transportation facilities, shortage of coal, and general business conditions appeared to me an emergency sufficient to justify the appointment of such a commission. The five men who were kind enough to accept appointments on the commission have given their time and services, without expense to the State. The commission has made a report which will be transmitted to you and I suggest that you give it careful consideration.

FISH AND GAME

The fish and game department, under the direction of the present commissioner, has become a strong factor in making Vermont an attractive place in which to live. Through his wise and efficient management, a spirit of cooperation has been brought about between the department and the people of the State. This department is self-sustaining and is worthy of the support of every member of the legislature.

The chief things accomplished by the department during the last two years are:

First, the purchase of a considerable area near the Sand Bar bridge in Milton for the establishment of a migratory wild fowl sanctuary. By this purchase, Vermont is the first eastern State to join the nation-wide movement for wild life conservation.

Second, the establishment of open zones around apple orchards where wild deer may be legally hunted and killed at all times.

Third, the extension of fish cultural work.

Vermont stands without a rival in the beauty and grandeur of her mountains, in her wonderful lakes and clear running streams. These natural attractions would be robbed of more than half their recreational value if the wild life of our fields and streams were seriously depleted. Such resources should be carefully conserved.

AGRICULTURE

A comprehensive program has been undertaken by the agricultural department for the eradication of bovine tuberculosis from the herds of the State. As a basis for this program, the laws relating to live stock were revised by the last legislature. Applications for tests have been so numerous that the appropriation available is insufficient and the department is now a year behind in meeting the demands made upon it.

Bovine tuberculosis is not only a menace to our dairy industry, but also to the public health, because it may be communicated to humans through the milk supply. Complete eradication of this disease will be expensive, even if it is possible. The question is will the State make the effort. The commissioner of agriculture thinks that an ample appropriation for a few years to enable the department to test herds promptly, as applications are made, until all the herds of the State have been tested and freed from tuberculosis, will perhaps be a more economical policy than to continue small appropriations through a series of years.

Undoubtedly this disease is promoted by unsanitary conditions, not allowing cattle sufficient air and exercise and in herding them in barns not properly ventilated. If the State is to spend the enormous amount of money which will be necessary to eradicate the disease, it should control the care and housing of cattle so that when once the disease is eradicated, herds may be kept free from it in the future. The amount of money asked for the live stock department for the coming biennial period is \$500,000; and the same amount will be required for ten years hereafter. This is a large sum in proportion to the total income of the State. The legislature ought to consider how far the state money, collected from all sources, should be applied to promoting this one industry.

FORESTRY

Forestry, in all that the word implies—stabilized, wood-using industries, closer utilization, conservation of stream flow, development of water power, as well as timber protection and culture, is being forced upon the attention of the people of this continent by the continued misuse of forested lands; and we in Vermont, through high prices and inability to supply our own wants for timber, are now feeling the effect of our own short-sighted forest policies. Forward-looking legislation should, therefore, be enacted and a forestry policy inaugurated to relieve the depleted condition of our forests.

PARKS AND PLAYGROUNDS

The State should give attention to the care and planting of shade trees along our highways. I also recommend the enactment of law enabling the State and municipalities to accept bequests for playground, park and other civic development and authorizing the governor to appoint commissioners to accept such bequests or to advise with reference to their use. I suggest that for the present such commissioners serve without expense to the State.

CHARITIES AND PROBATION

The board of charities and probation was established in June, 1917. The Legislature of 1917 appropriated for its use, \$10,000 for each year of the biennial term ending June 30, 1919. The Legislature of 1919 appropriated \$25,000 for each year of the biennial term ending June 30, 1921.

Children who are so delinquent that they cannot be cared for at home, may properly be placed in an institution where they can be controlled, at the expense of the State; and, undoubtedly, it is wise for the State to assume the care of imbecile children when they cannot be cared for properly at their homes. But town officials are inclined to pass over to the care of the State, children who are neither imbecile nor delinquent. Apparently this is done in order to relieve the town of the expense and responsibility of maintaining such children. This disposition, stimulated by the activities of the department of charities and probation, has increased the expenses of this board to an alarming extent. Only three years ago, it had an appropriation of \$10,000; and now the board is asking for \$50,000 annually, an increase of 400% in four years. It is well for us to remember that the population of Vermont is not increasing, while our taxes are becoming more burdensome year by year.

The board of charities and probation is performing its duties with the best intentions, but pauperism is ever increased by ill-considered charity. And this legislature may well pause and reflect upon this question of how far the State is prepared to go in this kind of paternalism.

HIGHWAYS

The construction of roads in connection with the Federal Government is the largest proposition taken up by the highway department. The Legislature of 1919 amended the State Federal Aid Road Act by providing that the location of the work and the kind of construction should be approved by the governor and by the state engineer, so that projects are located by the highway commissioner, approved by the governor and by the state engineer and then submitted to the Federal Government for approval.

Under the Federal Aid Road Act, the State of Vermont has been allotted \$1,242,103.73 for the five years ending June 30, 1921. This matched by an equal amount by the State made \$2,484,207.46 available for actual construction work. Although this five-year period ends June 30, 1921, the Federal appropriation will be available for all projects which are surveyed, approved and contracted for during the year ending June 30, 1922; and locations have been agreed upon for the expenditure of the whole of the Federal appropriation.

There is pending before The Congress a bill providing for a further appropriation of \$100,000,000 annually for the four years ending June 30, 1925, allotted on the same basis as the present appropriation. Under this Act, the State of Vermont would receive approximately \$500,000 annually and would have to match it, making \$1,000,000 a year available for Federal aid road construction. This Act contains the provision that preference shall be given to such projects as will expedite the completion of an adequate national highway system connecting at the state boundaries. The work already undertaken in Vermont is on interstate highways, so that it will coordinate with any work that may be done under this Act. The result will be that the State of Vermont will have three classes of highways, viz:--interstate roads, which are a part of the selected highway system, other state aid roads and town roads. It is apparent that, eventually, the State will have to regulate traffic on all interstate roads, including regulation of the weight, height and width of loads and the size of tires.

The highway department has received from the Federal Government a quantity of motor trucks, highway machinery and equipment for which a garage was constructed on the road between Montpelier and Barre. All highway equipment has been carefully inventoried and looked after by an assistant to the highway commissioner.

I believe that the salary of the state highway commissioner should be increased substantially. In addition to the district commissioners, who are doing good work, the highway commissioner should be assisted by deputies qualified by training and experience to take charge of new construction and maintenance, respectively. I endeavored to employ such deputies, but was unable to do so because I did not wish to pay a deputy a higher salary than the commissioner himself receives. If such deputies are employed, the responsibility, but not the whole burden of the highway department would rest upon one person. With the vast amount of work for the highway department to carry out, continuity of service should be provided for in competent personnel. At present, the illness or temporary absence of the commissioner would seriously handicap the work of the department.

By reason of the Federal aid road projects, it has been necessary for the board of control to appropriate from the contingency appropriation additional funds for the state engineer. The new budget will contain a marked increase in appropriation for the department. The State cannot lay out its highway work intelligently or comply with the Federal requirements without funds for an adequate engineering force.

STATE HOSPITAL

The increased production of farm products at the state institutions has resulted in keeping the per capita cost of maintenance very low in comparison with the general increase in the cost of living. I doubt if the people of Vermont realize the magnitude of the task of providing for these institutions; for instance, the state hospital at Waterbury consumes 500 loaves of bread and 600 quarts of milk every day in the year, the bread being baked in the hospital kitchen and the milk being produced on the farm. At this hospital we are taking care of from 750 to 800 patients all of the time. It will thus be seen that a considerable expenditure is necessary in properly

maintaining and providing for so large an institution. Under conditions which have existed during the past four years, it has not been feasible to undertake any much-needed construction or substantial repairs; and the amount of money required now for absolutely necessary new construction to meet the needs of this large population constitutes a large item as compared with construction cost of a few years ago. Yet, when you examine the report of the director of state institutions and see what is necessary to take care of the natural growth and development of the hospital, you will recognize that the amount requested for this institution is a modest figure to meet its requirements.

STATE SCHOOL FOR FEEBLE-MINDED

At the state school for feeble-minded at Brandon, remarkable work has been accomplished; but the need for new buildings is greatest at this institution. A day school has achieved excellent results in teaching many children who had not previously learned to read and write. Not all inmates of the institution can be benefited by this day school; but practically every boy and girl at the Brandon school can learn to do much useful work, and skill is promoted by patient and persistent training given to these children through the assignment of tasks for work with their hands. The labor cost of supervising the children has been reduced by provision for amusement and the purchase or local manufacture of inexpensive playthings. If the children are entertained, they are much easier to take care of. The children braid and weave useful and attractive rugs. The girls do mending and plain sewing.

The war interrupted the normal construction program of the school at Brandon so that admission has been denied to many children who would require residence of only a few years at the school to make them self-supporting, and for accommodations for the cases that already are a menace to their communities. A few of the worst cases, for whom adequate facilities do not exist at Brandon, have been taken to the state hospital for treatment. Some of these might well continue to be treated at the state hospital where there is a larger staff of resident physicians, but there should be proper provision for such cases as must remain at the school.

The necessity for increased housing accommodations is pressing, and this legislature should provide for the construction of a new dormitory and the completion of the one now in process of construction.

VERMONT INDUSTRIAL SCHOOL

Some of the pleasantest days during my administration were spent at the state institutions. I am particularly fond of the industrial school at Vergennes. That institution is doing a fine work for the State of Vermont. No Vermonter can visit it without feeling proud of the work that is there being done to train boys and girls, through the formative period of their lives, for useful citizenship. The first consideration at the industrial school, as well as at the other institutions, is the health of the inmates. In so far as a public institution can, Vergennes provides and surrounds each boy and girl with the spirit of the home. The pupils live in cottages, in charge of masters and matrons. The school at the institution provides instruction through all the grades and the equivalent of the first year of high school. On completion of this work, many students attend the city high school in Vergennes, where they have been received with friendliness on the part of the other students and have attained creditable standing in scholarship. A number of these students have gone to institutions of higher learning and have become successful citizens in their communities.

A visitor at the industrial school will see a tin shop in which the boys make tin and galvanized iron utensils for use in our various institutions. The boys have a printing establishment and do some job printing; they do the cobbler work for the shoes at the institution; are employed in all capacities around the farm; and they care for the school herd of prize-winning thoroughbred Ayrshire cattle with splendid interest. The boys also learn plumbing and steam-fitting and assist in the power house and boiler room. The laundry work is done by the pupils at the school. Each year, the girls can large quantities of fruit and vegetables. They do the sewing and mending and, in addition, design and make all of their own clothing. Some of the well-behaved students are allowed to leave the institution during the summer vacation, and many of them have accumulated substantial bank accounts from money earned during this time.

WOMEN'S REFORMATORY AT WINDSOR

The Legislature of 1917 authorized the construction of a women's reformatory at Windsor but, on account of conditions incident to the war, nothing was done during that biennial period. The Legislature of 1919 renewed the appropriation for this purpose. The building has been erected in connection with the state prison; the appropriation has been used; but, owing to the high cost of labor and material, the building is not entirely finished. A small additional appropriation will be necessary for its completion.

STATE'S RELATIONS TO PRISONERS

Splendid success has attended the continued policy of employing prisoners on various work outside the prison walls. Many prisoners are employed at all times, summer and winter, by private parties in and around the village of Windsor. For the past two years, there has been a camp of about thirty prisoners at Sherburne, employed on state highway construction. These men work there under the honor system, which they respect, improve in physical condition and are enabled to send home something of their earnings to their dependents. The men receive market wages for their work, one-third of which goes to the prisoners themselves. The men's share of the earnings amounted to several thousand dollars for each season's work.

The parole method of handling prisoners seems to me to be the best. It should be understood that, when a prisoner is on parole, he is not fully pardoned. He is allowed his liberty in charge of the state probation officer and may be returned by executive warrant, to complete his maximum sentence, at any time prior to the expiration of the parole period, when it appears that he has violated any of the conditions of his parole. I am, however, of the opinion that a person sentenced for felony should not be paroled until he can speak, read, write and understand English of everyday use. I recommend consideration of the indeterminate sentence, so-called. If the indeterminate sentence is not provided for, I would urge a modification of certain laws which will give the courts a wider latitude in sentencing persons for felony, so that there is a longer time between the minimum and maximum sentence. This procedure, when a person is released on parole at the termination of the minimum sentence, provides a longer parole period and what is more important a longer unexpired maximum sentence, which serves as a greater incentive against breach of parole.

FARM PRODUCE AT INSTITUTIONS

Every taxpayer should be interested and pleased to examine the figures with reference to the crop production of all state institutions. There is a farm in connection with each institution which has produced large quantities of the food consumed, thereby saving many thousands of dollars in cost of maintenance. This farm produce, from November, 1919 to November, 1920 at market prices, was valued at over one hundred and twenty-seven thousand dollars. This amount is a conservative figure; and the appraisal is based upon the schedule of the county farm bureau. While we may perhaps express the value in dollars, the real value is in the benefits to all persons at these institutions.

Our institutions are in charge of competent superintendents who, by experience and personality, are thoroughly qualified for their duties. I have the heartiest commendation for the work and tireless energy of the director of state institutions. All expenditures are scrutinized by him and held to the strictest economy. At the same time, he has built up an organization in each institution which insures thoughtful and splendid care of the inmates.

HOUSE OF CORRECTION

I recommended to the last legislature consolidation of the house of correction and the state prison, at Windsor, in order to bring the two institutions under one management. This was done, and the director of state institutions informs me that an annual saving to the State of from \$30,000 to \$35,000 will be made.

The house of correction building at Rutland was not offered for sale immediately after evacuation, because the board of control thought that the site, which is particularly well adapted for a normal school, might be desired by the board of education for that purpose. The board of education has decided not to use it, and the property is still unoccupied and in possession of the State.

EQUALIZATION BOARD

All citizens should bear their fair share of the burden of government. All property, therefore, should be assessed fairly and taxed proportionately once; and no property should be taxed more than once in the same levy.

With the state school and highway taxes and the present direct state tax, we are faced with a condition which always exists under a system of general property taxation, that is the disposition of some towns to make a low assessment of property values and thus escape their fair proportion of state taxes. This works a serious injustice to such other towns as assess property at its fair value according to law. In addition to the general disposition of some towns to make such low assessment, there are frequent occasions when property of large corporate or individual ownership is grossly undervalued, particularly with respect to personal property.

During the past year, such a condition of affairs existing in one town in the State came to the attention of the commissioner of taxes, where the personal property of a corporation was assessed at about one-tenth of the value placed upon it by the corporation itself; and this is a small fraction of the market value. Such a condition is unfair to the other property owners in that town and is manifestly unjust to property owners in other towns, who are thereby required to pay more than their fair proportion of state taxes.

The State is practically powerless under existing laws to correct such abuses, either with respect to towns in general or individual instances in any town. The problem of a just system of taxation is one which is ever with us; and doubtless, while human nature remains as it is, we shall never attain an absolutely fair and equitable scheme which can be carried out in practice. We can, however, make progress in eliminating to some extent the present evils of unequal assessment.

There is no provision in our law for an appeal from the local assessment by any one other than the landowner himself, or by the town agent, under certain circumstances. The commissioner of taxes should be given the right of appeal, either from the valuation as generally made throughout the town or from any individual assessment. He should also be required to investigate with respect to any particular appraisal, upon the written complaint of any reasonable number of other taxpayers in such town. The present method of appeal requires the commissioner of taxes to appoint appraisers. With the right of appeal given to the commissioner, this provision should be eliminated, and a method should be provided for a state board of three members who should constitute an equalization board, or board for re-assessment, to whom such appeals should be taken, whether by an interested landowner, the town agent or the commissioner of taxes.

I do not approve of the creation of additional boards or commissions; and, for the purpose above suggested, there is no necessity for any separate tribunal, as the public service commission is particularly well constituted to take on this additional service. The fact that there is a board in existence, having such power, will have a tendency to eliminate to a great degree the wrongs which we suffer under present conditions.

The commissioner of taxes will call this to your attention more in detail; and I commend his statement for your careful consideration.

EDUCATION

Important among the questions which will engage your attention is our school system. Such action as you may see fit to take should not be the result of passion or prejudice, but should come only after the most exhaustive study and careful deliberation. It should be constructive, rather than destructive, and should be taken in the interests of the whole State, rather than for a particular locality.

Free education is justified in order that children may grow into good and intelligent citizens. That being the object of education by the State, the State might properly cease when that object is accomplished. The curriculum established in our high schools tends to educate children beyond what is necessary to develop them into good and intelligent citizens. The high school curriculum is directed toward such education as will admit students to colleges and other institutions of higher learning. I question the advisability of this kind of training on the part of the State. It is, however, thoroughly established and will undoubtedly be continued; but it should not be allowed to interfere in any way with the primary object of education, which is to prepare a girl or boy, when ready to assume the responsibilities of life, with such knowledge as will have a tendency to make them good citizens, valuable to themselves, their families and the communities in which they live.

One of the fundamental difficulties with the whole matter of education is the inadequacy of salaries paid to our teachers in rural and elementary schools. It is self-evident that we cannot obtain the services of the most competent teachers unless we are ready to offer them compensation equivalent to that which they can receive in other lines of endeavor. Some towns in the State pay their teachers liberally, but the number is few. We must furnish incentive to our young women to take up this line of work if the standard is to be maintained.

I urge generous, whole-hearted measures for the training of teachers. The teacher training courses in our larger schools are performing invaluable service along this line. They should be encouraged and, as fast as possible, extended. Properly fostered, these courses will go far in solving the problem in the rural school.

I believe in the policy of extensive improvement in the rural schools and of increasing their attractiveness in the local communities; and, further, in a system which enables the rural student to acquire in his own neighborhood the education suitable for his needs. And, in connection with the agitation for the return of the "little red schoolhouse," I would call attention to Section 1232 of the General Laws, which provides that three or more residents of any community having five or more pupils who desire an elementary school in that community may petition the selectmen of a town, who shall call a special district meeting; and the question of establishing such a school shall be decided by a majority of the voters at such meeting. Any town can have as many of the so-called "red schoolhouses" as the voters of the town, or school district, may see fit to establish.

The normal school question will come before you; and, in that connection, let me suggest that it is wholly up to the legislature to determine the number and character of normal schools which the State shall establish. You should, however, consider carefully how the State can attain the best results in the way of normal school education with the funds available for that purpose. My own notion is that one central normal school, independent of any other institution, equipped to prepare teachers for the elementary and rural schools is the greatest need at the present time and is the school that will give the State as a whole the greatest benefit.

AGRICULTURAL SCHOOLS

Two years ago I suggested to the General Assembly that it consolidate the agricultural schools. During the session, a committee of the legislature took this matter under consideration, visited both schools and, as a result of their recommendations, the legislature felt that it was unwise to take such action at that time. Since then, every one having any knowledge of conditions with respect to the agricultural schools, except possibly those who have some peculiar interest in one or the other, has come to the conclusion that it is extremely unwise and inexpedient to continue both institutions. I would, therefore, call your attention to this question with the recommendation that the operation of the Vail school should be discontinued, unless we are prepared to expend an amount of money that is entirely beyond the value of the institution to the State.

NATIONAL GUARD AND ARMORIES

Upon the return of the soldiers to civil life the Vermont Volunteer Militia, which had been organized and maintained during the war as an emergency force, was demobilized and the reorganization of the National Guard under the National Defense Act was begun at once. In this work Vermont has maintained a steady, healthy growth until we now have a force of over 600 men fully organized, armed and equipped, all the line troops being officered by ex-service men. In reorganization of the National Guard, Vermont has at all times been well in the lead of the other states.

The National Defense Act requires that states shall, by July 1, 1921, organize and maintain 200 men per representative and senator in Congress and that this number shall be increased by 50% each year until it reaches a maximum of 800 men per member, or for Vermont, 3200 troops. The National Government is recognizing as never before the necessity and importance of its National Guard; and the state should be ready to aid in every way in raising and maintaining this force. Vermont has always been a leader in making provision for the care of her soldiers in time of war and she should do her part in the movement to safeguard America against drifting into such a state of unpreparedness as, in the past, a declaration of war has found this Country.

The Government has assumed the expense of arming, equipping and training a civilian army; but it rests upon the state to provide suitable armories and storage for the equipment furnished. The best military training we can have is voluntary. Make military training attractive to young men by giving them good armories, good

equipment and my fostering the military spirit. That is why we have had good results in the past and it is the way we can continue to maintain a good standing army.

It is the policy of Vermont to establish armories in towns where companies of the National Guard are maintained. The amount of the appropriation for an armory, \$35,000, is too small to build an armory in these times. That appropriation should be increased to \$50,000.

RUTLAND ARMORY

At the time the contract for erecting the armory at Rutland was executed, the question of labor was somewhat uncertain; and, in making the contract for the construction of a building approved by the board of armory commissioners and the City of Rutland, it became necessary to assure the contractors that, if the price of labor employed on the building should increase, the contract price should be increased accordingly. The city had contributed towards the armory the site, valued at \$15,000, and \$100,000 in money. The appropriation by the State was limited to \$35,000. In justice to the State, and to the city which had made such a generous contribution, and on account of the demands of the National Guard, it seemed to me that the work should go forward; and I, therefore, became personally responsible for whatever the building might cost on account of increased price of labor in excess of the appropriations. Until the building is completed, it will not be possible to say definitely what, if any, the excess may amount to; but it will be very small, a few thousand dollars at the outside. The amount will doubtless be ascertained before the legislature adjourns; and, as soon as it is known, it is my purpose to submit the whole matter to the legislature, through its committee on military affairs, for such action as may be deemed proper.

ACCOUNTING

Under the system of state accounting which has been followed from time immemorial, advances of state funds to a very large amount were continually being made to state officials, which advances were to be accounted for later by receipted bills paid or the return of a cash balance. State officials receiving public money, have in the past made payments on account of state expenses from that money, accounting in the end to the auditor. This plan of doing business has subjected us in the past to much criticism and has caused us trouble.

The last session of the legislature authorized a change in our plan of accounting and our method of handling state funds which requires all state money to be received and disbursed by the state treasurer, with the exception of small advances made to state institutions to establish a petty cash account with which to pay express, postage and so forth, and an advance to pay the militia at Camp Devens at the end of their service period, thus meeting in that particular respect the plan of payment adopted by the Federal Government. Bills, when audited, are certified to the treasurer's office and payment from that office is made direct to the payee. The present system is similar to that in effect in the operations of any large business; and, after having tried it for a year and a half, we find that it is feasible and satisfactory. No one having to do with this branch of state business would consider going back to the old plan.

FINANCES

Two years ago the legislature provided a state tax of 40 cents on the dollar, to make up an expected deficit in meeting our obligations.

Under the plan of financing which we have followed for some years, and estimate of receipts and expenditures is made and the budget committee recommends appropriations which the committee believes will be sufficient to meet the requirements of various state activities, which recommendations are generally followed by the legislature. Against the appropriations made by the legislature and other appropriations which continue from year to year without special legislation are placed the receipts which go by law for these specific purposes and the estimated revenues for the current year.

If the amounts appropriated are paid out and the receipts and estimated revenues are insufficient to meet such payments, a deficit will exist. But, as a matter of fact, appropriations are not all expended within the period for which they are made; and if we provide for such requirements a long time in advance, we carry a

large cash balance in the treasury when all we need is a good working balance with authority given to the treasurer, upon approval by the board of control, to borrow if occasion requires.

Some figures which the auditor of accounts has prepared will demonstrate that the plan under which we have been working is unwise:

There is in the state treasury:

Cash on hand, July 1, 1920		\$1,965,000
Received from various sources of state revenue, July 1 to December 1	\$2,575,000	
Expended during same period.....	<u>2,316,000</u>	
Excess of receipt		<u>359,000</u>
Cash on hand, December 1, 1920		\$2,324,000

It is estimated that we shall receive from

December 1, 1920 to July 1, 1921	\$2,232,000
Estimated expenses, same period.....	<u>1,996,000</u>

Excess of receipt 266,000

Which will leave cash on hand, July 1, 1921.....\$2,590,000

The state tax of 40 cents for the two years ending June 30,
1921 amounts to (about).....2,000,000

so that without this state tax there would have been at all
times during the biennial period a working
balance of cash on hand of more than.....500,000

I believe it would be of more benefit to the State if at
least \$2,000,000 of this money were in the
pockets of its citizens.

The cash balance on hand December 1, 1920 of2,324,000
is invested in U.S. Certificates to the amount of.....800,000
and the balance is placed indifferent banks in this State and
in New York and Boston, drawing 2% interest.

I have authorized the purchase by the State treasurer of
\$2,350,000 U.S. Certificates, drawing 5% interest, or more.
With \$2,500,000 of cash in our State treasury, the State ought
to carry at least \$2,000,000 of these certificates, rather than to
place the money in banks, drawing 2% interest.

I wish to suggest to the legislature objects for which this surplus may properly be expended:

Construct a new receiving ward and dining
room at the state hospital costing perhaps250,000

New construction at the Brandon school to cost.....200,000

Now that practically all state departments are
concentrated here at Montpelier we are sadly in need of a
new office building.

We might acquire the land west of the capitol
grounds on State Street and erect there an office
building similar to the Supreme court building to cost,
say250,000

A central normal school, to cost300,000

Two garages located at different points in the State, convenient for storage and repair of State motor trucks, to cost \$25,000 each 50,000

Also we could buy200,000
of our Vermont State bonds and create an insurance sinking fund as recommended by the budget committee and discontinue the annual payment of about \$15,000 in insurance premiums.

All these improvements to our state property are needed and could be made out of this surplus now on hand; and at the same time we can go on for the next biennium without any state tax at all.

SALARIES

Inflation of the currency of the United States and, consequently, the decrease in the purchasing power of the dollar is primarily responsible for the increase in wages in this Country. We are now facing an increase in the value of the dollar, measured by commodities and, consequently, a decrease in wages. This, therefore, may not be an opportune time for suggesting increases in salaries of state officials. Nevertheless, I wish to call your attention to the salaries paid to many of our state department heads and to our superior and supreme court judges.

In the early days of our existence as a State, the duties required of state officials took but a small portion of their time and, being rendered as a public service, it was not expected that any incumbent of a state office should receive a material salary for his services. As we have progressed, the duties have increased to such a degree that the organization necessary for the proper conduct of governmental affairs of the State is as important as that of any other business of similar magnitude and requires the entire time and effort of state officers. Further than this, the responsibilities attached to the various departments have increased as the volume of business has increased. On the other hand, while salaries have been increased somewhat, they have not kept pace with the increased cost of living, nor are they adequate for the services rendered and the responsibilities assumed. A private business would not expect to acquire the services of men competent to handle affairs of such importance as the heads of state departments have in their charge, for any such compensation as that paid by the State. While we have been extremely fortunate in having efficient, loyal and competent public servants, it has been because these officials were willing to make personal sacrifices in order that they might carry on some kind of work in which they were especially interested, or for public benefit.

I desire particularly to call your attention to the inadequacy of the salaries paid to our judges. If we are to maintain the high standard of our judiciary, of which we have always been so proud, we must make suitable provision, not only for adequate compensation for their services, but also for a proper pension when time or circumstances force them to retire.

We are often inclined to economize in small matters which frequently work against the best interests of the State and to be lavish in appropriations for private or quasi-public enterprises, sometimes of questionable value, which could with all propriety be eliminated as state activities. I believe that a substantial increase in the salaries of state official could be made at an annual expense not to exceed \$50,000 and that this amount could easily be offset by eliminating unnecessary appropriations.

BOARD OF CONTROL

The board of control has thoroughly justified the wisdom of the action of the legislature in creating it. It has been a potent force in keeping the business of the State well in hand at all times, and the cooperation between the various departments has resulted in checking state expenses as well as coordinating the various state activities.

CONSTITUTIONAL AMENDMENTS

You will have before you at this session of the legislature the proposed constitutional amendments. Let me impress upon you the importance of this matter, as the result of your deliberations may be to change the organic

law of the State, which should never be done lightly or without the most serious reflection. Under no circumstances, do I believe that we should remove any safeguards with which our Constitution is surrounded, or permit it to be changed without the sanction of the people, in the manner expressly provided therein.

Ours is a government of laws, not of men, and one of the finest things in our system is the way in which a man takes office and, at the end of his tenure, retires to private life. Every two years we elect one of our citizens to the office of chief executive. The man so elected comes before you and, upon taking the oath, is installed in his office, clothed with its power and authority and charged with its responsibilities. To a large degree he drops his personality and becomes the representative of the State, its government, its laws, its people. He is thereafter continually in the public eye. The responsibilities resting upon him are great. He is called upon to make decisions when his own judgment does not always coincide with what may, for the time being, appear to be the popular desire; and yet he must and should act according to his own convictions, accepting full responsibility in all such matters, believing that time will justify his actions.

The standard by which his record is measured is different from that applied to other men. It is the crucial measure of service, written upon the pages of the history of the State, by which in the end the public estimates him. By that record of service the man may be known long after his personality is forgotten. When he lays down the duties of his office and retires again to private life, if it be with a consciousness of having given to the State the best service within his power to render, he takes with him a clear conscience; and it is enough.

PERCIVAL W. CLEMENT,
Governor.

The Governor, having concluded the reading of his message, withdrew, and the Joint Assembly dissolved.

HARRY A. BLACK
Secretary of State, Clerk.

Farewell address

of

Deane C. Davis

As it appears in the

Journal

of the

Joint Assembly.

1973

Thursday, January 4, 1973

Farewell Address

RETIRING MESSAGE

Mr. President, thank you so very much for those extremely generous words. Speaker Kennedy, President Pro Tem Janeway, Governor elect Salmon and Mrs. Salmon, and all of the members of this distinguished Joint Assembly and your guests, here today.

Under a well established tradition 71 Governors have stood at the legislative rostrum in Vermont, to mark the end of their administrations. I am sure all of these have done so with nostalgia and a certain amount of regret. I am no exception. These four years have broadened my knowledge and my appreciation of the qualities which mark Vermont living as something very special indeed. To be involved with you in the mainstream of action has been a priceless privilege and I thank you for the courtesies which you have so generously extended to me and for the help which you have so often given.

Today, I would like to spend the short time that I have to address you sharing with you some of my thoughts on where we are today in Vermont, and what seems to be ahead.

Four years ago I came into office with a strong conviction that the most important issue in the state of Vermont, at this time, was building for a sound solid foundation for its fiscal affairs. Part of that need would be expressed in some reorganization of the administrative branch. As time went on I came to realize that these problems were only a symptom of a much greater challenge: the challenge to preserve as much as possible of what we loosely call the Vermont quality of life.

What is the Vermont quality of life? Can we describe it? Can we agree on it? Is it a physical thing? Open spaces, friendly hills, wooded terrain, gurgling brooks, solitude of woods, lakes and streams? Or is it an attitude of mind?

No, I do not believe we can fully define it – nor can we wholly agree on it. But we can sense it. And we feel it, we can join together to preserve it, at least substantial parts of it that do exist. It is partly a thing of history. The history of young men and women from Connecticut, Massachusetts, New York and Pennsylvania. All who saw the ownership of land as the indispensable condition by which first class citizenship was to be obtained.

Those early Vermont settlers, coming as they did by ox team, on horseback, on foot, and occasionally by canoe, even then did not cluster together. They settled on lands widely separated. As a Connecticut school child, who had visited in the summer once wrote, “Vermont is a place where the trees grow close together and the people live far apart.” These early Vermonters achieved the mastery that comes from conquering their own problems. They taught their sons and daughters to be self-reliant, to worship God, and to be always truthful.

And yet, these self-reliant Vermonters had a strong sense of duty to their neighbors. They helped raise each others’ houses and barns, they “changed works” and they did the neighbors’ chores when sickness or death struck. And this neighborly spirit became an integral part of Vermont life and passed on from generation to generation. Vermonters lived frugally, they paid their bills, but they had a strong sense of social and community responsibility. And social service was something you were obligated to perform, not something you had a right to receive.

Their attitude toward the local and state governments they created reflects their attitude toward life and the kind of character they respected. They believed that government was necessary – but only for those things that individuals and neighbors couldn’t do. The closer they could keep their government to themselves, the better government it would be. Then Vermont passed from the pioneer days to the agricultural era and this, too, fostered the same qualities of life and character.

It was not many years ago that Vermont was a state everyone wanted to visit but where few chose to live. As many traditional industries declined an out-migration of people continued, we grasped at such slogans as “See Vermont” and “The Beckoning Country.” These slogans reflected more of an action than they did an

agreement upon goals of a free people. We were begging people to come to Vermont in the belief that sheer numbers would solve our problems.

Then during the 1960's, as we are so well aware, the tables began to turn. Suddenly Vermont was no longer perceived as simply a beautiful pastoral state, fun to visit but a hard scrabble place in which to live. No longer poor, yet still retaining so many qualities of life which other states have lost, Vermont today is being subjected to population growth, changing land use, and mass consumption never known before.

In the early sixties the excitement and optimism engendered by all this new activity and growth spread rapidly and people began to ask for change; for change in government and for new ideas. The Legislature responded and with high hopes moved into a whole new series of open-ended programs.

By the late '60's the future costs of these programs began to become apparent and a reaction set in. We were not paying our bills. We were spending more than our income. The reasons were not hard to find. We aspired to a level of public service equal to those of our more wealthy neighbor states to the south and west. We had let ourselves become locked into programs, both state and federal, which, excellent as they were, obligated an ever increasing share of our state revenues.

Four years ago, our goal was to reestablish a balanced budget as a basic and fundamental principle of good government. To do so required the imposition of an unpopular tax and adherence to a philosophy of budget control that sets a definite limit to what could be appropriated or spent. What was that limit? First, it was the establishment of the basic principle that if you are going to spend money you first have to raise the taxes to pay for it and, second, the outside limit of spending should be measured by the annual growth in receipts from present sources of taxation resulting from annual growth in Vermont's Gross Product. In government there is no better test for the propriety of an expenditure than our willingness to pay for it. We have lived rigidly by those limits these past four years.

It will be noticed that this administration, during the last four years, has not recommended to the legislature one single major new program calling for substantial expenditures.

Why, then, has the dollar cost of government continued to rise so fast? The answer is quite simple. It has four parts to it. First, inflation accounts for 20% of that rise.

Second, the increased amount of funds contributed to the towns over the four years.

Third, the natural growth resulting from increased population and the consequent increased number of beneficiaries eligible for state services.

Fourth, and most importantly, the automatic expansion resulting from the open-ended nature of the major social programs such as welfare and education.

During these four years we have taken major steps looking toward reorganization of the administrative branch of state government. There is more to be done. I believe it is timely for me to emphasize to you again, my strong and continued belief in the positive effects of reorganization. Our government structure, with its built-in duplication and intentional decentralization, was a remnant of our historic past when fear and tyranny, as it existed both in New York State and England, caused our forefathers to design a government over which no single man or group of men could gain control. The realization – four years ago – that we now had more to fear from an unmanageable, unaccountable, massive governmental bureaucracy than from external tyranny, led us to reorganization. The bringing together of related department, the introduction of indicators of success in our budget process, and the creation of a cabinet does not solve every problem, but it does provide the means of doing a better job at less cost than we could otherwise expect.

The third major goal of my administration which emerged in 1969 was the preservation and enhancement of Vermont's environment. I think it is eternally to the credit of the Legislature that Vermont acted promptly and forcefully to inaugurate what has been described by many experts as the most sophisticated and forward looking environmental control measures yet enacted by any state in this country. We have acted while we still have so much to preserve and protect.

Though the job is far from finished, we can be proud even that today our streams are cleaner, our air clearer and our roadsides less cluttered. Simple achievements, yet unmatched anywhere in America.

But, as I look back I realize that my early perception of state government and the needs of Vermont did not go clear to the root of the problem. Progress toward reorganization, fiscal responsibility and environmental control is only the foundation upon which we now stand as we confront the fundamental question: How shall we preserve the Vermont way of life? In the past four years we Vermonters have developed a sense of awareness of what is happening in our state and I believe we have, for the first time in years, developed a real and positive sense of direction. This, above all else, I believe is the greatest achievement of the past four years.

In 1970 the Legislature was aware that in the 20 years between 1950 and 1970 the population of Vermont grew more than in the entire century between 1850 and 1950. In 1970 the rate of growth was still accelerating. From 1970 until 1990, we know Vermont will have to accommodate at least 184,000 new residents, a number equal to the present combined populations of Chittenden, Grand Isle, Franklin, Lamoille and most of Addison Counties. Certain fundamental questions arise:

Where will these people live?

How will they support themselves or be supported?

Where will we build their schools and highways and health facilities and sewage plants?

What will happen to taxes?

Will we be able to continue to freely hunt our woods, fish our streams, roam our winter countryside and enjoy our lakes and mountains?

Will there be the same rate of growth among the 4,000,000 visitors that now come annually to the state?

How about the increasing number of families that now make a second home in Vermont?

Will we become an extended suburb of Boston, New York and Montreal?

How can the people of Vermont provide for coordinated, efficient and economic development of the state in a period of such sweeping change?

When the General Assembly passed Act 250 in 1970, it was responding to those questions, which were brought to its attention by the troubles of towns in Vermont first exposed to the effects of rapid and unplanned development; steeply rising land values from land speculation; matching tax increase as service demands followed sub-division and development; the inability of farms and small business to bear the tax increases; the overloading of roads and schools and other town services to the point of disruption of the community.

The questions were addressed in Act 250, which directed the Environmental Board to adopt and the Governor to approve for submission to the Legislature a Capability and Development plan. Consider, if you will, your mandate to the board and me:

“The board shall adopt a capability and development plan consistent with the interim land capability plan which shall be made with general purpose of guiding and accomplishing a coordinated, efficient and economic development of the state, which will in accordance with present and future needs and resources, best promote the health, safety, order, convenience, prosperity and welfare of the inhabitants, as well as efficiency and economy in the process of development, including but not limited to, such distribution of population and of the uses of the land for urbanization, trade, industry, habitation, recreations, agriculture, forestry, and other uses as will tend to create conditions favorable to transportation, health, safety, civic activities and educational and cultural opportunities, reduce the wastes of financial and human resources which result from either excessive congestion or excessive scattering of population and tend toward an efficient and economic utilization of drainage, sanitary and other facilities and resources and the conservation and production of the supply of food, water and minerals.”

I have thus far avoided making specific recommendations to you this morning, for I feel that is the duty and responsibility of the new Governor. But I shall make an exception with regard to the Capability and

Development Plan, for I have been able to fulfill your mandate to me only on the eve of my departure from office. The Plan I signed yesterday is of such fundamental, paramount importance that I would like to discuss it with you briefly.

This plan, in the form in which it was originally cast, and prior to approval by the Governor or the State Environmental Board, was printed and widely distributed. It was sent to some 160,000 households across the state. Public hearings were held in which large numbers of the public expressed their opinions. Careful records were kept.

Since it completed its public hearings in early December, I have remained in close touch with the Board to assure myself that, in the process of redrafting the Plan, the many sound and practical suggestions by Vermonters were taken fully into account and included wherever possible. The completely revised Capability and Development Plan you will have before you is a product of that careful review and revision of the Board's first draft.

As you will see, some of the major changes made by the Board following its public hearings include the following:

First: The Board is presenting at this time only the redrafted Capability and Development Plan and will defer the revision of the Section 20 Land Use Plan and Map. The Board will take into account the General Assembly's consideration of and action on the revised Section 19 Plan, and will also refine the information necessary for an accurate and practical Map. Pending legislative adoption of the Section 19 Plan, the Board has also decided to drop any provision in this Plan for State "certification" control over local and regional planning efforts.

Secondly: The Board has revised the Plan to re-emphasize the importance to Vermonters of better job opportunities as well as the fundamental goal of conserving our irreplaceable scenic beauty and natural resources.

Third: The Plan has been completely re-structured, unnecessary and repetitive language has been eliminated, and its two distinct and separate functions made clearer: first, it provides policy guidelines to, and not control of, local and regional land use planning and regulation, and second, specific criteria are provided for district environmental commissions in their consideration of permits for those substantial developments which are subject to Act 250.

Now before you, reworked and revised after the public hearings and as adopted by the Environmental Board and signed by me, what does this Capability and Development Plan do?

First: It provides the groundwork for the preparation of the Vermont Land Use Plan, by a cooperative effort on state, regional and local levels, and gives to local and regional planning commissions the broad guidelines for a consistent and practical program of land use and resource conservation.

Secondly: It recognizes the vital state-wide concern with the proper conservation of certain specified irreplaceable natural resources, such as our highly productive farm soils, our flood plains and higher elevations, our running waters and game habitats, and our mineral and forest resources.

Third: It also recognizes that the development and conservation of the great majority of our Vermont lands is primarily of regional and local concern, and thus can best be planned for and controlled by our towns and regions aided by the guidelines of this Plan, using local and regional planning implemented by local zoning and subdivision ordinances.

Fourth: It provides the necessary planning framework for guiding the patterns of development and settlement of our state, to insure that, when growth does come to our towns and cities, we can retain our traditional Vermont communities free of sprawl and exploitation, and that our rural towns, in particular, may deal with growth without the now too familiar crushing increases in demands for services and the following doubling and doubling again of the tax burden on our undeveloped lands, by real estate property tax.

The opposition to the original draft was substantial. The changes in the present draft will soften that opposition but will not eliminate it. As one who grew up on the land in the heyday of an agricultural society, I think I understand that opposition, for I have an emotional sympathy with it.

I wish it were possible for us to go back to the days of the 20's and the 30's in Vermont. It was a glorious time as I look backward. But the clock will not turn back. Change is our destiny. I have spend a good part of the last four years pondering what change means to Vermont and what we can and should do to control it lest it control and overwhelm us.

The respective rights of individuals and of the public in and to land has been the concern of the law and of society for generations. The balance has altered from generation to generation. But one thing is clear – these decisions could not, should not and were not made in a vacuum – they must be made with a view to the actual existing conditions. As one who has lived his whole life in Vermont, I can say to you with deep conviction; the land upon which the life cycle depends, which produces the forest growth from which the very air we breathe is generated, must be protected if we are to sustain the Vermont quality of life. This proposed plan approved by the Board, which I have signed, is an honest attempt to provide the indispensable guidelines to town and district planning commissions, regional development boards, municipalities, developers, builders and all who will have a part in molding the future of Vermont. Change it, amend it, or modify it if you will. Improve it where you can – but pass it in some form that truly meets the objectives which you laid down in the mandate of Section 19. We must not lose the momentum which has already accomplished so much toward saving for our children the values which we call the Vermont quality of life.

At this point I should like to wish all of the members of this Joint Assembly, all of those who are here in the room that have any responsibilities to state government, one way or another, a most happy and successful new year; a constructive new year.

Governor elect Tom and Mrs. Salmon, I suspect he knows he's about to take over, but do you know that it is the most lonesome job in the state of Vermont. I wish for you Tom every success, and I will help you every way I can for the State we love.

On that note, it is time at last for me to step down from this rostrum and the office I have been so honored to hold.

Thank you from the bottom of my heart for having the priceless privilege of being with you, working with you, during these four years.

REMARKS BY THE CHAIR

Governor Deane, Thank you for the last four years. Thank you for a lifetime of service to Vermont, and may God be with you and Marjorie.

DISSOLUTION

The Governor was escorted to the Executive Chamber by the Committee appointed by the Chair.

The Joint Assembly dissolved.

RICHARD C. THOMAS
Secretary of State, Clerk

Farewell address

of

Howard Dean

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

2003

Farewell Address

Governor Dean then presented the following remarks.

“Thank you.

“This is something that I’ve wanted to do for a long time, and that’s to give a speech without a written text. I don’t like to speak from a written text, but every time that I’ve come before you other than for end of the session speeches, which usually are at three o’clock in the morning, I’ve had to speak from a written text. So who knows what may happen. But I cannot resist -even though what should be a very solemn occasion, and it is one - passing on a remark that the Speaker, who I congratulated on his newly re-elected position, passed on to me as we got here. He said, “You know, Governor, this reminds me of something that you said to me last year at this time, which is that they always clap the most when you’re going out.”

“Twenty years ago, to this day, I was right over here in seat number 26 with Bob Harris on one side and Gino Sassi on the other, and there are not a whole lot of people here who remember Gino and Bob, and they were great people, and I learned a lot. I just want to first say, that those of you who are new to this body are about to come into an extraordinary experience, because the legislative body is a place where you learn an enormous amount about Vermont and where you really do give back to the people who sent you here. It’s a huge honor, and it’s also an enormous amount of fun. It brings up, in my mind, what an extraordinary thing having a citizen legislature is. A citizen legislature is about people who do their job in the legislature part-time, then go home and do their other job part-time as well. It has a wonderfully refreshing effect on democracy, because you have to live with the laws that you pass. I’ve always believed that this country would be better off if every legislature were a citizen legislature. And, this state is better off because of it. I congratulate you. I thank you for the very, very, hard work that you’re about to do.

“One of the things that’s important as a citizen legislature is that you will make friends, and you will make friends, I hope, across the aisle. Some of your close friends will be of the opposite party than you are, because the people sent us here not because we were Republicans or Democrats; they sent us here because we’re Vermonters, and we’re Vermonters above all else. In that spirit, I want to urge you to join me in supporting Governor-elect Douglas, because it is in our best interest as Vermonters that Jim Douglas have a most successful Governorship. And I intend to do my part to make sure that he could. Jim, please stand and be recognized.

“I have a lot of “thank you’s”, and I hope you’ll bear with me.

“The first thank you I want to say, and it also pertains to those of you who are sitting in this chamber, particularly for the first time. Politics is a business where we need to go out and convince people that they ought to vote for us. So, we tend to emphasize all the things that we have done as individuals that require people now to vote for us in exchange. But, the truth is that not one of us - not me, not you, not any elected official - ever accomplishes anything by oneself. And, for the eleven and a half years that I’ve been extraordinarily privileged to serve you and the things that I’m most proud of - fiscal discipline, health insurance for all kids under 18, kids’ prevention programs, conservation of hundreds of thousands of acres, all these things – state buildings and downtowns – all these things were done with lots of help. The first people I want to thank are the extraordinary people in the administration - Secretaries, deputies, commissioners, deputy commissioners and particularly the staff on the fifth floor. And, I’d like to ask them to rise, and I thank them very, very much.

“I also want to thank a group of people who never get enough credit, because we’re always tempted to blame faceless people in the bureaucracy when things don’t go well. But the truth is that not one implementation of any bill which is ever passed by you or signed by me would ever be done if it were not for the roughly 7,500 people that worked for us as salaried employees. I would like to ask all state employees in this building to stand up and be thanked for eleven and a half years by me and all of us who owe you so much for delivering on the things we’ve been asked to do.

“Finally, on a very personal – actually not quite finally – on a very personal note, I think only Jim Douglas will know why, and he won’t know this for a while, but he’s beginning to learn it now, will know why I’m about to thank the next group of people. Because there’s one group of people that spends more time with me,

that are state employees, than anybody else, and they have a serious charge – and worked very, very hard – I would like to thank all the members of the State Police detail who have been with me for eleven and a half years. Please rise, past and present. Thank you very much.

“I have two more thank you’s.

“The first is – that I would be remiss if I did not thank a man who has given a great deal of his career to the people of this state, who is a committed idealist, a hard-working person, someone that I owe a great deal and I think that every person in this state owes a great deal to. I would like to ask Lieutenant Governor Doug Racine to stand and be recognized and thanked.

“Lastly, the most important thank you. This is a thank you to the people of the State of Vermont. You have sustained me and supported me through some very, very difficult times and some very wonderful times. You have allowed me to be in the greatest job in the State of Vermont longer than anybody else in 200 years. I cannot tell you how grateful I am. Many of the ideas that we have put forward, that you have passed, have come from you. They’ve come from conversations in general stores and in hockey rinks. They’ve come from general conversations on main streets. Every year after the Legislature closed, I used to go on a tour of Vermont - election year or no election year. And, over that next month of two I just listened to ordinary Vermonters telling me their stories, telling me their hopes, telling me their dreams, telling me their sorrows. And out of that would come most of the legislative agenda for the following year. This is the people’s House, and I’ve been very, very proud to be able to start my government service in this House, and I’m very, very grateful to the people of this state who allowed me to stay here for 20 years. I deeply thank the voters and the people of this state.

“The exercise that we begin today, with the election of officers, and tomorrow the election of the Governor, is an extraordinary process which is a relatively new process in modern history - the peaceful transfer of power between two unrelated individuals, and in this case, between different parties. We are extraordinarily lucky to live in a country where this exists, and we too often take it for granted. In Vermont it is a particularly extraordinary ritual because of the extraordinary state that Vermont is. We are in many ways unique. We have a citizen legislature, we have growing diversity, we have a sense of community that many other states never have except when tragedy strikes. And yet we have it every day. I ask you to remember, as you continue in your public careers here in Vermont, how lucky we are. How lucky we are that we live in a state where you can have a big argument with somebody at town meeting over the school budget; and three days later, if their barn burns down, you are there with a covered dish. We live in an extraordinary society because we deeply value each other as human beings. I think that Vermont is the way that America ought to be. America would be a stronger country if we valued each other as human beings more. America would be a stronger country if we admitted that we were dependent on each other, and that we were responsible for each other and that we were connected to each other. Every human being, whether we like them or not, we are connected to, and we have a obligation to, as fellow Americans and as fellow human beings.

“I have been so proud, and so privileged, and so honored to serve as Governor of a state where, at our core belief of who we are, we believe that. Whether we are Republicans, or whether we are Democrats, or whether we are Progressives, or whether we are Independents, we believe that. There are friendships that you will make in this body and beyond as your careers prosper that will remind you every day that it is important who somebody is, not what they are. We can set an example for the rest of this country, because these are values that used to be very American, and we’re starting to lose them.

“As the middle class gets more and more pressed by a more and more global society, more and more difficult society economically, what I have tried to do in Vermont, above all, is to build what I call a middle class safety net. So that two wage earners in a family, who often may hold three jobs, working hard to make ends meet may someday hope that their kids will be able to go to college just as we were. This is the first generation where we are facing, where it’s more difficult for parents to pay for college than it was for my parents’ generation, and we can do better. You have in this room, over the last twenty years that I have served, made sure that that was fixed in Vermont. With your generous support of higher education, your generous insistence and support of VSAC, the things that you have done – this is a Legislature with a heart. I mean that

about all Legislators - Republican, Democrat, Independent and Progressive - because I know. I tried to push back on the budget. It didn't matter who was in control; you still wanted to support all those programs. But I salute you for that. I do want you to be fiscally conservative. I think Jim will be fiscally conservative. I want him to succeed, and I want you to pay attention to what he says. But I am proud in a way – although we had fights about the budget and how much money we were spending – I am proud because what was in your hearts at those times was supporting the people who sent you here. A recognition of how tough it is to make a living and how difficult the circumstances can be to send kids to college and to hope that your kids do better than you did. That's not the case everywhere in America. There are an awful lot of legislators that forget who sent them here. There are an awful lot of people in government who have forgotten how tough it is to make a living. And as long as Vermont believes in the values that you hold today, strong rural values of community, where we truly believe that all of us are responsible to each other, this state will continue to be a great and wonderful state, and my job, that I've had for the last eleven and a half years, will continue to be the greatest job in Vermont.

“Thank you very, very much.”

Dissolution

The Governor, having completed the reading of his farewell message, was escorted from the Hall by the Committee appointed by the Chair.

Thereupon, the Joint Assembly dissolved.

DAVID A. GIBSON
Secretary of the Senate
Clerk of the Joint Assembly

Farewell address
of
William P. Dillingham
As it appears in the
Journal
of the
Joint Assembly.

1890

Thursday, October 2, 1890

Farewell Address

GENTLEMEN OF THE GENERAL ASSEMBLY:

Inasmuch as the constitution requires the incoming governor to prepare and lay before the general assembly such business as may appear to him to be necessary, I have thought best in the valedictory message to confine myself to a discussion of the operation of such past legislation as bade fair to be of unusual importance to the State, was somewhat experimental in its character, and whose workings I have watched with warm interest and had opportunity to judge. I shall, however, omit any reference to the Vermont State Asylum for the Insane, now in process of construction at Waterbury, for the reason that by the terms of the act authorizing its erection I was made, *ex-officio*, a member of the board of trustees, and, having acted with them and joined in their report to this honorable body, I prefer that my successor shall speak of the institution and its needs as they represent themselves to his judgment.

DEAF AND DUMB, BLIND, AND FEELBE MINDED CHILDREN.

During the years 1889 and 1890 the State has expended in the education of the deaf and dumb, the blind, and the feeble minded the sum of \$12,627.13. Every application made by indigent parents for the education of children belonging to any one of these classes has been granted under the conditions imposed by statute, and it is creditable to the State that the general appropriation for beneficiaries generously exceeds the amount annually required for their support at the various institutions.

The expenses for beneficiaries in detail are as follows:

American Asylum for the Deaf and Dumb, Hartford, Conn.

School year 1888 – 89, 15 pupils-----	\$2,678 42
School year 1889 – 90, 12 pupils-----	2,145 73

	\$4,824 15

Clarke Institution for Deaf Mutes, Northampton, Mass.

School year 1888 – 89, 3 pupils -----	\$525 00
School year 1889 – 90, 3 pupils -----	494 38

	\$1,019 38

Perkins Institute for the Blind, South Boston, Mass.

School year ended October 1, 1889, 10 pupils -----	\$2,848 80
School year ended October 1, 1890, 9 pupils -----	2,707 80

	\$5,548 60

Massachusetts School for the Feeble Minded, Boston, Mass.

School year ended September 30, 1889, 1 pupil -----	\$300 00
School year ended September 30, 1890, 2 pupils -----	335 85

	\$635 83

Blind Instructed within the State.

M. W. Farman, Westfield, 1888 – 90 -----	\$ 525 00
Total expenses of all beneficiaries during the terms indicated -----	\$12,552 96

AGRICULTURAL COLLEGE FUND.

I have recently received a communication from Hon. John W. Noble, secretary of the interior, calling my attention to an act of congress approved August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of congress, approved July second, eighteen hundred and sixty-two."

It appears by the report upon the same, made by the commissioner of education, that, though passed and approved subsequent to the close of the fiscal year 1890, the act appropriates to each State complying with certain conditions the sum of fifteen thousand dollars for the year ending June 30, 1890, and increased amounts for each subsequent year, the money appropriated thereby to be applied to the support in each State and territory of one college of agriculture and the mechanic arts, provided no distinction of race or color is made in the admission of students thereto, and that the first comptroller of the treasury has decided that the installment of the fiscal year 1890, and that also for 1891, are now due and payable to each State that is entitled to receive the same, which installments amount to thirty-one thousand dollars.

Inasmuch as Vermont, through its legislature, accepted the terms of the grant of 1862 and has since maintained a college of agriculture and the mechanic arts which has received the benefit of said act, and as the State is therefore entitled to the appropriations made under the act of 1890, I have, in response to the request of the secretary of the interior, furnished him with the requisite proofs, and, as authorized by the act, have assented in behalf of the State to the purposes of said grants and have directed the installments of the appropriations, now due, to be paid to the State treasurer.

Since the transmission of the proofs I have received no communication from the Secretary and can not, of course, say that the same will be received as completed evidence of the right of Vermont to the payment of the installments now due, but I have no reason to doubt that they will be paid to the treasurer of the State at no distant day. In the event of no further State legislation upon this subject, these installments of said appropriations, and those to follow in the future, will undoubtedly go to the University of Vermont and State Agricultural College under the provisions of its charter. Upon the question of the right of the legislature to adopt measures for the diversion of the appropriation into other channels, I express no opinion, but inasmuch as a respectable number of gentlemen, prominent in agricultural circles, have indicated to me their purpose to ask for the establishment of a separate and distinct institution for instruction in agriculture and the mechanic art, to be supported by such appropriation, I have deemed it my duty at the opening of the session to call attention to the probable early receipt of the first two installments as before mentioned that such action may be taken in the premises as, in your judgment, is deemed legitimate and wise.

THE WORK OF THE COMMISSIONER OF AGRICULTURAL AND MANUFACTURING INTERESTS.

When the legislature of 1888 assembled, there was, as now, a well-settled conviction that the resources of Vermont, both as a manufacturing and agricultural State, were too little known to the world, and that means should be devised to advertise the advantages which the State offers to those seeking to make new homes. Legislative thought finally took form in No. 110 of the laws of 1888, entitled "an act providing for the appointment of a commissioner to investigate the agricultural and manufacturing interests of the State, and devise means to develop the same." Realizing the importance of selecting for the position of commissioner a man of sound judgment, experienced in business, of good general information, I finally selected Hon. A.B. Valentine of Bennington, and after considerable importunity induced him to accept the position. In the discharge of these duties, he has known no rest, and in a perusal of his report may be seen the evidence of his great industry, his good faith, and an honest purpose to accomplish something for the good of the State. If he has failed to collect the statistical information in regard to agricultural interests and productions of the State as therein provided, it must be remembered that he has faithfully employed the only machinery for the collection of such statistics that was provided by law, and the fault therefore can not rest upon him.

His report, embodying the result of his own observation and study, is exceedingly valuable, and well calculated to arouse thought on the part of those most interested in the state's welfare, and I commend it to your careful consideration.

SWEDISH COLONIZATION.

You will observe that a considerable portion of his report pertains to the scheme inaugurated to induce the best class of Swedish emigrants to come to Vermont and settle upon what are known as unoccupied or abandoned farms, and you will read the same with lively interest.

The question he presents to your consideration relates to the continuance or abandonment of the experiment already inaugurated, but not fully solved, to induce a good class of emigrants to purchase lands and make homes in our midst, thus ministering to the wealth and prosperity of our State. In considering the question it will be well to remember that for a good many years there has been a constant depreciation in farm values. In every section of our own country, and in all parts of the world, agricultural interests have suffered a severe depression. In a new and growing country like our own, there have been opportunities for young men who were strong, temperate, intelligent, industrious, enterprising and ambitious to seek and make fortunes in the commercial and manufacturing centres, and in those portions of the west where speculative values have afforded opportunity for the exercise of sagacity and sound judgment. Vermont has reared more than her share of this class of men, and the result has been that they have taken advantage of the opportunities so offered, and in all portions of our land business and professional circles have been enriched by the addition of young men with sound minds in sound bodies whom we have sent out. The extent to which Vermont has ministered to the wealth of other states is indicated, in some degree, by the census of 1880, by which it appears that, of her native born sons, there were then residing in Connecticut, 3,476; in New Hampshire, 15,040; in Massachusetts, 26,943; in New York 31,271; the majority of whom, I think it safe to say were to be found in the cities and villages of those States. The same source of information reveals the fact that of native born Vermonters there were then residing in Pennsylvania, 3,600; in Kansas, 4,900; in Ohio, 7,064; in Minnesota, 7,869; in Iowa, 12,297; in Michigan, 12,588; in Illinois, 14,593; and in far off California, 4,681; so that, comprehensively stated, there were then residing in the united States 430,041 persons who had been born in Vermont, and of this whole number only 251,730, or about fifty-eight per cent of the whole, were then residing in Vermont. That this exodus proceeded from the more purely agricultural towns is, I think, generally admitted, but if proof were needed, a glance at the census tables since 1830 would probably satisfy the most skeptical mind of the fact. In the county of Addison, one of the finest for agriculture purposes in the State, though her villages increased in population and importance, there was between 1830 and 1880 a decrease in her population of about 750. In 1830 Bennington county had 17,468 inhabitants; ten years later, in 1840, only 16,872 but through a growth in manufactures and the opening up of quarries her population in 1880 had come to be 21,950. In Caledonia county the population, which in 1830 was 20,967, had come in 1880 to be 23,607, a gain largely accounted for in the growth of two or three of her larger villages. In 1830 Chittenden county had a population of 21,765; in 1850, 29,036; and in 1880, 32,792; a growth largely attributable to Burlington's prosperity. In Orange county, which is peculiarly an agricultural region, but which possesses several prosperous and growing villages, the population decreased between 1830 and 1880 from 27,285 to 23,525. The population of grand old Rutland county also decreased in the ten years between 1830 and 1840, but on the opening of her quarries and the establishment of manufacturing industries her population began to increase, and between 1840 and 1880 she had made a gain of about 11,000. In Washington county the gain of 4,000 between 1830 and 1880 was largely in the villages, and the gain during the last ten years (the greatest of that in any county in the State) has been mainly in Barre and Montpelier, and is the direct result of the opening of a large number of granite quarries at the former place. Notwithstanding the growth and prosperity of Brattleboro and Bellows Falls, the loss of population in Windham county between 1830 and 1880 amounted to 1,935, while in Windsor county, with some of our finest and most prosperous villages in her midst, the falling off during the same time amounted to more than 5,000.

All of our counties have suffered from the removal to other States of young men from the ranks of our farmers, and the impression which has generally prevailed, that only the back towns have been affected, is, in my judgment, unfounded. I am strongly of the opinion that the exodus began from the towns more favorably located with reference to railroads and other great thoroughfares, but was not so noticeable as it would

otherwise have been for the reason that emigration from other States and countries poured in to take the places of those who had gone out. Connected with the building of our early railroads a large immigration from Ireland was induced, and as these new comers became acquainted with the existing condition of things, and saw the facilities here offered for obtaining homes, they had the courage and foresight to buy and cultivate lands and to encourage their friends abroad to immigrate to Vermont for the same purposes; and in this way it has come about that in many of our best towns our Irish fellow-citizens have become the owners of a large proportion of the farm property, and are highly esteemed for their intelligence and success. With the increase of manufactures in our larger towns, and the development of our lumber interests in different sections of the State, there have also come to us large numbers of industrious persons from British America, and while a good many of them have purchased land and are engaged in its cultivation, it is probably true that the greater number of them are gathered in the business centres.

But for the introduction of these new elements into the State, I apprehend that the condition we are now called upon to face would have appeared much earlier; and the fact that in ten years intervening between 1870 and 1880 the number of foreign-born residents in Vermont decreased from 47,155 to 40,959, indicates that the tide upon which we had come to depend, and which had ministered so much to the prosperity of the towns affected by it, had ceased to flow. The extent to which this and other depressing influences have operated is shown by the statement of the Commissioner that nearly one-tenth of the acreage of the State is either unoccupied or indifferently cultivated, though a large portion of the soil is very good, not worn out, and can be made as fruitful as other lands lying contiguous which are now successfully cultivated. The towns where these lands are mainly found are what are known as back towns, or, from their situation, are at some distance from the railroads or manufacturing centers. Aside from the value of their real estate, there is, comparatively speaking, little personal property with which to swell the size of their grand lists, and as values and population have gradually lessened, the rate of taxation has correspondingly increased, until now, in many places, it has come to be a serious burden to our farmers, and a grave industrial problem has been presented for solution. This condition of things cannot in my judgment, be attributed either to a free trade policy in the past or to the protective tariff of the present, nor is it to be presumed for an instant that the lands in question are poor or valueless. They are, as stated by the Commissioner, of good quality and not worn out. Many of them have buildings in a fair state of repair, and at the price at which they can be purchased are undoubtedly as good an investment for those desiring to make homes as can be found in any part of the United States; but the fact exists that in a nation affording so many avenues to wealth as are open in the United States, and which offers so many temptations to young men of enterprise and ambition to engage in more remunerative pursuits, there is a tendency on the part of American boys in every part of our land to abandon small farming. So far is this true that almost every State in the Union has been obliged to look to foreign fields for material with which to make up or replenish its farm population.

It is evident to my mind that the enterprising youth whose exodus from our State helped to produce the present condition of affairs, will not return to again join the ranks of our husbandmen. It is true also that the sons of our foreign-born population have, in a large degree, imbibed the spirit of enterprise that has inspired the action of native Americans, and they too are pushing out into mercantile, manufacturing and professional pursuit, with an energy that is most commendable, but which reminds us that they cannot be depended upon to maintain the number of our farmers.

If our sparsely settled towns are to be re-populated, and the farms now unoccupied are to be restored and brought into a higher state of cultivation, we too must look abroad for the material with which to accomplish this result. Almost every State in the Union has been compelled to adopt this policy, and to this end bureaus of immigration have been maintained, and agents have been sent to all parts of Europe for recruits. What is true in Vermont is true in every part of the land; farms are waiting for purchasers, and the State that makes the most intelligent and well-sustained effort is the one that brings emigration to her doors. This was the thought that inspired the legislation under which the Commissioner was appointed, and that impelled him in his effort to direct the tide of foreign emigration to our State.

After much thought I am unable to avoid the conclusion that the only plan of relief for the overburdened farmer in sparsely-populated towns, that offers any hope of success, lies in the direction of this experiment.

In the Swedes who have been induced to settle here, the Commissioner is confident a beginning has been made which will eventually result in a great and lasting benefit to the State; and after a careful personal examination of the colonies at Wilmington and Weston, I am of the opinion that the experimental action so begun should be continued during the biennial period upon which we are now entering. Through the favorable reports of those now among us, supplemented by other judicious effort, he hopes and expects to reach others of the same class who have means sufficient to enable them to make advance payments upon farms they may purchase, and who will enter vigorously upon their cultivation.

The question presented is one of real importance, Upon you alone rests the responsibility of deciding whether, in this critical period of the State's history, you will abandon an experiment that offers any hope of increasing our population, and thus take a backward step; or whether, like our enterprising sister States, both East and West, you will reach out after desirable emigration from whatever source it may be derived. In closing I can only recommend that you make a patient, careful and candid study of the problem as presented by the Commissioner, and take such action as you think will be for the highest interest of the State.

EDUCATION.

Perhaps the most important measure adopted at the last session of the General Assembly is the present School Law. It was the outgrowth of a conviction long entertained by thoughtful persons that the schools of the State never could rise to a proper degree of excellence until the teachers should, as a class, reach a higher standard, both in scholarship and in a knowledge of teaching, and that this standard could only be reached by those who look upon teaching as a profession, and are willing to apply themselves to a patient study of its principles and methods. The elements of the law through which such results were sought, were those relating to the examination of teachers, county supervision, and well conducted teachers' institutes. That these agencies have done effective work is evident to all who are in a position to judge. The reports of the Supervisors represent that even among the teachers long employed, there has been a great increase of interest in their work, that they have been inspired by new courage and zeal, that they are taking great pride in achieving success, and that nearly all are supplying themselves with the various periodicals and treatises on school work, and in every way possible, are striving to keep abreast with the best educational thought.

The result of the new methods of examination, with their higher standard, was to deter a certain number of those who had intended to teach from entering the lists. Some of these were young, and anticipating that the examination was more difficult than it proved to be, had not the courage to take it. Others who were older, but whose education was of a superficial character, also declined; so that during the first few months of the operation of the law, there was a scarcity of teachers in some of the districts where low wages had been paid, and, as a consequence, teachers' wages so advanced that in the poorer towns and districts much complaint was made regarding the operation of the law. It appears, however, that during the year following many of the younger and brighter teachers who had at first shrunk from the examination, applied themselves to their studies, and taking on new courage found that they were able to procure certificates; and thus encouraged, they have entered the ranks of teachers and are pursuing their work with success. The result seems to be that there is now no particular scarcity of teachers, though it is undoubtedly true that with their increased competency, wages are somewhat higher, particularly in those districts where the cheapest teachers were formerly employed.

The complaints regarding the operation of the present law, come, as before stated, mostly from the back towns and districts, and relate almost wholly to the matter of expense. In his investigations of these complaints, the superintendent has made a careful study of their difficulties, and the facts he has brought to light in relation to the inequalities in taxation for school purposes are positively startling. From tables he has prepared it appears that while there are towns in the state in which the average rate of taxation for school purposes amounts to only seventeen cents on the dollar of the grand list, there are others where it amounts to seventy-five cents, and one in which such average rate is one hundred and thirty cents.

The same disparity in the rate of school taxes that exist among the different towns, exists also in as great a degree among the different districts in individual towns. In the villages where the grand list is large, the taxes are light; while in the hill districts where the grand list is small, they are almost uniformly burdensome. In glancing through these tables, I notice that in a town like Bennington, one district escapes with a tax of six cents

on the dollar of the grand list, while another is subject to the burden of a tax ten times as great in its rate. The same also appears to be true in Brattleboro, where one district requires a tax of only ten cents on the dollar of its grand list, while another requires one hundred; while in Bakersfield the disparity reaches the greatest extreme, and the contrast in the condition of the people in different districts in this respect is exhibited by the fact that in one district the rate of school taxation is only seven per cent., while in another it is two hundred and fifteen per cent. These, of course, are extreme instances, and yet you will probably be surprised when you examine the tables prepared by the superintendent, and note the great inequalities that exist in taxation for school purposes in every town where the district system has been retained.

In his investigation the superintendent has become convinced that a great wrong has been done to the poorer class of towns and the smaller districts in the failure to provide an adequate system for equalizing taxation for the maintenance of the common schools, and after mature consideration, he has reached the conclusion that the wrong can never be remedied until we adopt the policy already adopted by at least nine-tenths of our sister States in levying a State tax for this specific purpose.

He therefore recommends a state tax to equalize taxation for school purposes among the towns, and the adoption of the town system to equalize taxation among the districts. In addition to such innovations, he also favors a law by which all pupils in our public schools shall be supplied with the required text books at the public expense.

He bases his argument in favor of such recommendation upon the broad proposition that the education of the masses is absolutely essential to the safety of the State and the United States; that it is, indeed, a public necessity; and that the State in recognition of this principle, has established a system which is compulsory in almost every feature, and in which little that is optional can be found; and he claims that the spirit of the constitution, as well as its letter, requires that, inasmuch as society is protected in its enjoyment of life, liberty and property in a thousand fold greater degree by education than through its jails and prisons, every member is bound to contribute his proportion toward the expense of that protection, and that until taxation for the support of those schools in which are taught the required English branches is substantially equalized among the towns and among the districts, the State has subjected a portion of its citizens, and those least able to bear it, to unjust hardship. Time will not permit me to review his argument. Its material is drawn from every source, his facts are clearly stated, and, to my mind, his logic is unanswerable. A more valuable report has seldom, if ever, been presented to a Vermont legislature, and I bespeak for it the consideration it so richly deserves.

In my first message to the general assembly I called attention to the fact, as it seemed to me to exist, that there had been a gradual strengthening of public sentiment in favor of the enforcement of the statutes relating to the traffic in intoxicating liquors, and that in localities where in the past few convictions could be procured, the law then found ready supporters and was easily enforced; and that the chief difficulty encountered by the prosecuting officers was found in the more populous communities. In this respect I have had no reason to change my opinion, and extended observation has convinced me that the proper enforcement of the law in the central localities would result in its perfect enforcement in every town in the State. It stands to reason that if men engaged in the traffic in such communities are seen to be successful, not only in evading the provisions of the law, but in accumulating handsome properties, weaker men in smaller places will be stimulated and encouraged to make a like effort, though upon a smaller scale. If, on the other hand, the business is attacked and driven out of its strongholds, it will be abandoned in its more exposed positions.

Much of the opprobrium that has been cast upon the law has been the result of a failure in a limited number of the larger places to have it impartially and vigorously enforced. The men there engaged in the traffic differ from those in the smaller places in that they make it their chief, and only business. They are men who are calloused to all sense of right and wrong; they enter into a criminal occupation with deliberation, they pursue it persistently, and they adopt the most desperate measures to shield themselves from its penalties; to avoid the operation of the law, they do not hesitate to commit perjury and often suborn others to do the same; their crime is of that order that can find no justification, nor has it even the excuse of hot anger or other evil passions that may be urged by those whose offences are often followed by long terms in the State prison. It seems to me that in the past these men have been dealt with too leniently, both by the law making power and the courts, and that

every subterfuge beneath which they take refuge and every avenue through which they attempt to escape should be carefully examined and exposed.

It is a matter of notoriety, and one viewed with fear and shame by all thoughtful citizens, that at every term of our courts men who are called as witnesses in these cases commit perjury, apparently without so much as a thought that they are guilty of a crime, or that there is a possibility that they may be prosecuted therefor. Their guilt is patent to all, and the conclusion can not be avoided that a conviction must follow if the witness be prosecuted for perjury. I apprehend that the reason why this practice has been permitted to assume such great proportions lies in the fact that no statutory authority has been given to our courts to summarily order the arrest of such an offender, and in a disinclination on the part of the prosecuting officers to proceed against him on account of the difficulty they encounter in framing an indictment for perjury, which, at the common law, is a laborious and painstaking process.

The importance of having this evil remedied, leads me to suggest the enactment of a statute providing that when a witness or a party legally sworn and examined, or making an affidavit, in any court of record, testifies in such a manner as to raise a reasonable presumption that he is guilty of perjury, the court shall have power to immediately order him committed, or to take his recognizance with sureties for his appearance to answer to the charge of perjury, and it shall be the duty of the State's attorney to immediately institute the prosecution therefor against him; and to aid the same end I also recommend the adoption by law of a simple form of complaint or indictment for use in such case, as has been done in some of our sister States, thus facilitating the work of the prosecuting officer, and avoiding the danger that guilty parties may escape their just deserts through technicalities in pleadings. A fair but vigorous exercise by the court and prosecuting officer of the powers so conferred, would, in my judgment, serve to rid our courts of the scandal that has attended many attempts to vindicate the law, and by extracting the truth would make this army of witnesses, which has stood as a shield of defence to those engaged in violation of the law, an instrument of justice.

In this connection permit me to also call your attention to section 3814, of the Revised Laws and those sections which immediately follow it which, in substance, provide that when a person is found in such a state of intoxication as to disturb the public or domestic peace, he may be arrested, and when able properly to testify, be brought before a magistrate and compelled to disclose the place where, and the person of whom, he procured the liquor producing his intoxication, and upon failure to so disclose, may be committed to jail until he shall so do.

Under this statute large bills of costs are annually incurred in most counties of the State, but the benefits intended to be derived from such disclosures are not correspondingly great. Experience shows that it is the almost uniform practice of persons so arrested to attempt to deceive the magistrates before whom they are brought, by pretending that they procured the liquor causing such intoxication of a stranger, whose name was not known, or by making some other equally false statement. If the magistrate, under such circumstances, commits the respondent to jail, and permits him to remain there until he realizes that the subterfuge will not prevail, he usually stands ready to make a truthful disclosure: and does so. The magistrate then issues his warrant for the arrest of the person furnishing such liquor, who is brought before him, pleads guilty, and takes an appeal to the county court. When the case finally comes to trial, little advantage is derived by the State from the testimony of the party disclosing, because he is compelled to admit that when first arrested he told an entirely different story, and the jurors hesitate to find one guilty of a crime on the testimony of a man, who by his own confession stands impeached. This evil has reached such proportions that means for its arrest are imperatively demanded. It is not easy to say what means would best accomplish this end, but it has seemed to me that some method should be devised by which such person will find it for his advantage to speak the truth in the first instance rather than to attempt a deceit; and I am inclined to the opinion that every person so arrested and found guilty of intoxication, should, in addition to the usual fine of five dollars, be sentenced to imprisonment in the house of correction for a period of thirty days; and that a discretionary power be vested in the magistrate to withhold the execution of such sentence of imprisonment, when, in his opinion, the witness has, without equivocation or evasion, disclosed as the statute requires. Such a sentence may at first seem harsh and uncalled for. The intoxicated person has usually been looked upon more as an unfortunate victim of appetite than as a violator of the law, but when it appears that to his misfortune he has deliberately joined the

crime of perjury, all will admit that he has passed from the realm of pity, and should be vigorously dealt with. With such a discretionary power lodged in the magistrate, there can be no fear that a simply unfortunate inebriate will suffer from the increased penalty.

CHANCERING OF BONDS.

Another avenue through which guilty men escape the penalty of imprisonment and the other penalties provided by law is that of forfeiting the condition of bonds given for their appearance for trial, and afterwards, through their bondsmen, making application to the court to chancer the same.

Sec. 1,763 of the Revised Laws provides that such sureties may file a motion to chancer, and that the court may hear the parties and render judgment. This may be a humane provision in some classes of cases, but that it has resulted in disaster in its application to cases arising under the statute relating to intoxicating drinks cannot be denied. Under our present system the presiding judge in our county courts come to each county not oftener than once in two years. He is not acquainted with the men brought before him. Plausible statements are made respecting the reason why the respondent failed to take trial. His bondsmen (not infrequently the counsel making the statement, is one of them,) make pitiful appeals for relief, and it often happens that a man who should have been imprisoned for his crime, not only escapes that disgrace by the payment of money, but by the payment of a sum grossly inadequate to the measure of his offense. The extent to which this evil has proceeded may be illustrated by calling attention to two or three instances that have been brought to my notice of the exercise of this discretionary power on the part of the courts. At a recent term in one of our counties a man stood as respondent in three criminal prosecutions under the liquor acts. He forfeited his bail in each of them, and so avoided trials and convictions. The State's attorney, as in duty bound, caused writs of *scire facias* to issue against the respondent and his bondsmen, which were entered at the next term of court. In each of these cases a motion to chancer was filed. In the meantime the respondent had continued his unlawful traffic and at the last named term of court was convicted in three other distinct cases in which he was charged with illegal sales. In face of the fact that he was an old offender, and that since the forfeiture of the bonds, as aforesaid, he had persistently followed this illegal traffic, the court before whom he was convicted chancered the bonds forfeited at the previous term, reducing them from the sum of four hundred dollars to the sum of thirty dollars. Thus encouraged, this man is, I am informed, still conducting a most profitable business. Another man, also a well known violator of the law, was convicted at a single term of court under two charges of maintaining a nuisance, and one charge growing out of the disclosure of an intoxicated person, yet in the face of established guilt the court chancered bonds forfeited by this man at a previous term from the sum of four hundred dollars to the sum of twenty dollars, and the respondent continues his business with an assurance of undisturbed peace. After a full consideration of this subject, I am satisfied that the right to chancer bonds given in liquor cases should be taken from the court. In other classes of crime there is not so much danger that the proofs against the respondent can, or will be dissipated by a delay of six months, and if in such cases, the bondsmen produce their principal in court there is equity in their claim that they should be relieved of the operation of the bond, the condition of which has been broken; but in liquor cases experience has proved that a delay of six months ordinarily results in an acquittal, and even though the bondsmen surrender their principal after such forfeiture, or he be brought in on a bench warrant issued by the court, proofs of his guilt have become so wanting that he usually goes free, or is let off upon a trifling penalty. Let the bonds be enforced and I am satisfied that the practice of forfeiting them will cease in all cases save those where a conviction must be followed by imprisonment, and certain others where the business is so prosperous that the respondent is willing to pay the amount of the bond for an opportunity to continue it another six months. In this connection I commend to the consideration of the General Assembly the fact that in the United States courts the power to chancer bonds given by way of recognizance is not recognized by statute, nor by the published rules of practice, and I feel confident that a denial of this right to our courts, in all cases arising under the liquor laws of the State, will aid materially in the administration of justice, and will work no wrong to any individual.

NUISANCE ACT.

Another obstacle, and to my mind one of the most serious, to the successful enforcement of the law, is the construction that some of the judges of our supreme court have placed upon the so-called nuisance act, a statute better suited to the purpose of really closing the saloon than any other now found in the volume of our laws.

Section 3,836 of the Revised Laws provides that “every saloon, restaurant, grocery, cellar, shop, billiard room, bar room, and every drinking place or room used as a place or resort, where intoxicating liquor is unlawfully sold, furnished or given away, or place or room used or resorted to for gambling, shall be held to be a common nuisance, occupied in violation of the law.” Subsequent sections of the statute provide that when there has been any violation of the law in any one of the places named in the section quoted, the court shall adjudge such place to be a common nuisance, and the same shall be shut up and abated by order of the court, and the officer serving such order is directed to post on the “door or main entrance” to such place a notice that the same is closed, and such place can not thereafter be opened by the person convicted until he files a bond that he will not again engage in the unlawful traffic.

If the parties engaged in liquor selling or gambling never occupied but one room in so doing, there would be little difficulty in following the statute and in closing places of that character; but in almost every instance when a person is about to engage in liquor selling, he opens what is called a grocery in which he keeps a stock of goods which age can not tarnish, and in addition to the room where the goods are kept, and connected therewith, he has back rooms and side rooms, as well as a cellar, all of which he can use as occasion requires. In case of a search and seizure, liquor is frequently found in some remote point of the cellar, in a cupboard, in the fuel room, or in some other apartment, which, if closed, would not operate to affect the party’s business.

It has always seemed to me that the word “grocery,” as used in the statute, was intended to cover all the rooms occupied by the proprietor in the management of his business, and that a violation of the liquor law in any one of them would constitute the whole a common nuisance. The statute requiring the notice to be posted upon the “door or main entrance” to such place would indicate that such was the legislative intent, and what is true of the word “grocery” would also be true of the words “saloon” and “restaurant.” But the phraseology of section 3836 before quoted, is, when taken altogether, so peculiar that the courts have placed upon the act a narrower construction than the one indicated, and have construed the word “place,” as used in that and subsequent sections, to mean the particular room in which the violation of the law was committed. This construction has rendered the statute of little or not practical effect in suppressing nuisances.

In support of this statement permit me to call your attention to a few of the many instances which have come to my knowledge in the application of the law. In one of the villages of our State, a man occupied four rooms in conducting his business. The only main entrance to them led from the street directly into the largest room in which were billiard tables. Out of this room opened three smaller rooms, He was brought into court charged with maintaining a nuisance in the building in which said rooms were situated and filed a plea of guilty in which he described the nuisance as “the room at the right of the entrance to the billiard room on the first floor of the building described in the indictment,” which plea was accepted by the court. The room so adjudged a nuisance was one of the smaller ones opening out of the billiard room, and when that was closed by order of the court all the respondent had to do was to move his bar into one of the other small rooms, and carry on his illegal traffic as freely as he had done before. Another person who was indicted for maintaining a nuisance occupied rooms on the first floor of a business block and the cellar underneath the same. He was a well-known violator of the law. A search of the premises was made, but matters had been so well attended to that the only liquor discovered was in the cellar. The court accepted a plea of guilty which described the nuisance as a room in one corner of the cellar and made an order closing said room, but leaving all the rooms above mentioned unaffected by the judgment. Possibly another instance will aid in showing the insufficiency of this statute when construed as above indicated. A dealer of liquors was brought into court charged with maintaining a nuisance. The place of business consisted of at least four rooms, the main and only entrance to which led directly from the street into the room where he kept groceries. Connected with this room by doors were other rooms, in one of which was kept a well equipped bar. Others were used for storage and for fuel. In a search of these premises, which had evidently been anticipated, liquor was found secreted in the fuel room. The respondent filed a plea of guilty of maintaining a nuisance in the room last named, which plea was accepted by the court, and the majesty of the law was maintained by closing the respondent’s woodshed, while he was left to give a hearty welcome to his patrons in the rooms where they had been accustomed to be received. It has been claimed, and with some reason, that if this construction of the statute be carried but a little further the interior of a jug will be deemed a

“place” and declared a nuisance, in which case the order of the court will be posted upon the cork, and the remaining jugs in the same closet remain unaffected by the order.

In calling attention to these cases by way of illustration I do not intend to cast any reflection upon the courts issuing such orders, but do it to call attention to the peculiar phraseology of the statutes which permit such orders to be made, which orders have brought ridicule upon the courts and have rendered attempts to enforce an otherwise effective statute farcical.

Added to this difficulty is another that grows out of the provision permitting the place adjudged a nuisance to be opened by the owner when he has filed the bond prescribed by law. By reason of the practice before noticed such bonds usually cover only one of the several rooms occupied by the dealer, so that he may go the grand round of his apartments and upon each of his convictions give a fresh bond and, until their number of his convictions equal the number of his rooms, there is no need that he violate the condition of either of the bonds previously given. In practice, also, even in a breach of the condition, I have never had a case come to my knowledge where the bond was prosecuted. I do not pretend to say where the blame rests; I simply know that in general such a bond is of no practical use in restraining the party giving the same from further violation of the law, and the result is that a man may continue in business in substantially the same place for year after year, though he be convicted time after time in the same court. I have in mind the case of one man who has been in business in precisely the same rooms for three or four years. That his place, though called a grocery, is a saloon, is a matter of public notoriety. He was once indicted for maintaining a nuisance and not caring to take a trial, forfeited his bonds. At the following term of court two additional prosecutions under the nuisance act and one for illegal sales were pending against him, in all of which he was convicted. Six months later there were pending against him four different prosecutions in the same court, one for maintaining a nuisance, one for illegal sales, one for keeping with intent to sell, and one on the disclosure of a person found intoxicated, all of which cases were continued to the next term on account of the sickness of the respondent. Twelve months later this same man was in the same court charged with maintaining a nuisance and had five other prosecutions pending against him. He pleaded guilty to maintaining a nuisance, but the court limited the operation of its order to a store room mentioned in the plea, while the other cases were continued. At the following term the same man was in court, again charged with maintaining a nuisance upon the same premises and was convicted, but only one out of the four rooms occupied by him was affected by the order; so year after year, in precisely the same rooms this man has gone on persistently violating the law.

Another difficulty that asserts itself in the enforcement of this statute arises from the fact that, while under the law as it now stands, the person convicted can not again open the place adjudged a nuisance without giving the bond prescribed by the statute, *any other person* may step in and do so. The result is that the *ostensible* proprietorship of the saloon changes as often as judgments are entered broad enough in their terms to really affect the business, but the saloon itself goes on as if nothing had happened. In most instances of this kind the real proprietorship rests in the person first convicted, although it is sometimes difficult to demonstrate such fact in a court of justice.

There is no reason for such a condition of things as I have described. Let the law be so amended that every order adjudging a place to be a common nuisance shall be broad enough to cover the entire premises occupied by the respondent, whether they consist of one room or twenty; let such premises be closed, not only against the respondent himself but against all persons whomsoever, and for any and every purpose; let the clause providing for opening the same upon giving a bond be repealed and have every order for closing a nuisance absolute in its terms and not subject to be suspended by any power or person for at least six months; and, at the end of such time, permit such premises to be opened only upon the application of the owner thereof to the court in which the conviction was had, and then only upon the filing of a proper bond the condition of which shall be considered broken in the event of the conviction of any person of a violation of the liquor law in any part of the same.

With such amendments, and others that may to you seem to be needed, the law will, in my judgment, become effective, and places known by all to be saloons will be a thing of the past. At all events, they will not be openly conducted and will cease to be a mockery to the law. Such an order as has been suggested may be deemed severe in its application to the owner of the premises, but it seems to me to be the only means of effectually closing the saloons. If the owner is ignorant of the character of the business done on his premises (a

condition hardly to be imagined) he has upon coming to a knowledge of the same, a right to terminate his lease and to maintain an action against his tenant for damages. If he has had knowledge of the business he ought to be and is subject to a penalty, and he deserves no pity and is entitled to no consideration. Common prudence ordinarily leads a landlord to inform himself of the nature of the business carried on by his tenant, but if one be found who, having eyes sees not, and ears hears not, the provision suggested would bring him to a realizing sense of the condition of things and lead him to the exercise of at least ordinary caution in the future.

The legislation in relation to the traffic in intoxicating drinks should, in all its branches, be clear, strong and effective; and I most earnestly recommend that the subject be taken up with a due appreciation of the subterfuge and opposition that is uniformly exercised by violators of the law who are desperate in their purpose to destroy its power, and that in devising remedies the general assembly exercise a courage which will indicate a purpose to make prohibition prohibit in Vermont.

WILLIAM P. DILLINGHAM

EXECUTIVE CHAMBER,
Montpelier, October 1, 1890

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Farewell Address
of
James H. Douglas

As it appears in the

Journal of the
Joint Assembly

January 5, 2011

Farewell Address

“Mr. President, Mr. Speaker, distinguished guests, my fellow Vermonters:

“Thirty-eight years ago, in this very chamber, I was sworn in as the new member from Middlebury – humbled by the confidence of voters, motivated to represent my community and inspired to strengthen Vermont. Over the years I have been blessed to serve the people of this great state in different ways – and in different eras – culminating with the honor, and profound responsibility, of the governorship.

“When I contemplated running for governor in 2001, I outlined my reasons for wanting to serve in this office. I wrote then:

“I love Vermont... I want every Vermonter to reach his or her highest potential. I want every child to begin life in good health, with a loving family, and eager to learn. I want every young Vermonter to be able to access a higher education and to secure meaningful and rewarding work. I want families to be able to afford a home and ultimately to enjoy retirement in comfort and dignity....”

“I carried this piece of paper with me every day. This vision was at the center of every discussion, every proposal and every decision. My inspiration never changed. My motivation never wavered.

* * *

“We are blessed with the finest system of self-governance the world has known, one that requires leaders who value actions more than words, who can be bold but humble, and speak plainly the truth; leaders who have passion and patience, resilience and restraint; and, above all else, leaders who are unwavering in their commitment to the people they serve.

“It is our great responsibility to devote ourselves to service so that we may build a better future for the next generation. That is what I have tried to do.

“As I reflect on the last eight years, I am proud of the progress we made in health care, for the safety of our communities, for our natural environment, for our economy and in our fiscal strength. I am proud that we ensured that access to government is not a privilege, but a right for all people. But most of all, I am proud of the improvements we made in the lives and well-being of the people of Vermont. After all, that is why we serve.

“But the work of democracy – our role in the constant cultivation of an ever more perfect union – is never done. Tomorrow, my service as your governor will end. I will return to private life, handing the reins to a new administration that will take up the responsibility of protecting and advancing the goals we share. On behalf of all Vermonters, Governor-Elect Shumlin, I wish you and your team the very best.

* * *

“For four consecutive years, Vermont has been ranked the healthiest state in the union. We achieved real results by getting to the root cause of illness. Our approach has set us apart and has become the model that others, including the federal government, would look to as they sought improved access to health care in America.

“We understood that making health care more affordable means the most important issue is not “who pays,” but “how much we pay.” A patient-centered approach that focuses on chronic conditions, wellness, and greater utilization of technology has been at the heart of our Blueprint for Health. This is the same formula we used to save Medicaid with Global Commitment. And it was with the same principles – and with a sincere commitment to bipartisanship – that we enacted cutting-edge reforms in 2006 resulting in Catamount Health and Green Mountain Care.

“Today, Vermont enjoys one of the lowest percentages of uninsured residents of any state and we are the best positioned to adapt to ongoing federal reforms.

“Vermonters can be proud of the national leadership we have demonstrated on this critical social, economic and fiscal challenge – but there will always be more to do. Vermont’s ground-breaking approach holds the greatest promise for reducing costs, increasing quality and providing universal access.

* * *

“Providing for the protection of the people is a fundamental obligation of government. We lived up to that commitment and made our communities safer from drugs and violent criminals.

“We created the DETER program – Vermont’s first comprehensive and coordinated commitment to combating drugs. We invested in education and prevention, expanded treatment and rehabilitation, and significantly increased penalties for those who seek to poison our children for profit.

“In the last eight years, we passed sweeping sex offender legislation, stepped up efforts to end child abuse and domestic violence, and confronted the insidious effects of bullying.

“We strengthened law enforcement by putting more troopers on the road and placing special investigation units in all regions of our state to combat sex crimes.

“At the same time we reformed our system of corrections, ensuring that those who are threats to society have the proper supervision, while others who can be given a second chance have the best opportunity to succeed. “As a result, crime rates have declined, we have turned the tide on the growth of our inmate population and Vermont is consistently ranked one of the safest places in the nation.

“I want to thank those in the Legislature and in our law enforcement community who have worked closely with me on these critical issues. We have always put the safety of Vermonters first.

* * *

“There are few places in the world that match Vermont’s natural beauty. No matter how long you have lived here, you can never get over the excitement of winter’s first snow, the sight of sugaring in spring, the summer smell of newly-mown hay or the stunning colors of a brilliant fall. Indeed, this is a special place.

“In the last eight years, we not only upheld our state’s environmental traditions – we strengthened them in realistic and responsible ways. We pursued “The Vermont Way,” recognizing the codependence of our environment and our economy.

“Today, we are at the forefront of energy efficiency and renewable energy policy. And we took a strong leadership position in addressing climate change through efforts like the Regional Greenhouse Gas Initiative and tough automobile emission standards.

“Our commitment to preserving Vermont’s outdoor traditions has resulted in the improved health and size of our big game populations and thriving fisheries. We prioritized the active management of state forest land and revitalized Vermont’s state park system. We invested unprecedented resources in the health of Lake Champlain and our network of rivers and streams.

“Vermont is known the world over for its green ethic. Because of our efforts and the efforts of those who have come before, we are ranked repeatedly as the greenest state in the nation – a distinction we expect and deserve.

* * *

“I can’t remember a day on the road when I didn’t hear concerns about the economy and the burden of taxation from the people of our state. Small business owners would tell of how high heating and electricity costs threaten their livelihoods. Homebuilders spoke of the need for permit reform and young entrepreneurs expressed their frustration at the lack of access to the capital necessary to make their dreams a reality. And I will never forget the stories from mothers and fathers struggling to get by on one income or reduced wages, having to make sacrifices to weather the economic storm.

“Over the last eight years we fought back against two global recessions, including the deepest downturn since the Great Depression. We did that with fiscal discipline and innovative economic development strategies to encourage employers to expand here and others to locate here. We renewed our commitment to our traditional industries by helping those who keep our working landscapes working. We leveraged our natural gifts in support of our tourism economy and helped Vermont businesses realize greater access to emerging foreign markets. We took steps to make our permitting system more predictable and our tax policies more competitive.

“Vermont’s brand of quality, our deserved reputation for a well-educated workforce and our commitment to environmental excellence make this a great place to start or grow a business.

“But to compete in today’s globally connected economy we must continue to fortify our foundations of growth, as we have. With the help of the Road to Affordability, our transportation system is better maintained and funded. Together, we embarked on an ambitious plan to connect every resident with the tools of the 21st century. Young Vermonters now have a better chance to compete and succeed thanks to new investments in scholarships and workforce training. And we secured a large portion of our energy future from a renewable, reliable and affordable source.

“By advancing pro-growth job creation policies, Vermont has fared better than most states. Our unemployment rate is among the lowest in the nation and our economy is considered one of the most resilient.

* * *

“Our ability to prosper is also a function of our fiscal management. We spent within our means, replenished and protected our stabilization reserves, and improved the effectiveness and efficiency of government. Even as the Great Recession squeezed revenues, we protected the most vulnerable and reformed programs to help those who haven't fallen on hard times realize a path back to self-sufficiency and independence.

“When people look to Vermont they see a greater degree of certainty in our public finances than elsewhere. They see a history of responsible spending and prudent management of public funds. Our bond ratings are among the highest and Vermont is recognized as one of the best managed states.

“From groundbreaking health care reforms to our unprecedented efforts to clean up our waterways, we have achieved so much in the last eight years because of – not in spite of – our rock-solid commitment to fiscal discipline. By closely managing the state's finances, pushing necessary reforms and working to ease the burden of taxation, we have been able to advance responsible initiatives for the betterment of all Vermonters. Without that commitment, hard-won progress will be easily lost.

“So as the dark clouds of recession start to break, I'm proud of all that we have done to lead our state forward to a new era of prosperity.

* * *

“But success is not rankings, initiatives and legislative accomplishments alone. Indeed, our plans will evolve and change; new technologies and new ideas will allow for new opportunities; and unforeseen challenges will emerge. But what endures – the legacy that is left – is found in the lives and stories of the people of this great state.

“It is found in the story of a mother who, because of our Choices for Care program, can now care for her daughter at home. It is found in the story of a high school graduate who was able to pay for college with the help of a Next Generation Scholarship.

“It is found in the story of a woman who gained control of her chronic illness because of our Blueprint for Health.

“It is found in the story of a small business owner who, aided by the Vermont Employment Growth Incentive, is providing jobs to fellow Vermonters.

“It is found in the story that fortunately does not have to be told because a young Vermonter made the right choice when confronted with drugs.

“And this legacy is found in the stories of the Green Mountain Boys, and all Vermonters serving in our armed services who have volunteered to stand in harm’s way on battlefields around the world, and in our sorrow for those who made the ultimate sacrifice.

* * *

“It is these stories and countless others like them that have inspired me to work as hard as I could, every day.

“Serving as governor of Vermont has been an honor unmatched in my life. My will to lead, the courage to do what is right, and the determination to fight for those who do not have a voice is renewed from the strength of Vermonters I’ve met along the way.

“This job was not one that I could do alone – no one can. I am deeply grateful to all who helped. Finding the right words to properly acknowledge the contributions of so many is difficult, if not impossible – but I would be remiss if I did not try.

“To our elected leadership at every level, from school boards to the State House, public service is a noble endeavor and I commend you for your willingness to serve and thank you for your dedication to our state. Through every debate – no matter how contentious – I sought to uphold our tradition of dignified civil discourse, to bring people together around shared goals and, when differences could not be bridged, never faulted others for sincerely held convictions. In a time of searing political rhetoric on the national stage, the way we conduct our public business here in Vermont is something of which we can be very proud.

“To my cabinet and staff, my deep gratitude for answering my call to service and fulfilling your obligations with the highest degree of professionalism and dedication. Your hard work, ideas and counsel have been indispensable.

“To Lt. Governor Dubie, your leadership in the areas of foreign trade, energy, economic development and so many others was critical to Vermont’s progress. Your friendship means so much to me and I am grateful to have had you at my side these last eight years. Thank you for your service to our state.

“To my family, this journey would not have been possible without your love and support. To Dorothy, in particular, you have been an unwavering partner and I couldn’t have asked for more. Thank you.

* * *

“For over thirty-eight years, I’ve focused all of my energies on a singular purpose – to make Vermont a better place. Across thousands of miles, through bright morning dawns and days that stretched to night, though sometimes weary, I never lost faith in the promise of Vermont. And as the long arc of my career draws close, I look back and know with all certainty that our state and her people have been most worthy of a life’s work.

“In the years to come, as I pass over the high gaps of the Green Mountains and take in the full breadth of Vermont – from its clear flowing waters up to its majestic crowns – I will be forever thankful for this land we call home.

“Thank you, my fellow Vermonters, for the unparalleled opportunity to serve as your governor. Public service is a privilege and the faith you have placed in me is humbling.

“May God bless you all and the great state of Vermont.”

Dissolution

The Governor, having completed his farewell message, was escorted from the Hall by the Committee. There being no further business, the President declared the Joint Assembly to be dissolved.

JOHN H. BLOOMER, JR.
Secretary of the Senate
Clerk of the Joint Assembly

Farewell address

of

Lee E. Emerson

As it appears in the

Journal

of the

Joint Assembly

1955

Thursday, January 6, 1955

Farewell Address

Members of the General Assembly:

The four years of my administration which, incidentally, I believe should be the term of a governor, have about run their course. By custom a retiring governor on such an occasion presents to you an account of his stewardship. They have been fruitful years for our people and I wish I could recount in detail the operations of all our departments during this period, but time will not permit in the first place, neither are you interested in history except as its recitation may indicate the course for the future. A recital of certain governmental activities, however, without specific mention of others, in no way is intended to detract from the substantial accomplishments of the latter. Let me say at this time, without reservation, that all our departments of state government have zealously, efficiently and honestly carried out their statutory mandates in the public interest. In talking to you today about some of our major governmental activities, together with some observations resulting from my experiences, I hope you may be able to glean some information that will be helpful during the current session. It is in that spirit I speak to you, without in any way seeking to infringe upon the prerogative of my worthy successor in making recommendations to you and cooperatively working with you in their accomplishment.

AGRICULTURE

Agriculture is still basic to the economy of our state. Having spent many of my earlier years on a farm, firsthand knowledge of our farm folk has ingrained sympathy for their problems, reflecting itself in a desire to comply with their wishes whenever I could. The dairy farmer is the back bone of Vermont rural life today, and economic conditions in these areas of our state will not remain healthy unless he can get a fair price for his produce and unless, as I have reiterated before, he can be protected from disparate advantage in favor of the western grain farmer. This has been my philosophy. To implement it at the state level the 1953 session by two different acts provided for publicity funds to build up the consumption of milk. There are indications that such publicity has been successful in accomplishing its objective. We were faced with some oversupply of milk this last summer, and some receiving companies sought arbitrarily to cut off certain of their producers as a result. Sections 4636 and 4637 of the Vermont Statutes, which it was my good fortune when a member of the Senate to assist in drafting, were successfully invoked to prevent such arbitrary action, but it might be well to review these sections in the light of present day conditions in the milk industry. Our marketing laws relating to eggs, maple syrup, potatoes, and apples were likewise improved upon, but there is still work to be done in this field. A new Commissioner of Agriculture now competently carries on the important work of our Department of Agriculture, succeeding Stanley Judd, an able, conscientious public servant who died this last year in the public service.

CONSERVATION

1. **Fish and Game.** The accomplishments in this department have been substantial and progressive in preserving and helping to build up Vermont as a sportsman's paradise. At Bald Hill in Newark a rearing station with seven hundred fifty feet of concrete runways, home for the caretaker, cold storage building and service building with concrete dam and water system for raceways has been constructed. A new cold storage plant and grinding room were added at Salisbury this year. At Bennington a new artesian well flowing 168 gallons per minute has been developed as well as the installation at the hatchery of a new heating and lighting system. A storage and service building has been added at Milton. In the Addison County area a manager's home and service building have been constructed, three impoundments completed, the last one being the Richville Dam in Shoreham, the dedication of which I attended last month. A fourth is in the process of being built. Finally, let me say these projects aimed at preserving and building up the fish, game and bird life of the state could not be made efficiently operative without adequate and contented personnel. To accomplish this latter objective, the warden service has been improved upon through the appointment of two district supervisors, additional personnel, and more adequate pay. Today as one result more fish are being stocked than ever before in the history of the state.

2. **Forestry.** I take pride in the Municipal Forest Act of 1951. Many towns and cities are setting up municipal forests today. I hope the trend continues until every town and city in the state has such a project. The 1953 Session wisely provided for the St. Catherine Beach Development. It was badly needed in that section of the state. We have steadily improved our access roads into state forest and park areas and likewise we have steadily gone forward with the acquisition of other areas for the same purposes in strategic sections of the state or they have been given to us by interested citizens. Jay Peak has been acquired in the north. At Silver Lake in Barnard through the generosity of Mr. and Mrs. John McDill and others, we now own a very essential park area there. Parking areas at ski resorts have likewise been enlarged upon to meet the rapidly growing need for expanded ski facilities. Conformable with our duty to the past in preserving for posterity historic sites, the Chester A. Arthur home in Fairfield and the Wilder House at Plymouth have been restored. The richness of Vermont's traditions should always be preserved.

DEFENSE

The 1951 Session, at my request, authorized the setting up of a State Guard with a \$50,000 appropriation. We did not use it, because with the able cooperation of our Adjutant General, who at this time I want to personally commend for long and able public service for the state, we were able to procure the allocation of additional National Guard units from Washington to take the place of those activated into the Federal Service in the 43d Division at the time of the Korean conflict. Our National Guard has always been an honor and a credit to the state. Today I am happy to report it has been restored to a strength of almost 2600 members. In competition with other State National Guard units which I have observed, let me say it does not have to take a back seat to any of them. Its needs should be sympathetically considered. Likewise, we have set up a Civil Defense program for the state. Until the uncertainty of world conditions can be resolved in favor of a more peaceful atmosphere we must not by indifference or neglect let down our guard in this important field.

I am happy also to report that the Soldier's Bonus recommended by me for the Veterans of the Korean conflict has been paid in the sum of approximately \$1,000,000 from surplus funds.

EDUCATION

There are many who rate the achievements of the 1953 Session in the field of education as the greatest in the history of the state. Comparisons are odious, but in all modesty it may be said those achievements were substantial. Among other accomplishments, the minimum pay of teachers was raised, State aid to the towns was increased and was badly needed; for the first time the state embarked on a program of aid to the communities on a matching basis in the field of schoolhouse construction. Already the impetus of this latter program is being felt in stimulating badly needed schoolhouse construction at the local level. Again, the Legislature of 1953 by No. 258 of the Acts of 1953, gave recognition to the principle I contended for at that time, that under conditions then existing scholarships should be made equally available to any Vermont boy or girl desiring to attend any Vermont institution of higher learning. I do not elaborate further on this important subject, because you will be hearing more about it.

FINANCES

At the end of the first fiscal year occurring during my administration, namely June 30, 1951, the state surplus stood at the sum of \$640,000. On June 30, 1955, it will approximate one million dollars. I recommended no new General Fund taxes to the 1951 Session; neither would any have been necessary had certain drastic economies I proposed at that time been adopted. Since they were not and appropriations made above my budget recommendations, new taxes had to be found. The 15 per cent surtax was resorted to. Furthermore, declarations and withholdings were put into effect, the impact of which could not be accurately gauged at the time. As a result and because of economical administration and inflationary conditions the greatest surplus in our history was accumulated. The prudence with which the 1953 Session disposed of it bespeaks the wisdom of not having called a Special Session to refund it. Its existence obviated any possible necessity of new taxes having to be voted by the 1953 Session. To the extent that Session may have increased burdens through the addition of new services or the stepping up of old ones, it is always the prerogative of a subsequent legislature, in the light of presently existing economic conditions, to modify or reappraise in the light of what it believes the best current interest to be. By the 1951 Session, at my request, setting up the Code

Classification of payments permitting more careful scrutiny of departmental expenditures, by restrictions on out-of-state travel, by careful scrutiny of the taking on of additional personnel except where absolutely essential and in many other ways, we have earnestly sought to see that the taxpayer got the maximum value for his money.

HEALTH

On December 3, 1953, after a period of controversy as to its location and what it should contain, an open house was held in the new Health Department building in Burlington. It was my personal pleasure to attend the opening ceremonies of that beautiful building. Construction had been started December 7, 1951, and almost two years later to the day, the various offices of the Department had been brought together under one roof where, up to that time, various units of the Department had been scattered over the Burlington area. This aided greatly in permitting the assembling of the various elements of the Department in one place, thereby helping to raise employee morale, and so promoting increased efficiency and cooperation among the divisions of the Department.

Three new functions have been assumed by the Department in the last four years that have, and will make, a continued contribution to the State. A Division of Public Health Statistics, headed by a public health trained statistician has been inaugurated, a medical director has been secured for the Division of Cancer Control and the Public Health Service has sent a person to direct the health education activities of the Department.

In July of 1951, the public health nursing program was re-adapted to a generalized nursing service which now gives nursing coverage to all areas of the State. In the spring of this year, an important step was taken in the hopeful eradication of dread poliomyelitis, when the Department cooperated with the National Foundation for Infantile Paralysis polio vaccination field trial in Chittenden County, in which second grade school children were offered the Salk vaccine and first and third graders participated as control groups. The results of the field trial will not be known until later this year (1955), but all of us are hopeful that an immunizing agent will be found in the Salk vaccine or some other vaccine.

The Hospital Services Division has been charged with and has developed standards of nursing homes and hospital licensure. This is particularly important as we face every day an expanding older age group of our State's population.

HIGHWAYS

Highway progress during my two terms in office has been very gratifying. Eighty-seven miles of gravel gaps on the State System have been hard surfaced during that time, closing the last gap on seven important State routes. On November 19, 1954, the contract was let to construct the second and last section of highway between Bethel and Woodstock, which will wipe out the last gravel gap on the Federal Aid Primary System. With the completion of this program in sight, we have already embarked on a long-range plan to widen, straighten, and strengthen our main highways. Such projects have already been completed in Pownal, Mendon, Mount Holly, Proctorsville, Bradford, and are under construction in Dummerston, Putney and Barton. With the completion of bond-financed bridges in Alburg-North Hero, North Hero-Grand Isle, St. Johnsbury, Readsboro, Berkshire, and three in Montgomery, all our paved State highways have bridges capable of carrying the full statutory vehicle weight, making use of short and convenient truck routes in four locations.

The General Assembly of 1953 passed important legislation to speed up the State Aid Blacktopping Program. State Aid Highways are now being built in larger and more economical projects, and an overall plan to complete all such highways which carry a daily traffic of 150 vehicles has been prepared. While the surfacing of 134 miles of State Aid Highway miles was undertaken during my first term, 155 miles were provided for during my second, 117 miles of which is now surfaced, 38 miles still under construction. Thirty-two villages have already been provided with hard-surfaced outlet by this construction, and 6 additional will be so provided when the construction is completed. Town Highways not only received increased appropriations for the current biennium, but, most important of all, are being better administered by the local officials responsible for their improvement. Both the quantity and quality of work done with State appropriated funds has improved. We are making good progress on our objective of having a year-around highway to every farm and home in Vermont.

While we have been constructing new roads we have not been neglecting the old ones. It is significant that the General Assembly has never adopted the penny-wise-pound-foolish policy of cutting maintenance appropriations, but has always provided the necessary funds to keep all our highways in condition where we get full benefit and enjoyment out of our investment. The State has received many compliments from visitors on the condition of our highways.

Good as all this progress is, I consider an important achievement of my four years in guiding the highway program to be the building up of a strong and capable Highway Department. In 1951 the engineering section of the Highway Department was at 62 per cent of strength and losing engineers each month. Adequate salaries were the obvious answer. They were provided. In 1952 we gained 22 engineers. We have gained 40 more since and are now at 83 per cent of full strength. Whereas on June 30, 1952, the Department failed by one full project of spending the funds appropriated for that fiscal year, on December 14, 1954, it let the contract for the last of the funds appropriated for the present fiscal year and, today, has plans for next year's work 30 per cent completed, with one project all ready to advertise for bids as soon as State matching funds are appropriated.

So, I can leave you a highway system well suited to today's needs, a progressive program fully under way, no funding obligations to hamper the choice of future methods of finance, and a Highway Department prepared to carry out whatever program this General Assembly entrusts to it.

INSTITUTIONS

We have continued to make steady progress in additions and improvements where necessary to our physical plants at the various state institutions to care adequately for those there who are our responsibilities. Both the 1951 and 1953 Legislatures did nobly in this respect and the list of projects for repair, renovation, and construction is a long and impressive one. Likewise, the putting into effect of a revised and improved pay scale has stemmed the rapid turnover of institutional help that was being experienced. Vermont legislatures, where the need has been clearly shown, have always met that need for our institutional inmates and I feel confident they will continue so to do. Briefly, as indicative on this point, appropriations provided have permitted staff additions in the various institutions, which afford better patient care of the tubercular and mentally ill and more adequate supervision in the correctional institutions. A clinical psychologist, female social worker, and home attendants were added at Brandon. Nurses, an occupational therapist, and a medical social worker were added at the Vermont Sanatorium. An athletic director at the Weeks School; psychiatric services were made available at the Women's Reformatory.

One of the most tragic of occurrences took place in 1952 at one of our state institutions. That was the escape of Demag and Blair from the State Prison. I made a personal investigation of the circumstances attending escape and capture, administered disciplinary action, and made recommendations for tighter security that have been carried out. The last related to the setting up of a committee to look into the need for a new prison. That report will be before you at the Session. Punishment in the case of these two has now been completely administered.

The transfer to the Department of Institutions from the Health Department supervision of Vermont Sanatorium, Washington County Sanatorium, Brattleboro Retreat, Vermont State Hospital, and Brandon State School has worked out well.

LABOR AND INDUSTRY

The occupational disease law was adopted on my recommendation by the 1951 Session. Experience will show some changes and improvements are indicated. The relations of this administration with both labor organizations in the state have been cordial and friendly. The procurement of more industries and therefore more jobs we have sought assiduously but it is at best a difficult task in a highly competitive field. Our Development Commission, now under able leadership, working cooperatively with private agencies, I am sure will uphold the state's responsibility as declared by Statute to aid and assist in such procurement. The Development Credit Corporation, provided on recommendation to the 1953 Legislature, has now got over the initial hurdle of procuring subscriptions to its goal of \$50,000 capital stock and it should develop into a power for good in the future economic life of the State.

POWER

My entry into the governorship followed a spasmodic period of power shortages disruptive to the economy of certain sections of the state. To the question of what should be done, I addressed myself on many occasions. At least two of the suggestions made have been implemented by legislation. One had to do with the Public Service Commission having authority to order the integration of the power systems of the state by means of high power transmission lines so that if there was a lack of power in one section it could be made available from another where the supply was adequate. The utilities viewed the adoption of this recommendation with some trepidation, but they went along with it. Fortunately, the power thus vested in the Commission has not had to be exercised. The power companies have seen the need and have been doing a good job in making steady progress in working out such interconnections. The construction of the new 66,000 volt line by the Central Vermont Public Service Company on the west side of the State joining its old with newly acquired properties in Franklin County is illustrative. The second had to do with designating the Public Service Commission the bargaining agency of the State for the procurement of power from sources outside the state. This was provided for by No. 193 of the Acts of 1951. Manifestly this latter was aimed at the procurement of power from the International Rapids Section of the St. Lawrence River. Three possibilities, as I see it, exist for the procurement of this power; namely, (1) by displaced power over the transmission lines of Canadian companies into northern Vermont, (2) by transmission lines coming into the southern section of the State, and (3) by construction under some form of state control, supervision or sponsorship of high power transmission lines from points at or near the source into some system or load center in the State. Although a rosy picture has been painted of what St. Lawrence power would do for Vermont, the acid test so far as state-contemplated activity is concerned, assuming the allocation of an amount to us we could use efficiently, would be whether the costs entailed in procurement are disproportionate to the benefits to be received. On this point you should be fully informed. We should welcome the procurement of such power provided it can be obtained by some practicable method at reasonable cost.

Four years ago when I took office we were faced with the mere possibility of St. Lawrence power. Today the project has been authorized and is being built. To date we have not lost or overlooked any opportunity for the procurement of this power. The Public Service Commission, acting on my instructions, has kept constantly in touch with what has been going on. If you desire to take different or more positive action, the opportunity is present so to do.

SOCIAL WELFARE

During the last four years the Department of Social Welfare has rendered prompt and effective service to all applicants for Old Age and other types of assistance. With few exceptions a decision has been rendered within 60 days and a check mailed to those found eligible. Pending cases each month have been less than the number of new applications. In this period the average monthly payment for Old-Age Assistance has increased from \$40.09 to \$44.74, in Aid to Dependent Children from \$53.98 per family to \$77.73, in Aid to the Blind from \$44.80 to \$48.60 and in Aid to the Disabled from \$42.75 to \$48.38. These payments are reasonably comparable to the national average and to those paid in our neighboring states of Maine and New Hampshire, excluding medical care and hospitalization.

The adoptive program of the department has been extended and strengthened and the long-time reputation for low administrative expense has been maintained. In our largest program of the Agency, Old-Age Assistance, 96.6 cents out of each assistance dollar has been paid to recipients.

The Department of Social Welfare has had the benefit of a large number of experienced and loyal employees with long tenure of office. These have contributed greatly to the good reputation of the agency and its good public relations in a difficult field of public service.

CONCLUSION

Today as my administration comes to an end there closes with it the most lush period in state income ever experienced. Perhaps it might likewise be prophetic to say we are approaching the close of an era in our national economy. The false prosperity we have heretofore experienced because of war, with its attendant inflationary trends, is slowly being replaced by one based on peace. The dislocations caused by the transition

have their reverberations here in Vermont. Unemployment is at a higher level in some areas. Then again, many of the markets of the world are closed to us because of current national policy or trade barriers. We are rapidly becoming our sole best customer. This great industrial giant we have here in the United States can far outproduce what we need for our own domestic consumption and the principal reason why in the past we have kept employment at a high level has been our ability and opportunity to export our excess production. We do not want to have to resort to war to bolster our economy, but to scale down national production to national consumption bodes no good for the future of it in terms of jobs and prosperity. Neither is prosperity to be found in the taxpayer's pocketbook as a long-term method of building up job opportunity, although such an approach is sometimes justified to alleviate depression.

Today we stand alone as the only effective power to withstand the aggression of Communism. The ascendancy of the United States to this position of prime defender of the democratic way of life entails greater military expenditures to guarantee its perpetuation. By the same token, it is logical to assume that as a free people burden themselves with ever greater and necessary military expenditure, if the tax load remains constant, the amount that can be spent for the domestic economy becomes proportionately smaller. If broad activity on the domestic front is to be stepped up at the same time it can only be through resort to deficit financing or new taxes. This national condition reaches down to the level of state government. It places on you today as well as other state legislatures throughout the land the great responsibility of gauging to some degree how much you want to add under the circumstances to the national burden to support the domestic economy by appeals to it for further aid. It provokes soul-searching in the realm of understanding what we at the state level want to do for ourselves and what objectives we shall turn to government to accomplish.

The degree of forbearance, therefore, in these abnormal times, which the citizen is willing to exercise in what he asks of his government determines the extent to which America shall remain a land of freedom and opportunity. Economics and government today are closely interwoven, but the specific role of government still remains constant; namely, to aid and assist in the maintenance of a sound economy, never to control and run the show itself. Unwise governmental fiscal policies based upon the opposite approach are apt to promote a desire for escape from them in the individual or to dull the creative impulse.

My philosophy at the beginning of my administration was to keep bureaucracy out of the life of the citizen and let him do for himself as much as possible. Four years in this high position as governor which the people have bestowed upon me lead me to conclude that it is still a good philosophy today, especially in view of present national and world conditions I have mentioned. To the extent you find it appealing, I hope you will bear it in mind in the deliberations upon which you are about to embark. There will be modifications and departures from it, but to know and understand the principle permits of dealing constructively with the problem when the general has to be weighed against the specific.

To the many public-spirited men and women who have served on request on boards and commissions, many times without pay or at best with only meager stipend, I express my thanks. I leave state service with an able group of administrators heading up the various departments. I thank them for their cooperative and conscientious performance of duty and bespeak from them that same loyal assistance to my successor. Your state government is in good hands in the person of my successor. May you and he cooperatively build together during this session for a better Vermont in the true Vermont tradition.

LEE E. EMERSON.

Dissolution

The Governor, having concluded the reading of his retiring message was escorted to the Executive Chamber by the committee appointed by the Chair.

The Joint Assembly dissolved.

HOWARD E. ARMSTRONG,
Secretary of State, Clerk

Farewell address

of

Horace Fairbanks

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1878

Farewell Address
Wednesday, October 2, 1878

Gentlemen of the Senate and of the House of Representatives:

Since the presentation of my message to the Legislature of 1876, information on several subjects has been brought to my official attention, a knowledge of which, in my judgment, will be not only helpful, but important, for the proper discharge of your duties as legislators. I have, therefore, concluded to depart from the usual custom of my predecessors, and submit a brief message at the close of my administration of the executive department of the State. I am the more impelled to make this departure from the fact that under the biennial system, as hitherto administered, the Governor is obliged to communicate the customary message, before having had any official experience of the practical operation of the laws, as bearing upon the institutions and welfare of the State.

PARDONS.

The pardons granted by me may be divided into two general classes. The first class comprises persons sentenced to the payment of a fine and costs of prosecution, and to stand committed until such payment is made. To this class I have granted one hundred and ninety-five pardons, the fines and costs remitted in the aggregate amounting to about eight thousand dollars.

In most cases of the first class, the pardon has, in effect, been the remission of the imposed fine, in consideration of the length of confinement in jail; and of the second class, the remission of a part of the term of imprisonment imposed by the court, from the consideration that the ends of justice had been fully accomplished by the imprisonment already endured, or because of new developments tending to establish the innocence of those convicted, or upon the recommendation of the court, who have felt there was doubt of the guilt of the party convicted.

As the law has been hitherto—it is now somewhat modified by the act establishing a State work house—the imposition of a fine upon a man unable to pay it, practically amounted to imprisonment in the county jail for life. No power was vested in the courts to determine what length of such imprisonment should be equivalent for the payment of the fine; therefore, there have been found, in all our county jails, a large number of persons confined in enforced idleness, without hope of release except through executive interference. Without its exercise the jails would soon cease to furnish room for new offenders.

The second class includes persons sentenced to be confined at hard labor in the State prison for a term of years. To this second class I have granted fifteen pardons.

In the appendix will be found a list of the pardons granted of the latter class during the two years ending this day, and a brief statement of my reasons for granting each.

It is a question which has suggested itself to me, whether there should not be some advisory tribunal, as is the practice in some other States, whose duty it should be to examine applications for pardons, and recommend to the Governor.

It is apparent that so many applications, urged frequently with much persistency and feeling by near and suffering friends, imposes a heavy burden of responsibility upon the Executive. If refused the election of a new Governor incites to a fresh application. No general principles governing the granting or the refusal of such applications can be established and uniformly applied. Such frequent application keep the convict in a state of constant expectation or disappointment, The uncertainty of mind thus induced renders prison discipline more difficult and less effective. The law, too, loses much of its terror for evil doers, from the uncertainty which arises in regard to an even and impartial execution of its penalties.

These reflections are suggested to my mind by an examination of the number of pardons granted annually during the last thirty-five years, a lot of which, together with the number of commitments for each fiscal year ending August 1st, is as follows:

It will be observed that the commitments for the years 1877 and 1878 are largely in excess of those of former years.

TABULAR STATEMENT OF COMMITMENTS AND PARDONS.

Years	Commitments	Pardons	Years	Commitments	Pardons	Years	Commitments	Pardons
1843	23	9	1855	35	15	1867	29	3
1844	30	11	1856	31	8	1868	42	8
1845	26	12	1857	25	16	1869	44	8
1846	25	20	1858	38	9	1870	39	11
1847	16	8	1859	41	9	1871	32	8
1848	19	7	1860	44	12	1872	23	7
1849	34	6	1861	42	5	1873	35	1
1850	38	8	1862	22	6	1874	50	
1851	35	5	1863	17	5	1875	35	1
1852	21	9	1864	31	4	1876	81	6
1853	32	8	1865	51	10	1877	68	7
1854	22	5	1866	43	9	1878		

Should not the Executive be required by law to communicate to the legislature at each regular session, all cases of reprieve or pardon granted, with his reasons for granting the same?

PRISON SYSTEM AND CRIMINAL LAWS.

It is a sad commentary upon our prison system, that under it the rule has been, once a criminal always a criminal, and that the convict thereby has been confirmed in his criminal tendencies rather than the reverse.

My more intimate connection with and observation of its administration during the two years now closing, has by strengthened and confirmed the views I expressed in my former message, and impressed upon me the conviction that the further carrying out of the humane and reformatory measures already so happily begun, will result in good both to the inmates of the prison and to the State at large.

In this age, when the deaf and dumb are taught to converse freely, the blind to read and write, and when the faint glimmering intellect of the feeble minded and idiotic is developed and strengthened into fair intelligence, it would seem that a sovereign State, with all its resources, might be able to turn back from vice and restore to virtue, youth, many of whom have been brought to the commission of crime more by evil associates and untoward circumstances, than by innate criminal disposition. To this end, ought not our criminal laws to have a most careful revision? Ought not the State to own our county jails, making them simply houses of detention for the safe custody of prisoners awaiting examination or trial? Ought not the State prison accommodations to be enlarged, making it possible for the convicts to be classified and more thoroughly disciplined and reformed?

REVIEW OF JOHN P. PHAIR.

On the day appointed for the execution of John P. Phair, April 6th, 1877, and only an hour or two before the execution was to take place, a telegram was received from M.C. Downing of Boston, sent by advice of the Chief of Police, saying that he thought he saw and conversed with Mr. Phair on the train coming from Providence to Boston on the next day following the murder of Mrs. Freeze; and also a telegram from Charles H. Taylor, manager of the Boston Globe, vouching that Mr. Downing was a reliable man.

Phair left Rutland on the early train on the morning of the murder, and went to Boston. At the trial, and in a statement which he had caused to be published, he claimed that he did not stop in Boston, but went directly through to Providence, stopped over night and returned to Boston the next forenoon.

The strong evidence on the trial against him showed that he, under the name of "E.F. Smith," occupied a room that night at the Adams House in Boston, in which, after he left, was found part of a shawl, which was identified as having belonged to the murdered woman, and that under that same name the next morning he pawned in one place a watch and in another an opera glass and some rings, which were also identified as having belonged to her. He could not have done this if he went to Providence and returned as he claimed, and as Mr. Downing's testimony tended to show. There was no time for investigation. I deemed it my duty to stay the execution of the sentence for a short time, and did so until the 4th day of May following.

The matter was of so much importance, not only to Phair, but to the State, that I thought an investigation should be had by those acquainted with the facts and circumstances attending the murder and trial, and accordingly requested E.J. Ormsbee, Esq., the State's Attorney under whom the conviction was had, and W.G. Veazey, Esq., one of Phair's attorneys at the trial, to proceed to Boston and Providence and take such evidence as they might find bearing upon this claim. This testimony, together with additional evidence, is herewith transmitted. Petitions were presented for a further reprieve, signed by many leading and highly respectable citizens of the State. Many letters were also received from well known and prominent professional and business men, urging the reprieve. I felt it to be my duty to grant the request. A further stay of the execution of the sentence was ordered until the first Friday of April, A.D. 1879. I think that the question presented by this evidence is for judicial investigation and determination. If Phair is guilty he should suffer the penalty. If not guilty he should be set at liberty.

When the question arose, the time limited by the statute for the presentation of a petition for a new trial had elapsed. Until quite recently the time in which such petition must be brought did not elapse before the execution of the sentence in such cases. By an extension of the time which must intervene in capital cases between the sentence and execution, under the present law, there is now a time shortly before the execution, in which a person under sentence of death, whatever the developments, has not the right to bring a petition for a new trial. This condition of the law has probably been occasioned inadvertently by the change from the annual to the biennial system. I think this is a defect in the law. When life is the penalty, the State cannot afford to make a mistake. I therefore thought it my duty to stay the execution until such time as the Legislature would have an opportunity to take action and determine whether the law should be so amended as to furnish Phair and others under sentence of death, the right to bring a petition for a new trial at any time before the execution of the sentence.

WORKHOUSE.

I appointed Hon. Wm. W. Grout of Barton, Hon. Albert Clarke of St. Albans, and Hon. Ner P. Simons of Rutland, Commissioners, required by the act of 1876, for the establishment and construction of a workhouse. They duly qualified and entered upon the prosecution of the work committed to them by the act. The county of Rutland reasonably complied with the conditions of the act, and thereby secured the location of the workhouse within, and in part for the use of that county.

The Commissioners purchased land in the town of Rutland, necessary for the site, erected thereon the buildings required, at an expense within the appropriation—a fact in the construction of public buildings, in these times, which is as creditable to them, and their management, as it is rare—and had the same in readiness for occupation by the time named in the act.

Having thus promptly and satisfactorily completed their work as Commissioners, I appointed them Directors. Their report will be duly transmitted.

The necessity of such an institution has long been felt. Its establishment and proper management I am sure will be found a great relief, not to say improvement, in the administration of criminal justice. It is probable that a similar institution located on the east side of the State will ultimately be a necessity.

INSANE AND INSANE ASYLUM.

Under the Joint Resolution of 1876, "In relation to the insane of the State and the statutes in relation to their confinement and treatment," I appointed Dr. Middleton Goldsmith of Rutland, Dr. O.F. Fassett of St. Albans, and William H. Walker Esq. of Ludlow, Commissioners, to make the inquiries and investigations required by the resolution. These gentlemen accepted the appointment, and have entered upon the discharge of their duties. Their report will be duly transmitted.

STATE LIBRARY, CABINET AND HISTORICAL SOCIETY.

"To devise a plan for the better accommodation and utility of the State Library, the State Cabinet, and the Collections of the Vermont Historical Society, and to prepare designs and make estimates for the same," required by the Joint Resolution of 1876, I appointed Hon. T. P. Redfield of Montpelier, Hon. G.G. Benedict of Burlington, and Hon. Roswell Farnham of Bradford, Commissioners, who have entered upon the discharge of the duties imposed. Their report will be duly presented.

JUDGE OF THE SUPREME COURT.

The resignation of Honorable Hoyt H. Wheeler, occasioned by his appointment as United State District judge for the District of Vermont the Judges ranking below him were each promoted, leaving a vacancy in the sixth assistant judgeship, which was filled by the appointment of Hon. Walter C. Dunton of Rutland.

STATE MILITIA.

In pursuance of an act of the Legislature of 1876, providing that whenever the Militia force of this State shall be reduced to ten companies of infantry, the commander-in-chief is authorized and directed to organize a battery of light artillery, which shall be deemed a part of the organized Militia of the State.

This contingency having arisen by the disbandment of two of the companies of infantry, under my direction the "Fuller Battery" of Brattleboro was mustered into service and became a part of the organized Militia of the State.

This change renders our Militia force, though small compared with other new England States, much more complete and efficient than it had hitherto been.

I am happy to report that the Vermont Regiment, in point of discipline and equipment, is not surpassed by the troops of the neighboring States. The comparison to which it was subjected at the Centennial celebration at Bennington in 1877, with the picked troops of New Hampshire and Massachusetts, was not unfavorable to it. It reflected great credit not only upon those in command but upon the men themselves, who behaved with marked decorum and evinced the soldierly qualities expected of Vermont troops.

The departments of the Adjutant and Inspector General and Quartermaster General have been conducted with efficiency and fidelity.

STATE CENTENNIAL AND BENNINGTON BATTLE MONUMENT.

The Centennial celebration of the adoption of the State Constitution, at Windsor, July 9, 1877, and of the Battle of Bennington, at Bennington, August 16th, 17th and 18th, 1877 – who were present representing other States and the nation – what was done – what was said in oration and poem of the heroes and heroic deeds of one hundred years ago, – have passed into and become a part of the history of the State and the nation.

It was well to incite our minds to patriotism and devotion to the maintenance of equal rights for all, at whatever peril and cost, by recalling the sacrifices and heroic deeds of valor of those who laid the foundations of the State.

It is well to commemorate the battle so intimately connected with the weal or woe of the State and the nation, by a fitting monument which shall perpetually remind us, our children and our children's children, of the cost of treasure, suffering and precious blood at which the liberties and rights enjoyed by us and them were purchased.

Under the act incorporating the Bennington Battle Monument Association, as was my duty, I invited in the name of the State the States of New Hampshire and Massachusetts to unite with the State of Vermont in erecting a battle monument at Bennington.

These States have responded most generously: the former by appropriating \$5,000 and the latter by appropriating \$7,500 for the erection of such a monument.

These sums, together with the sum appropriated by this State, amount to \$27,500.

This last named sum has been increased by individual donations, so that the sum now available to the erection of such a monument is \$32,500.

The Directors of the Monument Association have determined to increase this sum to a much larger amount through private generosity.

UNITED STATES COAST SURVEY.

Information having come to me that the appropriation by Congress for carrying on the Geodetic triangulation of the United States Coast Survey would allow of its extension to this State, I immediately communicated with the Superintendent of the United State Coast Survey at Washington, under whose direction this work is being done. I was informed that on furnishing satisfactory evidence that the State had been surveyed geologically, the Department would undertake the work in this State.

The required evidence was furnished, and on my recommendation, Prof. Volney G. Barbour, of the Vermont University and State Agricultural College, was appointed to perform the work. By this survey, the location of a great number of points in the State and on Lake Champlain will be fixed and determined relatively, not only to each other, but to many other points in other States, and along the coast of the United States.

LIGHT HOUSES

I herewith transmit a communication from Colonel Woodruff, Engineer of the third Light House District, relating to some legislation necessary to render effective an act passed at the last session of Congress, authorizing the location and construction of Light Houses at certain points on Lake Memphremagog.

You will no doubt give the matter favorable consideration.

THE ANTIETAM NATIONAL CEMETERY.

The title to this property is vested in the State of Maryland as Trustee for the several States which contributed towards its establishment and maintenance. The State of Vermont made such contribution. The Board of Trustees of the Cemetery have become involved in a debt. Congress, by act of March 2, 1877, authorized the Secretary of War to pay this indebtedness on the title to the property being vested in the United States, and made an appropriation for that purpose.

The War Department of the United States, requests the extinguishment of the right of this State to the property, by the passage of the act herewith transmitted, that the appropriation may be made effectual to the payment of such indebtedness.

PARIS EXPOSITION.

I received from the State Department of the United States Government, an official communication requesting me to nominate to the President of the United States, two persons suitable for appointment as honorary commissioners to represent this State at the Paris Exposition.

I complied with this request by nominating Ex-Governor John Gregory Smith of St. Albans, and Hon. Luk P. Poland of St. Johnsbury, who were duly appointed as such. The former attended the Exposition, and with his

accustomed energy and ability addressed himself to the promotion of the interests of the State and its citizens there represented. I regret to say that the latter, by unexpected business engagements, found himself unable to attend.

THE HUNTINGTON BEQUEST.

Arunah Huntington, a native of Vermont, but more recently of Brantford, Province of Ontario, Dominion of Canada, died January 10, 1877, leaving an estate inventoried in the will at two hundred and two thousand dollars, to the State of Vermont as a common school fund. Of this estate, \$3,450.00 was in real estate and real estate securities situated in the Province of Ontario. The balance of the devise is of a personal nature and consists of bank and insurance stock, railroad securities and personal loans. Mr. Huntington left no children. He left a second wife who is not an heir because of an ante-nuptial contract. The heirs of Mr. Huntington have commenced legal proceedings in the Court of Chancery, praying said court to declare void the devise and bequest so far as it relates to real estate under the old English statute of *Mortmain*. This statute declares void all conveyances and devises of land or any interest therein, where the gift is for charitable uses, unless such gift or conveyance be made by deed, twelve calendar months before the death of such donor or grantor, and be duly recorded six calendar months before the death of such donor or grantor. And also praying said court that the whole devise and bequests are made by the said testator cannot be carried out by the State of Vermont and cannot be enforced by the courts of Canada, and because the aforesaid conditions, if carried out, would result in creating a perpetuity; and asking that the heirs at law be declared entitled to the same, according to their respective interests.

Before the cause was reached for trial, negotiations had begun with reference to a settlement and adjustment of so much of the claim as would come within the provisions of the statute of *Mortmain*, conditioned upon the withdrawal of the suit. These negotiations have as yet resulted in no adjustment, and I am unable to state whether it is probable that such adjustment can be had upon any terms that the State could consent to. I have exercised all possible diligence to secure such disposition of this matter as would carry out the wishes of the generous donor. Immediately upon the commencement of legal proceedings by the heirs, I intrusted the matter to Judge Poland, who has diligently cared for the interests of the State in the courts.

Mr. Huntington was born in Roxbury, in this State, February 23, 1794. His early years were spent upon a farm; later he worked at the tanners and shoemakers' trades, teaching school during the winter, until 1828, when he removed to Canada, where he has since resided. His attachment for his native State never abated, and it has been his custom for years to talk over with his friends his project of leaving his property as a common school fund to the State of his nativity.

What fitting action should be taken by you in recognition of his warm attachment and persistent devotion to the State of his birth, is a matter which I leave to your wisdom without comment.

Senators and Representatives:

In closing my connection with the Executive Department of the State, allow me to express to you and through you to all the people of the State my most hearty appreciation of the cooperation, kindness, forbearance and charity which have been universally extended to me in the discharge of my official duties, and I trust that that Providence which controls alike the destinies of individuals and of nations, will grant His blessing upon your united efforts for the welfare of the State.

HORACE FAIRBANKS

EXECUTIVE CHAMBER,
Montpelier, Oct. 2, 1878 }
}

Farewell address
of
Roswell Farnham
As it appears in the
Journal
of the
Joint Assembly.

1882

Thursday, October 5, 1882 Farewell Address

Gentlemen of the General Assembly:

With considerable hesitation I follow the example of two of my predecessors, hardly established as a custom, of delivering in person a valedictory message. But the Legislature of 1880 made so radical changes in some important statutes, attempted so much in the revision of the laws of the State and in proposing constitutional changes, so much has been done by State officers in performing the work laid out for them by that Legislature, and so many events of interest to our State have occurred in the intervening two years, that no excuse is necessary for my taking this opportunity of referring to some of them. Besides, the retiring governor has a better knowledge of the affairs of the State at the close of his term than when he assumes the duties of his office, and is more fully acquainted with the business transactions of the State for the two years of his term than his successor is likely to be.

THE REVISION OF THE LAWS.

The great business of the Legislature of 1880 was the revision of the entire body of the statute laws of the State. The preliminary work had been placed in the hands of a competent commission two years before, and their report, embodying the compilation of the annual laws for seventeen years, and the changes and condensations proposed by them, was laid before that Legislature for its consideration and action. This report was referred to a committee composed of some of the best lawyers in the State, and they gave the entire work a thorough and careful examination for many weeks. Their report was adopted with but few changes. The Legislature elected Clarence H. Pitkin of Montpelier, L.H. Thompson of Irasburgh, and Ashton R. Willard of Montpelier, commissioners to edit and superintend the publication of the work under the name of the "Revised Laws of Vermont," together with the Constitution of the State and that of the United States. Before they had commenced their labors Judge Thompson resigned his place upon the commission, and I appointed Hiram A. Huse, Esq., of Montpelier, to fill the vacancy. The commissioners went to work soon after the rising of the Legislature, and worked diligently nearly every day and many nights until the publication of the work early in August. The Revised Laws came in force on the first day of August, A.D. 1881.

The revision and the editing and the publication of the work have commended themselves to the judgment of the lawyers and business men of the State as well done. The Revised Laws make a book of considerable less size than the General Statutes of 1863. The arrangement is systematic and convenient, and the head notes to chapters and marginal references are full, accurate, and of the utmost convenience. The type is clear and of good size, the binding is substantial, and the paper of good quality, so that the book, in a mechanical as well as literary and legal aspect, is a credit to all who had a hand in its production, and one that the State may well feel proud of.

The revisors made many suggestions of changes in important laws that were adopted by the Legislature, and I think we may feel safe in believing that the adoption of the Revised Laws was a decided advance in the legislation of the State.

AMENDMENTS TO THE CONSTITUTION

The Legislature of 1880 acted for the first time under Article 25 of the Amendments to the constitution, adopted in 1870 by the last convention held under the old system. The Senate proposed, and the House concurred, in six amendments to the Constitution. It is for the present Assembly to say how many and what of the proposed amendments shall be submitted to the people for their approval. Two of the articles seem to be of considerable importance, viz.: that relating to reprieves, commutations and pardons, and that relating to the Legislature's power to control the traffic of intoxicating drinks. Of the first I speak in another place. As to the latter the least that can be said is that it is in accord with the highest Christian sentiment of the day. It puts in a more permanent form the voice of the people so long expressed in the same direction by the legislation upon our statute books. I cannot believe that the people will take a backward step in this matter.

THE TAX LAW.

But in addition to the labor performed by your predecessors in 1880, in revising the laws they made some new legislation of great importance to the State. The new system of taxation was a departure in the right direction. Our Bill of Rights declares "that every member of society, hath a right to be protected in the enjoyment of life, liberty and property, and therefore is bound to contribute his proportion towards the expense of that protection." It is now well settled that every man's proportion is regulated by his pecuniary ability to pay that proportion. The difficulty heretofore has been to ascertain each individual's property so that his just proportion might be established. Listers and selectmen could not ascertain what property the tax-payers owned, and all former devices have failed to hunt out a large proportion of the personal property in the State. At length the thought occurred to somebody to ask the tax-payer himself about his property. No one could know better than he about it, its character and amount. Why not ask him? Every good citizen should be willing to contribute his proportion towards the expense of protecting his life, liberty and property, and there certainly can be no objection to obtaining the necessary information from the tax-payer. And to ensure its absolute correctness there should be penalties for those who do not make truthful statements. The principle of the new tax law is evidently correct. The experience of the past two years may show that some modifications are necessary for its more efficient working. Of this you can best judge. Whatever complaints may be made of the law, one thing is certain, it brought the grand list of the State, not including gores and unorganized towns, from \$1,001,317.81 in 1880, to \$1,634,454.96 in 1881, or an increase in the list of \$633,137.15, being more than 60 per cent. A tax of 20 per cent in 1880 gave \$200,263.56, while a tax of 17 per cent in 1881 gave us \$277,357.30, or a gain of \$77,593.74 in taxes at a rate of three per cent less than the year before. Can anyone complain that any body has been wronged by this law? Has the law compelled tax-payers to put into their inventory property to the amount of over six hundred thousand dollars that they did not own? Certainly not. It has simply brought to light property that ought to be taxed and should have been for years past. It may be unpleasant and inconvenient for individuals to disclose the condition of their private affairs, but justice to the State and justice to others demands it.

FINANCES

But our financial condition is very satisfactory in other respects. The treasurer's report, made Aug. 1, 1882, shows that he has on hand in cash and available assets \$154,505.23, while the entire liabilities of the State are \$209,583.79. But these liabilities include the Agricultural College fund, \$153,500, which is not due till 1890; soldier's accounts, \$8,959.02, which are made up of very small balances, and most of them will never be called for; so that if we set aside these items not to be called for at present, the treasurer had on hand Aug. 1, 1882, available for present use and running expenses, \$89,380.46.

STATE AUDITOR

The act abolishing the court auditors and requiring their duties to be performed by the State Auditor is having a most beneficial effect. The efficient State Auditor has reduced to something of a system what before was without the pretense of system, that is, the allowances of fees and costs in the different counties. But he has done more than this. He has brought about the collection of fines and costs imposed by magistrates, so that for the biennial term ending July 31, 1882, the amount of fines and costs collected was \$66,576.47, while for the term ending July 31, 1878, it was but \$45,007.13. At the same time, the net court expenses have been reduced from \$223,886.89, for the biennial term ending July 31, 1878, to \$93,728.76, for the last biennial term. This last saving is due in a great measure to the legislation in regard to court expenses.

THE HIGHWAY LAW.

Among the important legislation of the last session of the General Assembly, was the passage of the act relieving towns from liability to be amerced in damages on account of injuries occasioned by defective highways. The unjust demand of some person claiming to have been injured by defects in highways, and their success in recovering heavy damages had prejudiced the whole people against a law very just and equitable in principle. Towns should be required to keep their highways in a safe condition. From my own observation and from the information that has come to me, I am of the opinion that the roads through the State have not been as well cared for as they were before towns were relieved of their liability in this respect. The county road

commissioners have seldom, if at all, been called out. The system is too unwieldy for practical use. Evidently the Legislature ought to do something to give us better roads and to protect honest travelers.

PARDONS AND CONDITIONAL DISCHARGES.

One of the unpleasant duties of the executive arises in connection with applications for pardon. The moment a man has committed a crime his friends are more afflicted than he is. If he is convicted and imprisoned, his family and those dependent upon him are deprived of their protector and means of support. His parents and other friends are overwhelmed with grief, and to them his case seems so exceptional and peculiar, and with so many extenuating circumstances that they think he ought to be pardoned, and at once make application to that end. And were such a case the sole one to be acted upon, and sympathy alone to be the governing motive, there would seem to be good reason for granting a pardon. But almost every case carries its affliction to friends with it. Pardons, that were originally supposed to be granted as a matter of special favor on the part of the executive, and by appeal to his sympathies, have come to be or at least ought to be governed by some settled rules and principles. Our courts are so just and humane that the governor would seem presumptive who should arrogate to himself the duty of correcting their action. I have granted but few absolute pardons from the State Prison and House of Correction, and none from the Reform School.

The last Legislature provided for conditional discharges, and made it incumbent upon the Executive to prepare a form of such a conditional discharge, which should also set out at length the mittimus on which the convict was committed to prison. The act further provided that on breach of any of the conditions of the discharge, the party should be liable as for an escape from prison, and should be recommitted to serve out the full term for which he was originally committed. The condition provided in the form of discharge prepared is, that the discharged convict "shall preserve this conditional discharge until the expiration of the term for which he was sentenced, and produce it when called upon to do so within that time, by any magistrate or police officer of the State: he shall abstain from any violation of the law and from the use of intoxicating drinks as a beverage: he shall not habitually associate with notoriously bad characters such as reputed thieves and prostitutes: he shall not lead an idle and dissolute life without visible means of obtaining a livelihood, and shall keep the Governor informed of his place of residence until the expiration of the term for which he was sentenced."

In granting conditional discharges, I acted upon the assumption that the Legislature intended to have the Governor use the conditional discharge as a means of reformation, and thus to some extent make the State Prison and House of Correction reformatory as well as penal institutions. In some instances I have added a further condition that the discharged man should be under the special charge and surveillance of some officer in the neighborhood of his residence. Thus far but one man has been reported as having broken the conditions of his discharge. He has been rearrested, and is now serving out his time.

The proposed constitutional amendment in regard to reprieves, commutations and pardons, seems to be to be desirable. At present as the constitution is construed, there is no power to pardon in case of murder.

EXECUTIONS.

During the past two years there have been two executions with the usual distressing accompaniments, but with a great deal less of barbarity than frequently attends them in other States.

BOARD OF AGRICULTURE.

This Board was established two years ago in place of a Superintendent of Agriculture. It has done a good work through the State for the past two years. Its members have been practical farmers of advanced views upon the subjects they discussed; and the inquiries they have provoked, and the experiments that have been instituted at their suggestion, have had a most beneficial influence in the localities where they have held meetings. They have worked in harmony with the authorities of the State Agricultural College and have had much valuable aid from its President and Professors. I think that the State must be satisfied that a board of competent men is of much more efficiency than the most able man working alone.

EDUCATION.

For several years past the educational affairs of the State have been looked after by the Superintendent of Education alone. Much good work has been done, yet our schools have not advanced to the position they ought to hold. One man cannot accomplish everything, and the State has not done what it ought to for our schools. There can be but little doubt that very much more might be accomplished by a Board of Education, composed of the leading educators of the State and those who are interested in the subject, with an able Secretary, than can be done by the best exertions of one man, be he ever so gifted and experienced. But all the educators in Vermont can do but little without aid from the State. Two years ago thirty-seven thousand dollars were appropriated for the two Prisons and the Reform School in addition to their annual expense, which is thirty thousand dollars. As more than half of our convicts are native born Vermonters it would seem that we should do more for education, and thus avoid being compelled to do so much to protect ourselves against crime. It is difficult to propose any legislation that will accomplish all we desire in this direction, but a stable Board of Education in whom the State has confidence would from time to time make suggestions as to the changes necessary in the law, and gradually raise the character of our common schools to a higher standard. The present Superintendent of Education was elected by the Joint Assembly on the last day of its session in 1880. He declined to accept the position. I looked about for a suitable person to fill the vacancy, but before I had made any other selection the present incumbent was persuaded to accept the appointment, and entered very soon upon the performance of his duties. There was some delay occasioned by the fact that the Legislature of 1880 had, by some inadvertence repealed the act fixing the salary of the Superintendent of Education. The new superintendent felt unwilling to perform the duties of his office for two years without his salary being paid him. In this juncture several gentlemen of the State executed to the State treasurer satisfactory security upon which he raised the necessary amount, and the superintendent has been paid his salary regularly through the term. An appropriation should be made at some early day to relieve those gentlemen who have thus stepped in to save the credit of the State.

NORMAL SCHOOLS.

It is unfortunate for the cause of education that we have three Normal schools. What little the State feels able to do, ought to be devoted to one school, so that it might do more extensive work than is possible with three schools. But we can hardly expect any change now reducing the number, and we can get some consolation from the fact that three schools can accommodate more pupils than one central one could. Our common school teachers are all young people of small means, and it is quite a convenience to them to have a school in their vicinity where they can get such advantages as a Normal school affords. I have visited all of the Normal schools during the present year. I found three energetic, conscientious principals, with their faithful assistants, doing good work in spite of many drawbacks. I only ask the legislators to compare what the State does for the Reform School and the prisons with what it does for the Normal schools, and say candidly whether it does enough for the latter.

TEXT BOOKS

The five years for which text books to be used in our schools were adopted will expire in 1884, before the next session of the Legislature. The law still provides that each town may select its text book committee in a manner similar to that provided in 1878, so that the several towns may all have different text books, which would lead to great confusion and annoyance. The town committees who selected the text books in 1879 showed more wisdom than the Legislature that made the law, for in a majority of cases they held county conventions of town committees, and adopted the same text books in most of the towns of the county. This Legislature has it in its power to do justice to parents, teachers and scholars by providing for a uniformity of school books throughout the State, and in some way regulating the price of them. It is to be hoped that whoever, hereafter, decides upon the reading books to be used, will select some that do not almost entirely ignore speeches and selections of a patriotic character. The matter of the reading books in school influences the patriotic feelings and moral character of most of the scholars more than their instructions affect their style of reading. Many scholars get no other reading of that kind. It is to be hoped that the Revolution, the naval battles of 1812, and the war for the suppression of the Rebellion will not be altogether crowded out of the reading books in our common schools.

THE STATE PRISON.

The last Legislature appropriated twenty thousand dollars for the purpose of rebuilding and improving the State Prison and its surroundings. The act provides for constructing suitable drainage from the prison to the Connecticut River, for the construction of a new brick shop of sufficient capacity for the employment of all convict labor and for remodeling the central building so as to connect the two prison buildings, and make suitable accommodation for the superintendent and officers of the prison, and suitable quarters for female convicts. This provides for almost the entire remodeling of all the buildings about the prison except the two prisons and the new shop four years ago. The State Prison Committee of that Legislature evidently came to the same conclusion that every candid person must have arrived at upon inspecting the old buildings of that institution, viz.: that the two work shops and the central building were in every respect unfit and inadequate for the purposes to which they were put, and that the system of drainage into an immense cess pool in the rear of the prison was a means of breeding disease and death for the inmates of the prison and the surrounding village of Windsor. The buildings were old, and had none of the conveniences of modern times. They were probably all that was required at the time they were erected, but public sentiment has advanced very much in respect to these matters, and to-day demands better lighted, better warmed and better ventilated buildings, even for State Prison convicts, than it did fifty years ago.

The State Prison directors have expended the appropriation economically, yet with a view to the enlightened public sentiment of the present day. The buildings will be found to be substantial, convenient for the uses required, and if not ornamental, at least not an offense to good taste. The house of the superintendent is connected with the central building of the prison, and his sleeping room is in immediate communication with the guard room by an electric alarm bell. The central building of the prison proper contains the apartments for the female convicts, the matron and the assistants of the prison. The guard room, which is also in this building, is so arranged that one keeper can see the entire length of both wings of the prison, and have the oversight of all the prisoners without leaving that room. Considerable saving of expense and a great increase in the security of the prisoners is gained by this arrangement.

The new work shop, which takes the place of the two old ones, is much better adapted to its purposes than the ones whose place it takes. Less guards are required in it, and the gain in health comfort and cleanliness is considerable. The engine is in the basement, but the boilers are in a building by themselves, to lessen the danger from accident. The boilers are of sufficient capacity not only to run the machinery, but to warm all the buildings, and steam pipes are now put in so that the old system of stoves and long stove pipes, with the consequent dripping and smell of soot, are done away with.

The directors have made a new contract for the labor of the convicts on much more advantageous terms than the old one. I am satisfied that in the end the prison can be run much more economically with its new buildings and improved arrangements than it could be before with the old structures and inconvenient surroundings. The prison now, in its buildings, its arrangements and superintendence, will compare favorably with any like institutions in the country, although the whole establishment has cost the State but a tithe of what such prisons cost most of the States in the Union. The sewer, built from the prison to the Connecticut River, is in every respect very satisfactory. The health of the prisoners is remarkably good and this favorable condition is due in a great measure to the complete disposal of everything of a filthy character by the sewer.

At the time of the Superintendent's Report two years ago there were one hundred and forty-two convicts in the prison. When his report was made for this session there were but ninety-four. This is extremely gratifying, and indicates some improvement in the morals of the State, although a part of the change may be due to a more prosperous condition of business, and besides the House of Correction takes a few convicts that before its erection were sent to the State Prison.

THE HOUSE OF CORRECTION.

Now that the House of Correction is in successful operation and doing its work so well, we can hardly realize that the State could ever take care of its criminals without it. The old system of commitments to the common jails was a relic of barbarism. Then the young, and those whose offense was a slight misdemeanor, were thrust into prison with those hardened in crime, and kept in idleness that fostered every vice and

encouraged every crime. To-day the young and those who have accidentally fallen into crime do not herd with old offenders, and the time of all is occupied with industry helpful to them and profitable to the State. The State Prison, House of Correction and Reform School give us three grades of punishment, with an attempt to reform the younger offenders.

On the 31st day of July, 1880, there were sixty-six prisoners in the House of Correction and four in the Rutland County Jail, which is in the same building and under the same management. Two years later there were forty-four prisoners in the House of Correction and one in the Rutland County Jail, making a difference of twenty-five in the two years. This is gratifying.

The last Legislature appropriated six thousand dollars to pay the debt which had been incurred in building a work-shop and making other improvements during the two years previous. It also appropriated one thousand dollars for building an addition to the workshop. This addition has been built at considerable less expense than the appropriation.

The statute has long provided that persons confined in the State Prison who so conduct themselves for any month that no charge of misconduct is sustained against them, shall have a deduction for each such month, of five days from the term of sentence, and if poor and destitute, shall be entitled to receive one dollar for each such month when finally discharged. The certificate of discharge is to be approved by the governor. These provisions do not by the statute apply to the House of Correction, but it has been the practice of the governors, myself included, to approve of similar certificates from the Superintendent of the House of Correction, treating it in the light of a pardon for that length of time. It seems reasonable that both institutions should be put on the same footing in this respect, and some legislation is required to do it.

THE REFORM SCHOOL.

This institution is of a reformatory rather than of a penal character. Its ends are accomplished when its pupils can go out into life with strength of purpose to overcome the ordinary temptations that surround them. This is the idea that has actuated both the trustees and the superintendent of that institution during the past two years, although they have not always agreed as to the time when the proper point in the pupil's moral advancement had been reached for the application of it. The trustees, or a majority of them, were inclined to let out the inmates of the school on probation at an earlier time than the superintendent was satisfied they ought to be released from its restraints and influences. Both were conscientious, and acted for the best interests of the pupils and of the school. I am inclined to think that the results arrived at by their joint action have been as salutary upon the whole as could have been expected, had the views of either been carried to the extreme. These questions are discussed in the reports of the superintendent and the trustees, and the suggestions of both are well worth considering by you before any further action is taken. I have had no occasion to pardon any from the school, although frequent applications have been made to me for that purpose. I was satisfied to leave the matter in the hands of the trustees, under the law passed in 1880. I knew them all to be conscientious, humane and just men, who, from their frequent visits to the school knew much more about it and its inmates than I could. I cannot speak too highly of the present superintendent and the matron, his wife, in all that pertains to the care and instruction of the pupils under their charge. They seem to have the same interest in them that parents have in their own children. Indeed, the State is fortunate in the superintendents of all its institutions.

Four years ago the Legislature appropriated ten thousand dollars for the enlargement and improvement of the buildings of the Reform School, subject to the approval of the Governor. The trustees at that time thought the appropriation advisable, and the proposed improvements necessary, but Gov. Proctor declined to approve of the expenditure of the money. The Legislature of two years ago reappropriated the same sum without requiring the approval of the governor for its expenditure. The present trustees have made the proposed changes and improvements, and now the buildings are in every way ample for the wants of the State in that respect, and more than ample for the present number of pupils. Two large wings have been added to the former main building, which contain all the rooms and conveniences so specifically provided for in the act of 1880, No. 2, section 16. The additions are neatly but not expensively finished. The new dormitory together with the old one, gives ample and healthy sleeping room. When the whole school was crowded into the old dormitory, it was

necessary to construct berths one above another, but now there is ample space for single cots. The new hospital seemed quite as necessary as the new dormitory, but the health of the boys has been so remarkably good, that there has been little occasion to use it. July 31st, 1880, there were one hundred and twenty-two pupils in the school; on the same day in 1882, there were but eighty-six, a decrease of thirty-six in two years. I ought to add by way of explanation, that my predecessor pardoned eighteen from the school just before the close of his term of office, that are included in the decrease of thirty-six. The fact that there are one hundred and nine less offenders confined in our prisons and Reform School than two years ago, is worth our consideration, and the causes should be ascertained if possible, and further advantage taken of them. The trustees in their report suggest some changes in the law, and recommend the repeal of so much as requires towns to pay a portion of the expenses of the pupils while in the school, and such other legislation as may prevent improper commitments. This seems to be advisable.

STATE AGRICULTURAL COLLEGE.

The University of Vermont and State Agricultural College have been fortunate in many respects during the past two years. John P. Howard, Esq., has given the institution fifty thousand dollars, the income of which is to be devoted to pay the salary of professors and for other purposes. He is expending nearly thirty thousand dollars in reconstructing the main building of the University, and has provided the means for erecting a statue of Lafayette in the park in front of the college buildings, the corner-stone of which the General laid in 1825. There have been quite a number of donations of scholarships, more than twelve in all, I believe. And as a further indication of its prosperity, the college starts off at the beginning of the present academical year with a class of forty students. The president is *ex officio* a member of the Board of Agriculture, and during the past two years has, with professors of the college, delivered addresses at various meetings of the Board. The college furnishes instruction in all the branches connected with agriculture, and proposes to establish a professorship of agriculture as soon as it can find the suitable man for the place. At the last meeting of the corporation this matter was definitely arranged. They prospects of the Institution are more favorable than ever before, I believe.

THE HUNTINGTON WILL.

A final decision has been reached in the case in the courts of the Dominion of Canada, in which this will was contested, and the judgment of the highest court gives to this State personal property amounting to \$205,000. Out of this are to be paid the expenses of the suit. With slight exceptions the will of Arunah Huntington gives all of his property, both real and personal, to his executor, Ebenezer Roy, of Brantford, Canada, upon the trusts mentioned in the will. It then provides that the executor shall convert his estate into cash and pay it over to the Government and Legislature of the State of Vermont, to be disposed of as they shall deem best, having regard to the recommendations made in the will. He then recommends that the Legislature appoint three trustees for the management of the fund in accordance with his wishes thereafter expressed, and he afterward suggests and recommends that the profits arising from the investments which he provides for, shall be for the use or benefit of common or district schools. The court decided that the real estate did not pass by the will. There remains some action to be taken in the Probate Court, and the Legislature, after informing themselves more fully in regard to the circumstances, will need to name the trustees called for in the will. The bequest has already been accepted by the State, and that fact communicated to the court before whom the case was tried.

SUPREME COURT.

On the 7th day of January last, Hon. John Pierpoint, Chief Justice of the Supreme Court of the State, died at his residence in Vergennes. On the 10th of the same month I appointed Hon. Homer E. Royce, who was then first Assistant Judge of the Supreme Court, Chief Justice, to fill the vacancy occasioned by the death of Judge Pierpoint. I then reappointed all of the other Assistant Judges, advancing each one of them one step, and to fill the vacancy thus occasioned, I appointed Hon. John W. Rowell, of Randolph, sixth Assistant Judge of the Supreme Court, and as such he has acted since that time.

VERMONT BENEFICIARIES.

There are in the various institutions at which the beneficiaries of this State are being educated the following numbers, viz.: At the American Asylum for the Deaf and Dumb at Hartford, Conn., seventeen; at the Clarke Institution for Deaf Mutes at Northampton, Mass., four; at the Perkins Institute for the Blind at Boston, Mass., eight; at the Massachusetts School for Idiotic and Feeble-minded Youth at South Boston, Mass., three. To aid in supporting these pupils the State has expended during the past two years the following sums, viz.: For the deaf and dumb at the American Asylum, \$5,689,66; for the deaf and dumb at the Clarke Institute, \$1,430.71; for the blind at the Perkins Institute, \$4,850.00; for the feeble-minded at South Boston, \$2,316.96. The entire appropriation per annum is five thousand dollars for the deaf and dumb, four thousand for the blind and two thousand for the feeble-minded.

THE INSANE.

The report of the trustees of the Insane Asylum at Brattleboro shows that the number of the inmates of the Asylum, August 1, 1882, was four hundred and forty-one, of whom three hundred and fifty-six were residents of Vermont, an increase of twenty-seven within two years. They say that the institution has indeed become almost exclusively devoted to the State, only three having been admitted from outside its limits in the past two years. I suggest whether it ought not to be altogether a State institution.

GOVERNOR AND COUNCIL.

In 1872, the Legislature provided for the publication of the Journals of the Governors and Councils hitherto unpublished, and Hon. E.P. Walton was appointed to edit and supervise the publication of the same. The work is now completed, and the eight volumes of the "Governor and Council" supply an important and interesting link in the history of the State. This makes the printed legislative history of the State as full as it can possibly be, except the Journals of the House for the February Session of 1797, which were never printed, and a few other House Journals of early years which are out of print. These were not provided for by the act of 1872, and it seems advisable to have the records of our Legislative history completed by their publication.

STATE LIBRARY.

The Library is increasing at the rate of more than five hundred volumes per annum. Four years ago one half of the books belonging to the Library could not be placed upon its shelves. This inconvenience, and consequent destruction of property, increases from year to year. The law portion of the library is being used more and more every day, and lawyers from all parts of the State and from without the State come to the capital to consult the books it contains. Yet during more than six months of the year, in fact, all the time except when the Legislature is in session, it is unsafe for gentlemen to remain within the chilling walls of the Library to consult a single book. Books to be examined have to be taken into another room that can be warmed, and there examined. Something will have to be done to remedy these evils. The Cabinet and State Historical Society also need more room. This matter was referred to a joint committee at the last session, and they reported unanimously in favor of an enlargement of the State House itself for these purposes, approving of the report of the commissioners in 1878. I commend both reports to your consideration.

STATE GEOLOGIST.

The State Geologist has prepared a series of papers upon the building stones of Vermont, which has been published in the "Architect and Building News," by Osgood & Co., and which are to put into book form without expense to the state. These articles are valuable, and will be of advantage to the industries of Vermont.

YORKTOWN.

The Legislature of 1880 authorized the Governor to detail two companies of militia to accompany him to the Centennial celebration of the battle and surrender of Yorktown, to be held on the 19th of October, 1881, and appropriated three thousand dollars for that purpose. In compliance with this act, I detailed the Ransom Guards of St. Albans, and the Estey Guards of Brattleboro, as my escort on that occasion. The Burleigh Corps of Whitehall, N.Y., and the Brigade Band of St. Albans, accompanied and formed part of the escort without expense to the State. The battalion was under the command of Maj. A. D. Tenney. I cannot say too much in praise of all who made up this battalion. Their conduct on the route to and from Yorktown was such as to gain

friends the entire distance, and their soldierly appearance at the grand review by the President, as a part of the ceremonies of the celebration, won applause from the multitudes there present, and high encomiums from the commanding general.

Yorktown was the last of the great battles of the Revolution, and this celebration was the last of the battle celebrations of that war. Vermont did her part creditably, and as will be seen by the Quartermaster General's report, the troops were taken to Yorktown and back at an expense within the appropriation of three thousand dollars, but this does not include the expense of the Governor and staff. The whole distance traveled by the Vermont battalion was about seventeen hundred miles, and the Quartermaster General says in his report, that he thinks that is a greater distance than traveled by any other military organization there. Great credit is due to him for his admirable arrangements. Not an accident occurred, nor was there a moment's delay. Every connection, both by rail and steamer, was perfect. I desire here to thank the Adjutant and Inspector General and the other officers of the staff for their efficient aid and their gentlemanly conduct at all times, and the Burleigh Corps and Brigade Band for their attendance with us.

PRESIDENT GARFIELD.

During the last session of your body occurred the presidential election which placed in the chair of the chief magistracy of the nation James A. Garfield. The satisfaction felt by all parties that the nation had passed through another trial so successfully and decisively had hardly begun to give place to party or sectional jealousy when the country was shocked by his brutal assassination. Just as he was about to take the cars at Washington for a trip which was to bring him to the American Institute of Instruction, at St. Albans, in this State, the fatal bullet struck him. Ample preparations had been made to give him a hospitable reception, and the people were enthusiastic over the expected visit of the man whom they had done so much to elect. His lingering pain and suffering from the cruel wound, and his Christian fortitude under its depression and exhaustion, took hold of the sympathies of the country and of the world. And when at last, in sight of the ocean, he breathed out his heroic spirit, all nations sought to do honor to the chief magistrate of this great republic, who in his person united so many of the elements of the grand natures that sway the world. This State united with others in the observance of days of fasting and prayer for his recovery during his sickness, and after his death, on the invitation of the secretary of State of the United States, Hon. James G. Blaine, in company with other governors, I attended the funeral ceremonies at Cleveland, Ohio, near the president's late home. Three hundred thousand strangers crowded the street of the saddened city, and when but the casket containing the remains of the president was exposed to view in a public square of the city, a column of mourning citizens, six and eight deep, filed past it in mournful procession, from the forenoon of that Sabbath day until past midnight, thus testifying in a slight degree how strong a hold the martyred President had upon the hearts of the people.

IN CONCLUSION.

The past two years have been eventful ones for the country, and to some extent for the State, yet upon the whole they have been very prosperous years for Vermont. Agriculture and other branches of business have been remunerative, the health of the people has been good, and there have been no signal calamities within our borders to shock the minds of the people. We have been spared the lightnings and hail, tornadoes, whirlwinds and floods, conflagrations on the land and water, collisions of steamers and railroad trains, and shocking accidents resulting in great loss of life that have afflicted some of the States of the Union. For all this we have great reason to be grateful to God.

For the courtesies I have uniformly received from the people of the State, and for the charity with which my official shortcomings have been shrouded, I return my sincere thanks. May God bless and guide you and the Governor and other officers of the State during the present session and the remainder of the term, that your labors may be wise and for the true interest of our commonwealth.

ROSWELL FARNHAM.

EXECUTIVE CHAMBER,
Montpelier, Oct. 5, 1882

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Farewell address
of
Allen M. Fletcher
As it appears in the
Journal
of the
Joint Assembly
1915

Thursday, January 7, 1915
Farewell Address

Gentlemen of the Joint Assembly:

In accordance with that section of the constitution which provides that the Governor may bring to the attention of the joint assembly such recommendations as appear to him proper and necessary, I now direct your attention

First. To the policy of the State relative to agriculture. The present appropriation for the department of agriculture is wholly insufficient for the work, and entirely out of proportion to the appropriation for other departments of the State government. It should be materially increased.

Authority should be given the commissioner of agriculture to make and enforce such regulations as may be necessary to protect the State from invasion of insect life and plant disease; to enforce reasonable and sanitary regulation, and to control the standard of the various agricultural products of the State. How can the commissioner of agriculture without necessary funds establish a bureau in Boston or New York through which our farmers without middlemen can reach their market? How can the commissioner of agriculture help the farmer by bringing immigrant labor into the State, unless the State furnish him the means to establish a bureau for that purpose? In other words, how can he materially advance the interests of the State, from a business standpoint, without the necessary resources?

Second. To the policy of the State relative to conservation of forests, water power and other natural resources. The policy adopted by the last Legislature should be maintained. Any further attempt to exploit the State's credit in such a manner as to result largely in the ultimate benefit of certain private or corporate interests, such as that outlined in the plan of 1912 to bond the State for construction of reservoirs, should be absolutely defeated. Such a scheme should have no part in our general State policy. I recommend to you the adoption of such legislation as will compel corporations organized under the laws of other States to agree, before being allowed to do business in the State of Vermont, to comply with all the laws of the State of Vermont and be subject to the public service commission control. Within the last two years, or since the adoption of the general policy I have referred to, you have seen transmission lines for high pressure connected up all through the State to different plants, upon the general theory, so far as the public understood it, of betterment of conditions; but the legislation I suggest is to control those better conditions so that we do not awake to find ourselves in the hands of corporations organized under the laws of the State of Massachusetts, Maine and other States, and the interest of interstate commerce presenting itself, we will have perhaps if we are not careful that proposition of whether we have any control whatever over our natural resources. This subject is worthy of your serious attention.

Third. To the bond of the State treasurer which is now \$100,000; it should be increased to \$200,000. The present bond is wholly inadequate for the purpose.

Fourth. To the department of insurance. There should be created an insurance department with a distinct head appointed by the Governor and responsible to him. There should be no division of authority as now exists under the present law which provides for two insurance commissioners, one the State treasurer, a constitutional officer, and the other the secretary of State, also a constitutional officer, each holding two offices, the one constitutional and other statutory. The State should so legislate as to prevent either the existence, or the suspicion of existence, of an insurance ring. Now and for all times an end should be put to the possibility of such conditions again arising as recently surrounded the State treasurer's bond, which make it possible for a State treasurer to pass upon the condition of an insurance company whose bond he may later present to the Governor as surety for the faithful performance of the duties of his office. The State is, and should be, entitled at all times to a good and sufficient bond. This subject ought not to be even debatable. It has been truthfully said that it is in the stagnation and procrastination of commissioners, and divided authority, that evils and abuses are generated. It may be asked: What were the conditions that surrounded this subject at the time the last State treasurer's bond was given? The bond was in a company that at that time had a capital stock of \$750,000. It now has a capital stock somewhere between \$300,000 and \$400,000, and the rest of that sum of

gross capitalization has been charged out. And since then at the request in part of the State of New York, that company has been required to pay into its treasury \$150,000 in addition.

Now at the time that bond was presented to the executive by the State treasurer, and as well insurance commissioner, one of two things was true: either he knew what the condition of that company was, or he did not. If he did he should have made it clear to the Governor just what the condition of that company was. If he did not know what its condition was, then what sort of regulation was that company getting at the hands of the insurance commissioners of Vermont? One thing I think follows perfectly clear and true; that no sane man with a real knowledge of the facts that surrounded that company ever would have accepted that bond. Shortly after the adjournment of the Legislature perhaps three months, my attention was called to the condition of that company by a distinguished gentleman of this town, and he told me he thought certain things should be done, and I called those commissioners' attention to what he had said. Shortly after it developed and came to my knowledge for the first time, that prior to the presentation of that bond to me, there had been an agreement between the States of New York, Vermont and Massachusetts, that that company should declare no more dividends without the consent of the commissioners of those various States. That fact was kept entirely from the executive at the time that bond was presented. Gentlemen, there are other conditions that surround this, but my time is too short. It is for you to determine whether or not that is the kind of an insurance department the State of Vermont should have. You hold, in a final analysis, your executive responsible for the conditions that exist during his administration. Is it fair and right to hold him responsible if you do not give him power to control those conditions? You want in Vermont a condition where it is not necessary for any other State to come in and tell you how you shall regulate your companies. They should be so regulated that they are a credit to the State of Vermont.

Fifth. To certain cases of legal injustice. In certain instances, cases are appealed to the United States courts, purely for the purpose of taking unfair advantage to the end that the weaker party cannot face the expenditure involved. This is a condition that ought not to exist. I therefore recommend the adoption of a law empowering the executive to employ counsel to defend such individuals. If it were a known quality that the State would protect such cases, then fewer unfair appeals would be taken because no unfair advantage would accrue. I recognize that it is the duty of counsel to protect their various clients to the full extent of their power, and I should hope that the bar of this State, in their own interests, would welcome such a change.

Sixth. I recommend that the present State law relative to the control of the State library be repealed, and that the State library be placed entirely within the jurisdiction and control of the supreme court of the State. It is operated now under a law dating back to 1825, a law which creates a trust *per se* in the first instance and provides for sole perpetuity and therefore no direct control of any executive power or authority. It provides that three citizens from the City of Montpelier, and three citizens from the State at large and several State officers. The result is it is controlled entirely and absolutely by the three or four here in Montpelier. An investigation will show you that there is a meeting once in two years of the board of directors. The last meeting was purely and entirely for the purpose of increasing the salaries; and the chief justice of the supreme court of the State and the executive, ex-officio members of that board, were voted down on that subject—that is of increasing salaries. Now one-third of that library are law books; another third are books of legislative reference; so that, in fact, it is really a law library. It is here for the use of the bar of the State and the supreme court, and the supreme court have much to do with that library and are supposed to be here quite often, and are the proper board of control for that library, and they should have exclusive jurisdiction and control over it.

Seventh. To education. An education commission was created by authority of the last Legislature, primarily for the purpose of determining whether or no duplication of effort was going on as the resultant of money appropriated by this State to the three institutions of higher learning. I was satisfied at the time the commission was created that such duplication did exist, and I am now more thoroughly convinced than ever of that fact and that it should be stopped. That commission's findings have been published and should receive your earnest consideration. I call your attention to certain salient facts therein: First, that the State appropriates for education, biennially, nearly \$900,000; second, that about \$700,000 of this goes to the common schools, and about \$200,000 of it to the three institutions of higher education, and that about 95 per cent. of the people of the State receive benefit from the \$700,000 and only about five per cent. from the \$200,000. The State of Vermont

appropriates for the purpose of higher education nearly 1.7 times the per cent. appropriated by Maine, nearly three times the per cent. appropriated by New Hampshire, more than eight times the per cent. appropriated by Massachusetts, more than nine times the per cent. appropriated by Rhode Island, and more than 34 times the per cent. appropriated by New York in 1912-1913. It is for you to determine whether the cardinal principal of State policy of this State should be to legislate for the many or for the few. I am impressed with the fact that the first duty of the State is to her common schools, and that that duty is a paramount one. But if you should find the State has sufficient means to go beyond the common schools, and you desire that it should do so, then I believe the duplication of effort by State subsidy to various institutions should cease. If you are prepared to accept the University of Vermont as a State institution, it then becomes your duty to the university, as well as to the State, to stop the duplication. Should this be your conclusion, I desire to repeat all that I said two years ago on this subject relative to the agricultural department of that institution. The spirit of the University of Vermont, manifested by its recent action in defining its position upon the subject of education within this State, should commend itself to all good citizens as the essence of good citizenship. I recommend that all moneys that the State may see fit to appropriate for education, shall be subject to the absolute control of the State board of education.

I direct your attention to the Macdonough commission that was created by the last Legislature for the purpose of erecting a monument to Macdonough. The Legislature appropriated the sum of \$4,000 dollars to erect such a monument. A commission was created, appointed by the Governor, and they finally went in with the State of New York and decided to try and have it a national affair, and they succeeded in getting an appropriation from the United States government of \$15,000 for a monument to Macdonough. They joined hands with the State of New York. Then conditions differed. It was up to the State of Vermont to make a creditable demonstration and to invite New York to come over and join hands with us. But this appropriation of \$4,000 was specially for the erection of a monument. A number of public-spirited citizens in the city of Vergennes, as well as all over the State of Vermont, joined and raised a fund—no one subscribed more than \$25 to it—in order that we might creditably invite our New York friends over here. I recommend to you that a sufficient sum from the original four thousand dollars be appropriated to reimburse those who rose to the occasion as a matter of State pride. The national appropriation of \$15,000 and the remaining portion of our State appropriation will thoroughly compass the situation.

I recommend to you that the law be abolished that provides that when the side judges cannot agree in determining who shall be the license commissioners in any particular community the Governor shall be called in to determine who shall be appointed. It should not be the province of the executive of Vermont to go into any community and determine who should drink whiskey and who should not. It is absolutely demoralizing and the executive of the State ought to be relieved of any such responsibility.

The last Legislature authorized the executive to appoint a commission for the purpose of bringing the statutory laws down to conform to the change in the organic law and to recommend what should be done and to present it in the form of a bill. That commission have performed their labors and they have presented me with a bill containing 227 pages for your consideration. Now that I take it to be an omnibus bill and such a bill should receive your serious consideration and ought not to pass either body until at least the session is well along, because there may be other phases and features that will develop in your deliberations, which should be embodied in that bill and possibly are not there now.

Eighth. The workmen's compensation and employers' liability. The commission which the last Legislature created to consider this subject will present a bill for your consideration. As a matter of State policy I believe the principle of workmen's compensation and employers' liability should be adopted by you.

Ninth. To direct the primary. The State is distinctly committed to a trial of the principle involved in direct primary, and the element of good faith should prevail.

Tenth. To the feeble-minded. It has been the policy of the State to the present time to send her feeble-minded children for education and control to the State institutions of other New England States. Vermont is now confronted by the fact that the other New England States find their institutions no longer able to receive our defective children; therefore, it is absolutely necessary for you to make provision for the erection of

buildings to house the feeble-minded upon the site provided for by the appropriation of the last Legislature. Otherwise it will be necessary to transfer these children to our insane asylums, which should not be done under any circumstances or conditions. I therefore recommend direct action on your part. The last Legislature appropriated the sum of \$25,000 as the initial step in this direction, and a commission was appointed that now has the whole matter in charge.

Eleventh. I recommend that the board for the feeble-minded, the board for the insane, and the penal board, and as well the office of sergeant-at-arms, be consolidated into one board, of which the purchasing agent and the Governor shall be ex-officio members. The requirements for memberships on these various boards being identical, there is no valid reason known to me why they should not be consolidated and there are many reasons why they should be. It has been suggested that a further consolidation might be made, by combining the public service commission with these boards. This is impractical and inexpedient because the qualifications for the public services commission are entirely dissimilar to those for the other boards. Such further consolidation would not accomplish the expediting of the State's business but would furnish an indirect way for removing from office one whose only crime was having too zealously guarded the interests of the people or a possible resumption of the stuffed club and cushion methods.

Next, I advocate and recommend to you the combination of the office of commissioner of agriculture and cattle commissioner. The same reasons apply identical in this case as in the other.

I recommend that you give particular attention to the proposed memorial for Ira Allen, for which a commission headed by the late Horace W. Bailey was appointed to consider during the last session. The Green Mountain boys declare that he was the chief founder of the State, and although he died in poverty and is buried in an unknown grave, the State has never yet established any token of remembrance. Close students of early history declare there would have been no Vermont had it not been for Ira Allen.

Twelfth. I direct your attention to the public service commission. During the last session of the Legislature, an attorney for the Telephone company and other corporate interests, importuned me to use my influence to obtain the repeal of the present public service commission law upon the ground that it was unconstitutional in some respects, without power in others, and altogether possessed of too many teeth. He submitted for my consideration and approval a perfectly toothless bill to take the place of the present law, which I declined to advocate. Further, I was advised by one then in office, that during the existence of the law no attempt had been made to regulate rates because of doubt of the commission's power to do so, which was an admission that the law had been more or less used as a cushion or stuffed club. I was further advised by those in whose disinterestedness I had confidence, that the law was constitutional and did provide for regulation, and therefore under the provision of the law the State attempted to regulate and litigation resulted. The principles involved is, first: The State's right to regulate; second: what constitutes a fair earning power for money invested. Any attempt to tamper with the present public service commission law, or to stop this litigation to establish the State's right to regulate rates, or any failure to appeal from adverse decision to a court of last resort, would be, in my opinion, an absolute betrayal of the best interests of the State. To those who favor regulation and not persecution, it should be said that no one can be or has been unfairly treated by an attempt at regulation, for no final action can be taken without the authority of the courts.

Thirteenth. To the office of attorney-general. This office was created in 1904. It is not a constitutional office, merely statutory, and therefore may be abolished at any time when desired by the Legislature. The advocates of the creation of this office claimed that it would save the State money, that it would expedite justice and advance the interests of the State generally. I voted for the creation of this office. I am now satisfied that a State of this size does not require such an office. I call your attention further to the fact that the expense of this office for the last biennial period has been in excess of \$75,000. The question involved here is not whether or no this office has been used for the purpose, so far as possible, of limiting and obstructing an executive in his exercise of his constitutional duties when such duties might conflict with the interests of certain people; not whether or not the office has been used as a roosting place for professional lobbyists who do not suffer from cutaneous hyperesthesia; not whether or no it has been used for the purpose of creating a political machine in the various counties in the State; not whether or no the present incumbent will better conserve the interests of the State than those of the past; my present opinion is he would—but the real question involved is: Has not

divided authority led to unnecessary expense and a lessening of responsibility and initiative in the offices of State's attorney? And, finally, is there any real necessity for the office? I recommend to you its abolishment with the consequent saving of substantially the sum named. Prior to the establishment of this office, and it is only six or eight years ago, the State's attorney of the various counties, the responsibility of litigation for the State was his. He could not share it with anyone, he prepared his own cases, and success or failure was his. If he needed additional counsel he either went to the judge of the county court or came to the Governor, who then had power to employ counsel if satisfied that it was needed, and has today as the law has never been repealed so far as the executive's power was concerned. But the moment this office was created there came a divided authority between the State's attorney and the attorney-general, and failure or success could be divided as to responsibility, and my personal opinion is that it led to divided authority, and to the employing of detectives to prepare the cases rather than the cases being prepared, so far as evidence was concerned, by the properly authorized officers of the State.

Fourteenth. In the cost of administration of justice. The expense of the biennial period of 1901 and 1902 was \$461,577.33; of 1913 and 1914 \$799,092.83, or an increase of materially over \$300,000, or over 73 percent in eleven years. In 1906 the State changed its system of courts and created a superior bench of judges. The advocates of this change held that it would expedite business, simplify justice, save the State large sums of money and do away with the then practice of referring questions to masters. In my judgment the new system has entirely failed to produce the results claimed. If it be true that we pay annually for administering justice \$800,000 and for education \$900,000, then our system of administering justice among ourselves costs us almost as much as our education. It follows there is something wrong. I believe the difficulty to be with the system. I recommend, therefore, that the State at once return to the system existing prior to the change, adding two or more judges to the supreme court and doing away entirely with the superior court. Superior court judges being statutory, and not constitutional, officers are subject to being abolished by the Legislature at any time. I further believe that the practice of maintaining our supreme court with active, live men, competent and capable of doing promptly the work required of them, should prevail. This principle is carried out by the laws of our sister states, New Hampshire and Massachusetts, which require the retirement of judges who have reached the age of seventy years.

I believe that our municipal courts should be given a wider jurisdiction and that no appeal should be allowed in cases under a certain sum except upon questions of law, thus saving to the State the sum of at least \$200,000 a biennial period. During the debate in the House of Representatives at the time the superior courts were established, the then representative from Manchester, Mr. Archibald, clearly and distinctly warned the House as to the conditions that would arise relative to expense if the change then urged should be adopted, and what he then said has absolutely come to pass. In this connection I think it proper for me to say to you that the last Legislature appropriated the sum of \$350,000 for the expense of the courts this year which terminates on the first of July next, our system being to appropriate two years in advance, and for the first half of that year the courts have cost us \$210,000 or a basis of \$60,000 above the appropriation of two years ago. It is for you to determine, gentlemen, whether or no this is a proper expenditure for this State.

Fifteenth. To taxation and ways and means. The revenues of the state and the expenditures of the state have doubled within the last ten years. Until two years ago the entire system of raising the revenue was that of indirect taxation. That system has been carried as far as it could be with safety. The last Legislature changed the laws relative to taxing public service corporations indirectly from percentage of gross revenue to direct valuation, or taxing them on the same principle as the individual. This became necessary by reason of conditions which had arisen leading to the ownership of our public service corporations by other corporations outside of the state. The change is right in principle and became an absolute necessity in fact, and under no conditions whatever would the principle involved be changed. It matters not, for example, what a corporation inside of this state earns as a public carrier if it be connected with a corporation outside of the State, if that corporation outside of the State owns a majority or all of the stock of the corporation inside. The old law was purely a legal invitation to the outside corporation to so run the corporation inside the State of Vermont that it need not necessarily make any money at all, the money being made by the corporation outside of the State. That is a principle, gentlemen, which once adopted by Vermont, the new principle never should be given up

under any pretext whatever. I know of no further means of increasing the State's revenue other than an increase of the present direct State tax. That can and should be avoided and the sum of nearly \$300,000 saved to the State, first, by the abolishment of the attorney-general's office; second, by a change in our court system, and third, by consolidation of a number of our commissioners in one commission in a way which recognizes that in the final analysis the executive is held responsible for the efficiency of the commissions and as he can only do the best that he can with the material that he has to do with the power should be his to enforce results. This involves no experience but simply putting into force good business management. I thoroughly realize that in such effort as you may make to reduce expense along the lines herein indicated you will be at once faced with a powerful lobby, the friend of those whose interests are directly involved, but to my mind your duty is plain and there is no escape from it. The suggestions that have thus far emanated from members of the bar and which on their face meant real economy and general betterment, have absolutely failed in their general effect and the State may now well say to these and to further propositions of the sort: "From all such things, good Lord, deliver us." We wish to go back to that which is within our means and adapted to the requirement of a State of this size from the money thus saved to the State a more liberal sum should be given to the agricultural department, provision should be made for the general growth of the other State departments for the creation of an institution for the feeble-minded and for a State orphanage where the homeless children of Vermont can be given a chance to grow up under decent conditions. It will cost some money, but it will be cheaper in the long run to educate them to be good citizens than to care for some of them later in other institutions as wards of the State.

Gentlemen of Vermont, there is in the breasts of every self-respecting man a sense of fairness. To that I shall speak for a few moments. During the last Legislature probably when it was one-third over the gentleman who then represented the city of St. Albans, Mr. Watson, and the then Senator from Orange County, they at that time being the reference commission or commission of the joint assembly came to my office and said "Governor we wish you to submit to the Supreme Court certain questions." Mr. Watson said, speaking relative to constitutional amendments then pending before the joint assembly. "Governor, it is my impression and belief as a lawyer that if these constitutional amendments are passed by the Legislature and are passed by the State you will be confronted and the State will be confronted with a condition where the executive will have to appoint, and he will have to appoint for the constitutional term and that condition will continue until the Constitution can be changed." The then Senator from Orange County did not wholly agree with the gentleman from St. Albans and therefore they wished this question presented to the Supreme Court in order that they might both vote and act intelligently. There was no one to present the matter to the Supreme Court but the executive and I complied with their requests; the court had that matter under consideration about three weeks and then the chief justice came to me with a pro forma opinion under the statute that I had the authority to ask for advice. He informed me the unanimous opinion of that court was exactly and squarely along the lines that Mr. Watson of St. Albans had taken and he submitted to me certain memorandum dealing upon certain New York decisions in handwriting of Judge Watson. Now I delivered that message to Mr. Watson of St. Albans and when that question came up here in the House of Representatives he told them exactly what would take place if they passed those constitutional amendments. There was no deception on his part or on the executive's part or on the part of anybody else so far as I know. What attitude the Senator from Orange County took in the Senate I know not. It cannot be said, gentlemen, that the State of Vermont had been deceived about this matter when its representative in the General Assembly were thoroughly advised and were told what would take place. Now this matter was discussed within the State last December and the Governor was faced with the proposition of what he could do. He had the advise of the Supreme Court, his statutory officer. Whose advise should he take?

There were other vacancies; the vacancy subject of the military appointments that the General Assembly had to make, the sergeant-at-arms, the vacancy of the office of attorney-general. The Governor sent his secretary who had to join with me in any commission prior to the first of December, to the present attorney-general and he told him it was intended to appoint him to fill the position after Mr. Brown had passed out and asked him what sort of a commission he wanted, what his theory of the law was and the present attorney-general told the Governor's secretary that he wanted a commission for two years. I intend to deal with facts so far as it is possible for me to do.

Now I am told through the press that the ex-chief justice who delivered this opinion to me which at the time he told me was the unanimous opinion of that court and it was the unanimous opinion of the court I am told that that gentleman since he has left the bench recently, within the last day or two, has changed his mind. I had nothing to do with his changing his mind, the responsibility of that and his keeping silent until now are questions for him to pass upon and not the executive. I have this to say that up to the time I made these appointments I had heard nothing whatever from ex-Chief Justice Rowell, not a single word.

Had he advised me of a change of heart it would have been an opinion not of the court, my legal adviser, but his opinion as an attorney, entitled by me to just as much consideration as the opinion of any other attorney of the bar of equal prominence in the State, and it would have been my duty to have taken his change of opinion to the Supreme Court and ask them to pass upon it and I certainly would have done it had he taken any such steps. He did not. If it had been presented to them and they did not agree with him what do you suppose the executive would have done? Would he have accepted the then opinion of the Supreme Court? He would have had to. They were his legal advisers.

Now gentlemen, I think it proper and possibly your due, and certainly my right under the circumstances to refer to a public statement by a Mr. Partridge, chairman of the commission of which I was a member, which prepared these legislation amendments. Now without any desire to reflect for a moment upon the motive which lead that distinguished gentleman to take the public into his confidence at the particular time that he did, I wish to say to you that I agree with him entirely in some of the statements that he makes. He says in fact, that it was the intent of that commission to do certain things, but they did not change or attempt to change the time of office for certain reasons. However, that may be, I have this to say, they had for him that respect and admiration that if he had seen fit to further amend by the very simple form of saying the time of office of these gentlemen the Supreme Court and others should continue until their successors were elected and qualified; they had that respect for him that they would not have undertaken to override his conclusion. Speaking as one member of that commission, if the commission are responsible I am perfectly willing to take my part of the responsibility and have no desire to place it upon any one else. None whatever. I do, however, say this, that the commission's report final and under the law went to the Senate. The initiative before any step could be taken by the State was in the Senate of 1910. The House of 1910 could do nothing with this matter and nothing could come before them unless it was first sent to them by the Senate of 1910. It was for them to suggest. There were many eminent lawyers in that Senate of 1910 and gentlemen, that Senate of 1910 had courage, had the strength of their convictions and they deliberately killed, to my mind, the most important one of all those legislation amendments and that was the time lock provision.

The Senate of 1910 who took the initiative in this matter so far as the State was concerned deliberately said to the State of Vermont, "we have not enough confidence in you to allow you to vote upon the question whether the time lock provision shall be taken or not"; now gentlemen, I have endeavored to place the facts before you and facts alone. The responsibility of this situation is with you and not with the executive. It is for you to determine whether you desire and whether it is for the best interests of the State to have two courts or whether it is not. In my actions I had before me the advice of the court that there was a vacancy that should be filled and that could only be filled one way and you know how that has been treated by me.

As to the personnel of the court I have this to say, it is absolutely true that the primary consideration in my mind was not necessarily to do that which absolutely met the wishes of the bar association. The bar association is made up of two hundred or more men, but I did have in view primarily as one who had been in this Legislature for ten years and who was in touch with conditions both as such and as executive. I did have in view primarily in the personnel of that court that which I thought best not for the bar association but for the 350,000 people in this State for whom I had taken the oath of office to do the best I could for those were the people I had in view when I took that action.

I would suggest that you can hear in the hall all sorts and kinds of rumors. Your Supreme Court is in session and among its number are to be found two gentlemen who joined in this opinion to the executive. It is possible for you to find out if you so desire whether there was any such opinion or not.

Speaking now for a moment relative to the superior court. There was one change made by the executive there and it was made by reason of the fact that certain conditions had arisen which in the mind of the executive made it absolutely impossible for him to do any other than that which he did. It is easy if you desire to get at the facts relative to that. It so happens that one of the members of this House, the gentleman from Rockingham, was present at the hearing with the Governor and heard all that was said about it. It is within your power to get any and all the facts relative to this matter.

Finally my experience leads me to the conclusion that the State would be benefited not so much by the passage of too many new laws but rather by the correction or the elimination of that we now have and by the honest forceful and fearless administration of those that we may retain.

I have made certain suggestions to you for your consideration feeling that your final conclusion relative to the same will be for the best interest of the State.

ALLEN M. FLETCHER,
Governor.

At 11:56 A.M., the Governor having concluded the reading of his message, withdrew, and the Joint Assembly dissolved.

GUY W. BAILEY,
Secretary of State, Clerk.

Farewell address
of
Levi K. Fuller
As it appears in the
Journal
of the
Joint Assembly
1894

Thursday, October 4, 1894
Farewell Address

Gentlemen of the Senate and House of Representatives:

The custom that has developed from the occasional practice of some of the earlier Governors, of presenting to your honorable body at the expiration of the Governor's term, a message that shall embody a portion of such information as he may have acquired concerning various affairs of State, and such observations upon the needs and conditions of the State as his administrative experience may have suggested to him, is a custom that is within executive prerogative, and is as wise in itself as it is useful in its observance, The sense of grave responsibility which his oath of office imposes upon the Chief Executive of the State, is intensified by the meagerness of his knowledge concerning many things connected with his duties, and the lack of experience in their administration; to a certain degree this burden is lightened by the subsequent experience that supplies the requisite elements for the solution of the many problems that are presented to him, and by the kindly consideration and forbearance of the people at large, together with the cheerful co-operation of those who actively participate with him in the administration of the affairs of State.

It is fitting that acknowledgment should here be made of the uniform kindness, and helpfulness, that have so greatly facilitated the labors of the office, and have made possible so many of the things which have been accomplished.

In consequence of the legal requirement, enacted at your last session that the reports of the various State officers should be ready for distribution by the 20th of September, we have been enabled at a much earlier date than usual to get in detail the work of the several departments of the State Government.

STATE TREASURER.

The total amount of cash in the State Treasury	
At the beginning of the biennial term July	
1, 1892, was	\$ 197,337.15
There has been received during the biennial term	
Ending June 30, 1894.....	<u>1,716,381.54</u>
Total	\$1,913,718.69
There has been expended	<u>1,569,707.26</u>
Leaving cash on hand July 1, 1894.....	\$ 344,011.43

COMMISSIONER OF STATE TAXES.

An interesting statement is made by the Commissioners of State Taxes, that if we were to strike out that department of State expenses which relates to local relief, we should not be obliged at the present time to go beyond the corporation taxes for all the financial needs of the State.

EDUCATION.

The amount of money expended by the different towns throughout the State, for education for the biennial period, amounts to the sum of \$1,542,063.04.

Prior to the enactment of the law creating the town system, this vast sum of money would have been handled by a very large number of school officers throughout the several school districts in the State; but under the operations of the law of '92 its management is limited to a single board in each town.

The very full report of the Superintendent of Schools indicates that the change to the town system has caused but slight friction, and already has become a decided improvement, requiring but slight additions to complete.

I wish to call your attention again to the matter of free textbooks, and refer to the town of Hartford in Windsor County as the best exemplification of the benefits of this system, where an experience of fifteen years,

in a town that has all grades from the primary to the secondary school that fits for college, shows the average cost to have been only 41 1-2 cents per pupil, each year.

If this system were extended throughout the State, the benefits without question, would amount to several hundred thousand dollars a year.

This State has been liberal in regard to higher education, contributing to various institutions for this purpose, during the present biennial period, viz.:

U.V.M. & S.A.C.,	\$28,260
Norwich University,.....	5,300
“ “ as Militia,	1,100
Middlebury College,	4,800
Normal Schools,.....	<u>26,940</u>
 Total,	 \$66,400

REFORM SCHOOL.

Since the close of the biennial period which reports are made, the State Board of Health have examined this Institution and condemned the system of ventilation and plumbing in use. I have been impressed with their defects during the times of my examination; and call your attention to the matter that a remedy may be supplied.

A large proportion of the children sent to this Institution receive too long a sentence, greatly increasing the labors of the Board, and the expense to the State; the law recognizes State control during minority, while the average retention is only about fifteen months.

HOUSE OF CORRECTION.

This Institution was built for one-half the present number of inmates, and has had hitherto but slight repairs. It has been frequently visited by disease. It was thought at first that slight repairs would prevent a recurrence of disease; but the error of this conclusion early became apparent.

The services of the State Board of Health were secured. The condition of things was laid before the Rutland County Grand Jury, who made an examination and presentation of the condition to the County Court. Thereupon, the Judges of the Court made an allowance for repairs to the jail, which was believed to be one of the serious annoyances to the Institution.

An unusually large number of prisoners had been sent to the Institution suffering from various diseases, and with an epidemic of typhoid fever, disabling a large percentage of the working force and tending to cripple the Institution there seemed only one way to abate the evil, and that was to remove the defective plumbing and sewer pipes from the premises, and to secure additional room.

The situation was greatly aggravated by the large number of tramps who were coming in flocks for shelter, it being a matter of history that numbers would come to officers at a time, and asked to be sent to the Institution, threatening to commit crime unless their demands were acceded to. The Directors called to their assistance suitable aid in the emergency, and plans were devised and put into operation to supply the relief of which the Institution stood in need.

The Directors purchased the raw material and put at work the tramps and such available prisoners as would otherwise have remained idle, and set them to constructing a new jail, contrary to expectation, the men finding they would have better quarters as a result, took kindly to out-door winter work, completing the addition in a reasonable time without inconvenience to, or interfering with, such men as could be kept at work in the manufacturing department. Only so much has been done as was necessary for the health, employment and safety of the prisoners, and I am satisfied from the study which I have been able to give this matter, that the State should at once take this institution in hand, and supply it with such facilities as will prevent a recurrence of any of the evils heretofore experienced there.

The superintendent, directors and officers of the institution have proved their skill and efficiency under trying circumstances. What has been done not only meets with my most earnest approval, but the recommendations which the board make, merit your most earnest attention.

I believe the improvements made have added greatly to the efficiency of the institution, raising it higher in rank.

As a relief from the dangers of another period of over-crowding, a change in the law permitting the use of the county jails during periods of emergency, under the same conditions as the State Prison is used, would be of very great service.

I call your attention to the cost of commitment to this institution. Where a prisoner is sentenced from a remote part of the State for non-payment of fines for slight offences, the expense to the State is about \$25. If it was a period of twenty days, his earnings to the State would average less than \$4. Would it not be better to turn the prisoner over to the road commissioner in the town where the offence was committed, to work out his fine there, or give the court authority to incarcerate him in the local jail? At the bottom of page 5, of the Auditor's report, and also on page 25, of the report of the Superintendent of the House of Correction, will be found suggestions relative to this subject. I find an opinion quite current among those who ought to know, that there is something wrong as to this, suggesting that officers' fees are yet a temptation, and play too important a part in this matter.

Where a prisoner is serving a sentence and escapes, and flees to another State, there is considerable difficulty in securing his extradition. The Statute should make jail-breaking, or the escaping from jail, a crime.

VERMONT ASYLUM FOR THE INSANE, WATERBURY.

Under the act of 1892 providing for the erection of additional buildings, the Trustees have completed the centre group, in which is located the administrative department, and have furnished the same and they are now in use. The act under which this work has been carried forward, was the result of a compromise between conflicting views, and was not extensively thought out, but gave the Trustees discretionary power, so that they have been enabled to do just what they ought to have done in the larger interests of the State. During the progress of the work it became apparent that the whole of this problem could have been worked out and put into permanent form at the very start, to the highest advantage, even though it were built in small sections at a time; and while the work has been done with great economy, it has cost the board much patient labor and, at times, personal inconvenience. The act simply called for the erection of the buildings.

The Board of Supervisors of the insane upon several occasions sought a conference with me, and made complaints relative to the over-crowding of the institution and asked that a portion of the patients be returned to Brattleboro. I did not think it wise to incur this additional expense, but thought that the remedy lay in the early use of the new buildings. Finally the board filed with me a written complaint relative to the over-crowding, which I met as I had former expression, by urging upon the Trustees the finishing and occupancy of the new buildings. I order to bring this about the board found themselves obliged to incur expenses which otherwise they would have preferred to have had directly ordered by the Legislature. In the making of the changes, and performing of the work necessary to finish the institution as it should be, upon most advanced lines, in precisely the same way that they would have completed it, had it all been done at one time, the board called to their aid the best special skill. I conferred freely with the officers at the Brattleboro Retreat, as well as with those of other asylums, and became convinced that the right thing was being done; the State could not afford to submit to any errors of judgment in regard to it; it must be made right now or never.

The system of heating and ventilating the Institution had been only partially worked out, and required considerable outlay to perfect it. This has been done, greatly to the advantage and best interest of the Institution, including the new buildings, the present daily cost of heating, lighting and ventilating being about two-thirds of what it formerly cost. The supply of water proved inadequate, at critical times failing the Institution, leaving them without water for domestic purposes, or security against fire. In this emergency I approved of the action of the Board in the introduction of an adequate and independent system of water supply, owned exclusively by the State.

I have kept close watch of the progress of affairs, and so far as my approval has been necessary to secure the furnishing and occupancy of these buildings it has been given. And no State, I am assured, has a set of buildings better adapted to the use to which they are to be put, than the series of structures now owned by the State at Waterbury.

STATE BENEFICIARIES.

The Revised Laws make the Executive the Commissioner for the State, having charge of the care and education of this class of persons, the Deaf and Dumb, Blind and Feeble-minded.

There has been expended during the biennial term ending June 30, 1894, on account of these beneficiaries, the following sums, viz.:

American Asylum, Deaf and Dumb, Hartford, Ct.,	11	\$ 2,821.43
Perkins' Institution, Blind, Boston, Mass.,	9	5,100.00
Clarke Institution, Deaf and Dumb, Northampton, Mass.,	8	2,352.50
School for Feeble-minded, Waverly, Mass.,	10	2,280.10
Hospital Cottages for Children, Baldwinsville, Mass.,	1	211.25
Vermont Methodist Seminary, Montpelier, Blind	1	<u>71.75</u>

Total,40 \$13,437.03

Average number Deaf and Dumb,	15
“ “ Blind,	9
“ “ Feeble-minded.....	<u>8</u>

Average total,31

GOOD ROADS.

The agitation that has been going on for some time in this country relative to good roads has increased, as the people have come to realize more the advantages to be derived, and ease with which they can be procured.

The laws passed at the last session of the Legislature were helpful in this matter, but call for additional attention. The general policy that has been followed during the last generation has been simply to keep in tolerable repair the old roads; the time has come for a change.

I am satisfied that the State road tax should be used for the construction of roads in a more permanent form, and that no portion of it should be used for ordinary repairs. If all the towns were to adopt a policy of laying aside a certain percentage of their road taxes for the building of certain roads in a permanent form they would, in a few years, be able to replace their roads by durable structures, without increasing their expenses, and in the end would secure a class of roads that would cost only a nominal sum to keep in repair.

I appointed Commissioners under the joint resolution relating to the subject of highways, who have investigated the matter, and will lay their report before you. It would seem to be advisable that this Commission be continued.

BOARD OF AGRICULTURE.

The increased appropriation for the use of the Board of Agriculture has given a new impetus to their work. The law imposing upon the Board duties formerly performed by the Board of Cattle Commissioners has also increased their labors, and your special attention is called to that part of their work. Before the new law went into effect, I appointed three of their number to act as Cattle Commissioners, to fill out the period, under the old law. Frequent demands have been made upon them for counsel and aid, and in all instances they have followed the experience of those States which have spent large sums of money, and have acquired sufficient experience to come to act under fixed rules.

It has been thought by some that the State should at once adopt the policy of paying for all diseased stock upon a basis of perfect health, and eradicate by slaughter the various forms of disease that give occasion for alarm. To do this would have made large demands upon the State treasury; and investigation has shown that it is not the best way. With the supervision of disease by an intelligent Board, acting under medical advice, with authority so compel suitable care on the part of the owner, it is a better and safer practice to leave the matter in their hands.

The law, as it now is, gives the Board discretionary power to make adequate recompense in meritorious cases, and if to the list of infectious diseases was added that of Tuberculosis, is sufficient in scope for our present needs.

STATE BOARD OF HEALTH.

In view of the near approach of cholera to our shores and the necessity for the formulation of quarantine regulations between the States and on the frontier, I instructed the State Board of Health to attend the meetings of the National Board, and also to confer with the United States Government Authorities regarding this matter, with the view of establishing such regulations as were found necessary, in order that the State might be prepared for any emergency.

It is pleasant to know that the crisis passed without calling for any unusual measures on our part.

VERMONT NATIONAL GUARD.

Early in my administration I conferred with the War Department relative to the sending of an officer to this State, to remain with the troops for the purpose of systematizing the drill and regulations strictly in accordance with the customs and requirements of the United States Army, so far as it was practicable, and for the increased efficiency of the service. I am pleased to say that the government met the proposition very warmly, and detailed Capt. H.E. Tutherly, 1st Cavalry. He was assigned to duty on the Staff as Assistant Inspector-General.

In order to increase the efficiency of the 1st regiment, it became necessary to disband one company and raise a new one in its place. This was done after much thought, and was with the approval of all the officers of the Military Department.

I believe that the National Guard has reached the highest point of efficiency during my connection with it. The companies come to camp well drilled, but under the new regulations the problem of securing practical experience for the field officers becomes a serious question.

To test the matter I gave permission for one battalion to rendezvous at Montpelier, at their own expense, at the June drill. Were it not for the increased expense I would advise this for all, but having due regard for economy I am satisfied that the matter can best be reached and the efficiency of the service increased at the least possible expense, by the securing of a permanent camp-ground not too remote from the new military post near Essex Junction, but entirely separate from it.

The raising of mobs in different sections of the country, styling themselves armies, under different names, and attempting to march from their rendezvous to the capitol of the nation, was a proceeding so foreign to all good government, and full of danger that it naturally became a source of great anxiety to those whose duty it is to keep in efficient condition the military forces of the country. It was learned that among the schemes of these anarchistic elements was one for the removal of prominent officials, and enacting upon American soil the dramatic scenes so recently enacted in France. By taking advantage of the unrest that had settled over the country, all sorts of schemers came to the surface, and for a while the wild talk of the communist, the dangerous deeds of the anarchist, and influence of the impracticable agitator held sway.

Not knowing how far the disturbances might spread, I caused the troops to be put into condition to move at an hour's notice, and advised the general government of our numbers and efficient condition, and readiness to move. Happily, however, the disorders were suppressed before they reached the east and we were not called upon for active service.

If any one will take pains to examine the names of these agitators and disturbers of public peace, and introducers of discord in the land, he will be amazed at the strangeness of their names, and their dissimilarity with those that indicate American citizenship. It is said by some of the authorities that the leaders of these movements are rarely American citizens; and it is also the opinion of many who have given attention to the matter, that this country is, at the present time receiving the criminal classes that are being driven from other shores. Unless something is done to arrest this state of affairs there must be fought out upon American soil a great social problem with the irresponsible foreign criminal element, who, although with us, are not of us. Therefore it becomes important that the Congress of the United States, which is invested with the power, should enact suitable laws for the protection of the States from the introduction of the unsafe element, now no longer tolerated at liberty in civilized countries, and making certain that those who come to live with us, are people with good intentions, who will be helpers and not disturbers of society.

FORT ETHAN ALLEN.

It is a matter of unusual importance, that the national government should have established near important railroad connections adjacent to the frontier, and in our own State, an important military post. This new station has been completed and is already occupied by United States soldiers.

It being the first and only Military Post in the State, I directed the Adjutant-General to extend to the troops on their arrival the greetings of the State and a hearty welcome to our hills and valleys, as well as to our homes and hearts.

A splendid illustration of the best type of the foot soldier of the regular army was seen in the company of regulars at the muster at Brattleboro in August, and the mounted troops now at the Fort will be an added illustration of another branch of the service attracting our admiration and heightening our respect.

PROHIBITORY LAW.

The report of the officers of the House of Correction show that the commitments to that institution have increased from 328 for the biennial period ending 1884, to 808 for the biennial period ending 1894. In attempting to account for this increase of crime the Superintendent of the House of Correction points to the rigid enforcement of the Prohibitory Law as an important element. In 1884 there was committed under the provisions of the liquor law 162, while in 1894 that number was swelled to 513. For larceny and burglary the number of commitments has increased from 50 to 60. Tramping, however, has increased from 50 to 145. All other offences have increased from 66 to 90.

While other crimes were not substantially increasing considering the disturbed state of the country and the large number of men who were idle and tramping, it was apparent that something abnormal was at work producing this increasing criminal population. The suggestion that the vigorous enforcement of the law was the active element, caused me to make inquiries and institute investigations.

The statistics of the House of Correction further show that two counties in the State furnish fifty per cent. of the prisoners; three counties seventy-five per cent.; six counties eighty-seven per cent.; while the remaining eight counties furnish thirteen per cent. One-quarter of the prisoners are sentenced for less than one month, and five-eighths for less than three months. Fifty-seven of the prisoners have been committed three times to the House of Correction; thirty-eight four times; eighteen five times, running along to one who has been committed seventeen times.

In pursuing this investigation with a view if possible of ascertaining the actual state of affairs as prominent people understood it in the different localities, and the condition of public sentiment in the various towns of the State, I prepared a circular letter of inquiry, and mailed one thousand copies to prominent people equally in each town. Replies have been received from every town in the State, and more than 800 in number in all.

The replies, received from fifty per cent. of all the towns in the State, are unanimous that there is no liquor illegally sold in those towns.

The replies received from thirty-two per cent. of all the towns in the State are divided, but a careful study of the replies would seem to indicate that there was but very little, if any liquor sold, and in most cases they are

mere conjectures, so that for the purpose of this discussion it is not unfair to add these to the first series of replies, making eighty-two per cent. of the towns in the State from which the liquor traffic has practically been driven out.

The replies, from eighteen per cent. of all the towns in the State, are unanimous that there is illegal liquor selling in those towns.

A comparison of this eighteen per cent., with the commitments to the House of Correction, show a very close family relation.

More than seven hundred in number of the replies indicate a favorable public sentiment to the support of public officials in the enforcement of the law, while very few express an adverse public sentiment, and those only in localities where liquor is freely sold.

The law as at present enforced is increasing the criminal population with alarming rapidity. Three hundred and twenty-seven of the inmates of the House of Correction are the poor victims guilty of intoxication, while the seller and the landlord are not so thoroughly reached. If you wish to stop this rapid increase of the criminal class, the time has come when the liquor seller, the great source of the evil, must be more effectually got at. Already the law hits him, he openly pleads guilty to the number of his offences, receives his sentence, takes an appeal and escapes.

The way to break up this abuse is to pass a law disallowing appeals on a plea of guilty in liquor cases. Such a statute would be analogous to the statute which does not allow appeals in civil cases, on default, or confession of judgment.

The landlord can be reached by making the owner of the premises adjudged a nuisance, a party, and requiring a bond from him. These blows must be struck if the battle of Prohibition is to be fully won, and the remaining towns in the State now suffering under this curse, enabled to take their place in the column of towns from which the saloon has practically been driven out.

SPECIAL PROSECUTORS.

Eleven officers of this class have been appointed. They are useful officials in some localities, and if the appointment instead of being mandatory was discretionary with the Governor, there would be little to complain of. I think that the work of this officer is greatly misunderstood. If he is able, energetic and discreet, he can accomplish much good, but there is reason to believe that in some cases he is used by the liquor interest to promote their traffic, while, on the other hand, the liquor dealer retaliates by alleging that the officers use it for selfish and mercenary purposes. Out of 897 cases reported to me by these officers, 842 were liquor cases, and 55 for other offenses. The reports do not show that more than eighteen of the total number ever reached the House of Correction.

In the granting of charters to cities, they ought to be compelled to furnish adequate police, with sufficient legal staff to properly enforce the laws, without special assistance from the State. Not being satisfied with the condition of affairs in the City of Rutland, I accepted the resignation of one Special Prosecutor and cancelled the appointment of another, giving proper notice to the city officials and the State's Attorney. This will afford the citizens of that place an opportunity of judging as to the relative merits of the two systems.

VILLAGE CHARTERS.

There should be a general law defining the rights, duties and privileges of villages, and the duties of their officers. There are a large number of chartered villages in the State, no two of them alike; a question arises and the court decides it as to one charter; it throws no light upon any other. It is now as if there were a special law for each town and every railroad—no two alike—but general laws have been passed for towns and railroads and may other corporations.

The constant cry is that the expenses of the courts, or litigation, is increasing, but the Legislature goes on year after year granting special charters upon the same general subjects, so widely different, that the settlement

of a question, or the determining of a right or power by the court under one charter, is of no force, and settles nothing as to another special charter having different provisions.

This is one of the greatest legal embroglios in the statutes.

On account of the increasing loss by fire, there is a demand for a State Fire Marshal, and for a general law regulating the construction of buildings in incorporated villages.

INSURANCE COMPANIES.

Additional power should be given the Insurance Commissioners, to enable them to enforce equal requirements relating to home, and foreign, Insurance Companies doing business in this State.

SAVINGS BANKS.

During the year 1893 the country suffered from a financial panic which has been followed by a serious industrial disturbance, and it is a source of congratulation that through all the misfortunes that have overtaken the country, our own banks have met all demands upon them, strengthening their position, and at the close of the biennial period, the increase in the number of depositors was 3,124, and the increase in the amount of their deposits \$479,209.23, with a total deposit of \$23,628,516.44.

By reference to the last page of the editorial part of the report of the Inspector of Finance it will be seen that he makes reference to the fact that whenever the business of a savings bank has been carried on in the same office with a national bank, the examination of such bank has been made at the same time that the National Bank Commissioner has examined the national bank as contemplated by law. These two kinds of institutions are so different in their charter provisions, and call for such different management, that great responsibility is thrown upon the officers and Inspector of Finance.

It has been brought to my attention that several of the savings banks of the State have incorporated into their business a regular banking department like unto the business of a national bank, assuming all the risks and responsibilities of banks of discount, and affording their customers all the conveniences which this class of commercial transactions require. I do not understand that the general law, or the charter provisions of savings banks, grant them any legal right to do this. Trust companies may and do transact this class of business, because their charters grant them such provisions, and the capital stock of the company is the financial security that is a prominent element in giving the bank its standing; but a savings bank has no capital. The trustees who authorize or permit this business, without doubt, make themselves personally liable. It has never seemed to me the right thing for a corporation to extend its business beyond the provisions of its charter. A part of the great unrest of the day grows out of what is termed the "greed of corporations." It becomes therefore the duty of the Legislature to determine whether these savings banks may take on this department of business or not, and if so, to provide specific means by which it may be done and conducted, and arranging for its complete separation from the ordinary savings bank deposits, and not allow the regular savings to become mingled with or subject to, the risks that always attend the daily transactions of commercial life.

The provision in the law which allows people residing without the State to come here and organize State banks was taken advantage of last year by some sharpers living in the City of New York, who organized a State bank at Barton, and undertook to use the fair name of this State to perpetrate a swindle upon the unsuspecting public, by the issuing of checks, drafts, letters of credit, certificates of deposits, and without any actual capital enter into a regular banking business. At the hour appointed for it to commence business, the State Inspector of Finance was the first man to cross the threshold of the bank, and to institute an inspection, which was followed immediately by taking full possession and later by applying to the Supreme Court for an injunction, which has been followed by a complete winding up and blotting out of the fraud. The State's Attorney of the County caused the arrest and indictment of the leading party in this scheme, who is now under bonds awaiting trial. I gave permission to the Inspector of Finance to engage such counsel as was necessary to protect the interests of the State.

That provision of law making it possible for outside parties to commit this species of fraud should be amended.

BOUNDARY LINE COMMISSION.

Under the act to establish boundary line monuments between Massachusetts and Vermont, I appointed Hon. Kittredge Haskins, Hon. Lavant M. Reed and Hon. James K. Batchelder as such commissioners, who have attended to the work, which has proven to be more extensive and important than was at first understood to be the case, and which is still in progress; but the work has been in able and safe hands, and the preliminary report of their doings will be laid before you.

REVISION OF STATUTES.

Under the act of 1892 which called for a revision of the public statutes and for the appointment of three commissioners to perform the work, in accordance with what seemed to be the unanimous opinion of the Bar, I tendered the appointment of First Commissioner to Hon. W.B.C. Stickney, who indicated his willingness to undertake the work, but a serious illness ultimately caused him to decline the appointment. Where upon I appointed Hon. Alfred A. Hall, Hon. Philip K. Gleed and Hon. Orion M. Barber.

These gentlemen have undertaken the work with great zeal. They have had as an assistant for a short period, Mr. Ashton R. Willard, who was assistant to the revision commissioners of 1880. The volume of work called for by this revision I am advised is largely in excess of the former revision; its examination and completion will be the greater labor of this session. In the consideration of the many questions that will arise great skill, careful study, as well as critical examination will be required. Those who have seen the work represent it as being well performed.

The attention of the Commissioners has been called to various changes in the laws that will be recommended by the different State officers, and they will embody in their report to you the result of their examination of this subject, which I trust will be given you to do.

COLUMBIAN EXPOSITION.

The arrangements made by previous Legislatures to provide for a representation of Vermont Interests at the World's Columbian Exposition is fully set forth in the report of the Commissioners. The exhibits sent from the State ranked high in quality and received distinguished recognition from the Jury of awards.

The biennial term has been somewhat notable for the many demands of a semi-social and educational character that have been made upon the Governor and his Staff as official representatives of the State. My own publicly expressed obligations and thanks are due and are hereby expressed to the gentlemen comprising the Staff, for the hearty response to all calls made upon them, and the generous willingness with which they have journeyed in all directions, at their own personal expense of time and money, that the State might be worthily represented in the many public events that have marked the period.

It is not requisite that any specific mention should be made of more than one or two of these events. Among the most notable was that of the Columbian Exposition at Chicago, to which reverence has already been made, at which the Executive and other State officials sought to express the interest of our people in that gigantic enterprise which so fittingly commemorated the 400th anniversary of the landing of Columbus. On the 10th of May, 1893, in the presence of a large number of loyal Vermonters and others, there was dedicated, with appropriate exercises, the structure that was used during the life of the Exposition, as the rallying point for the Sons and Daughters of Vermont. Amid the splendid array of buildings, Vermont may indulge the justifiable pride that its own State building, designed by one of its own talented sons, while neither so large or pretentious as many of the other buildings, was surpassed by none in the classic purity of its architecture, and the commendatory words spoken concerning it by distinguished architects and artists.

Upon the request of the Governor of California, I appointed several gentlemen as Honorary Commissioners to represent the State at the Mid-Winter Fair held in California, and in response to a most urgent invitation from the authorities at the Fair, and the repeated solicitation of three thousand loyal Vermont residents upon the Pacific slope, I was present in San Francisco to assist in a proper representation of the State on "Vermont Day," March 3rd, 1894.

The honors everywhere accorded on that journey to the representatives of the State, revealed the loyalty of the Sons and Daughters of Vermont to the mother commonwealth, and the honor in which the Green Mountain State is everywhere held for the sturdy manhood that is developed among its rugged hills and which has gone forth to enrich in largest measure, other communities of the land.

One of the most pleasant features of the official term has been the numerous opportunities of meeting with the Vermont Societies in various parts of the country. Into these societies is gathered the sturdy manhood and high souled womanhood which has been flowing from our highlands everywhere, into the life of the nation and which has been one of the most beneficent agencies in the development of the political, social, and religious life of our nation. Into the gatherings of these societies come, from time to time, these loyal Sons and Daughters of Vermont, and, under the enchantment of memory they forget their years and their burdens, their cares and their bustling activities, and while thinking reverently of the dead and lovingly of the living, they rekindle their patriotic zeal, as they recall the scenes of the old Green Mountain State, and the hallowed memory and teachings of the fathers.

These Sons and Daughters of Vermont who have gone forth and are scattered through our broad continent, as they look lovingly back to their mother commonwealth, realize that the real strength and grandeur of a State does not depend upon the evidences it can show of vast and material prosperity, or wealth of population, but that these elements reside rather in the spirit of the people, that prevents its communities from being demoralized by corruption, and keep from it that spirit of speculation that works havoc in its business relations, and drives away the unbelief that undermines the faith of its people, and preserves, equally and well, the rights of all.

The past history of our own State is teeming with the record of great blessings that have been enjoyed; doubtless there are vaster blessings for our State in the days yet before it, since the future is in the keeping of the same Almighty One who was the Helper of our fathers in the past, and who is their loyal children's reliance in the present.

The Governor having concluded the reading of his message, withdrew, and the Joint Assembly dissolved.

CHAUNCEY W. BROWNELL,
Secretary of State, Clerk.

Farewell address
of
Charles W. Gates
As it appears in the
Journal
of the
Joint Assembly
1917

Thursday, January 4, 1917
Farewell Address

Gentlemen of the Senate and House of Representatives:

Complying with a provision of our Constitution and following custom established by my predecessors in the Executive Office, I present to you an account of conditions and developments in the several departments of the state government, and submit for your consideration such recommendations as my experience prompts me to make.

EXECUTIVE DEPARTMENT.

The departments of the state government have so increased in number, and the business in those departments has so increased in volume during the past ten years or more that the responsibilities and detail work of the Executive Department have outgrown the provision formerly made for handling the work. Considering the work at hand, and the desirability and economy of an office centrally located, it seemed to me upon taking office that the interests of the state would be best served by making the Executive Office at the State House at Montpelier, the permanent office for the biennial term rather than take the office with me, as has been the usual practice. The last legislature made this possible by providing a stenographer for the Secretary of Civil and Military Affairs, and the office at the State House has been kept open continuously for the transaction of official business, meeting of committees, heads of the various departments and for the benefit and accommodation of all those who had business with this department. It has not been so convenient for the Executive, but has, I believe, been very much more convenient and satisfactory to all who have had occasion to visit the office.

STATE BUILDING.

By an Act of the General Assembly of 1915, the construction of a building for the state library, supreme court, historical society, and other state purposes was authorized. An appropriation of One Hundred and Fifty Thousand Dollars was made to carry out the provisions of the Act.

I appointed a committee consisting of Horace F. Graham of Craftsbury, C.P. Smith of Burlington, W.W. Stickney of Ludlow, and Harvey W. Varnum of Cambridge. These gentlemen and myself were able to let the contract for a sum slightly within the appropriation. The building has now reached such a stage of construction that you can judge of its essential features. If the building is completed according to the contract and to keep within the appropriation, the inside finish will, of necessity, be very plain, and the front will be left practically as it now appears. In adopting the present plans your committee has made it possible to substitute, if the legislature cares so to do, a better quality of finish for the interior, and to add to the front a suitable porch or balustrade, which will give the building a much more finished appearance, and a character more nearly in accord with this class of modern structures in other states, and in keeping with the dignity of the state. We are building for all time, and should not neglect to perfect and beautify what we build.

Ample space has also been provided in the new building for installing a central heating plant that would serve both buildings more economically than would the two plants now in operation.

I recommend that you carefully consider this subject in connection with certain necessary changes in the present library wing of the State House, and that you provide for such expenditures as seem advisable to you.

STATE INSURANCE.

At the present time the state is supposed to be insuring its various properties at ninety per cent of their value. The total amount of insurance carried is as follows:

Buildings.....	\$1,471,000
Personal property	<u>714,700</u>
Total	\$2,185,700

Annual premium \$7,431.38; number of risks 145; number of policies 100; number of companies 46.

It is contended by those who have studied the situation that the experience of the state during the past forty years has been extremely favorable, and that the amount paid in in premiums has exceeded considerably the losses sustained by the companies. The losses at Waterbury and at Vergennes are the only serious ones we have sustained. Furthermore, in view of the fact that the policy of the state is at present, and in the future should be, one of constructing absolutely fireproof buildings, or buildings as nearly fireproof as possible, and also in view of the fact that after a thorough inspection of all the state property many of the expensive improvements have been made according to the advice and suggestions of experienced insurance inspectors, thereby greatly reducing the fire hazard and improving the risks we already have, it would seem to be an opportune time to consider the question as to whether or not the state should carry a part of its own insurance and thereby reduce the amount of premiums now being paid annually. Some plan whereby the state insuring only its principal properties, or each parcel of property for a part of its value, and creating a sinking fund into which shall be paid the premium which it would be necessary for the state to pay on the uninsured part of the basis of the insurance now carried, would, I believe work out to the advantage of the state. The sinking fund thus created would, if the past experience of the state is continued, amount in time to a substantial sum, and as the sinking fund grows the state would be justified in carrying a larger amount of its own insurance.

The mistake should certainly not be made of providing for the state's carrying a portion of its insurance without adequate provision for a sinking fund. The plan could at least be tried out for a few years with little danger of serious loss.

I urge you to give this matter careful consideration, and recommend that a law be passed based on the plan I have briefly outlined, and that the state insurance department be charged with the performance of the duties imposed by the act under such restrictions as you may deem wise to incorporate therein.

STATE PRISON.

For some time there has been a gradual decrease of commitments to our State Prison and at the present time there is the smallest number in many years. The sanitary conditions of the prison are the best and the men are kept clean and wholesome. Under the contract system every prisoner has steady employment and is furnished with every opportunity to develop the better side of himself and encouraged to make the best of his life there. He is instilled with the idea that prison life can be made bright and wholesome and that he can prepare himself while there to live a clean and upright life after his release. Chapel services, schools, entertainments in which the prisoners participate, ball games and other outdoor games are provided, and life in prison generally is made worth while, with special effort on the part of the superintendent to improve the morals of the men. On the whole the prison is quite ideal and with the humanitarian treatment employed, there is no reason why many of these unfortunate men cannot become good citizens and get a new grasp on life as they go out from there.

During my administration a prison farm of about two hundred acres has been purchased and has proved a success, about \$8000 worth of produce having been raised this year at a minimum expense. Six prisoners received special parole and have been employed on the farm making it unnecessary to hire outside help of any kind. The buildings on the farm have been repaired by help from the prison and the farm likewise has been generally improved. Mr. Walker, the superintendent, has had general supervision of the farm and under his able management a very creditable showing has been made.

I am convinced of the importance of the State's owning more land in connection with each of our penal institutions.

HOUSE OF CORRECTION.

The House of Correction stands differently than the State Prison. A large number of the men confined there are short time men and there is less opportunity to improve their condition, yet under Mr. Loukes' management the institution has improved and the men helped and encouraged.

The buildings of the institution have been well cared for and such improvements and repairs made, including a new and well equipped engine house, as has been necessary. The few acres of land connected with the prison have been utilized to good advantage demonstrating the desirability of the purchase of more land if the same can be obtained at a reasonable price and located near the prison.

PAROLE SYSTEM.

The Executive Department has made special effort to place the parole system on a sound basis, to follow up as carefully as possible all breaches of the conditions imposed, and to assist in every possible way the persons under parole in their endeavors to better themselves. The probation officers, sheriffs, and superintendents of the prisons have aided materially in the efforts that have been made to keep these wards well in hand. The department has endeavored to impress upon every man and woman released the importance of keeping the agreement made with the Governor. The results have been gratifying in a large measure, and while this work has its discouraging features, it has, on the whole, been satisfactory, and has led to a greater respect for law and order, by the prisoners themselves. Warrants have been issued for recommitment on the slightest breach of the conditions of the paroles, and during the term more than fifty have been returned to serve the balance of their sentence. This has had a very healthy effect upon all phases of the work. In and out of prison the word has been passed, that the Governor's warrant would certainly follow a breach of parole, and it has not only acted as a warning to those inside, but has held the paroled to strict compliance with the conditions imposed. With the proper enforcement of the law, the system I believe, is beneficial and helpful, and should be extended and enlarged as conditions would seem to warrant. The employment of the prisoners after release is very essential, and some system of obtaining positions for these men as they leave the prison, would be a great help.

INDUSTRIAL SCHOOL.

During my administration, I have been very much interested in the Industrial School. It is the most useful institution of its class we have because of its wide range of usefulness. The attendance has been increased, and many boys and girls are sent there that ought to be in some institution for homeless children. Many are committed on the slightest provocation, either because they have no home or because responsibility for their care has been disregarded. Separation of the children with criminal tendencies from those of the more homeless class is very important and should receive careful consideration.

The work done in the school is to be commended. The children are kept employed under a very carefully planned discipline. The day is divided into hours for work, school and play with much attention to the training of the morals of the children in the right directions. Encouragement along educational lines is an important feature and under a special arrangement there are now fifteen of the larger boys and girls from the institution attending the high school at Vergennes with a determination on part of some of them to enter college upon their release. This work has a strong tendency towards the development of a healthy and wholesome course for every child that is committed there

The hospital building has proved a very important acquisition to the school and the state is indebted for its equipment to Judge and Mrs. John E. Weeks, Middlebury, who have always taken a deep personal interest in the school and its development.

SCHOOL FOR THE FEEBLE-MINDED.

The appropriation of Twenty-Five Thousand Dollars made by the legislature of 1912, for the establishment and equipment of a school for the feeble-minded, was deemed by the trustees to be inadequate for the purpose, and not being able to decide upon a location out of the several properties offered, they brought the matter to the attention of the legislature of 1915, which increased the appropriation to Sixty-Five Thousand Dollars. The Chase Farm of Brandon was agreed upon as a suitable location, and was purchased for Thirteen Thousand Dollars. About Seven Thousand Dollars was expended in remodeling and repairing the two houses and other buildings, installing a heating plant, new plumbing for the water system, electric wiring for the buildings, and in furnishing and equipping them, making accommodations for the superintendent and family, attendants, and forty children.

The Seven Thousand Dollars expenditures also covered the cost of remodeling the cow stable, putting in a new cement floor and stanchion equipment for twenty-five head of cattle, and reconstructing another building to be used as a temporary laundry, making a total outlay for farm, repairs and equipment of buildings of twenty thousand dollars. An idea of the value of the purchase may be had from the fact that the insurance companies appraised the buildings for insurance at a little over Twenty-Eight Thousand Dollars.

A very satisfactory arrangement was entered into with the village of Brandon to extend the four-inch water main to the farm, and supply the buildings with all the water needed for domestic and fire purposes.

A contract was entered into for a new dormitory to cost complete, including plumbing, heating and lighting about Twenty-Three Thousand Dollars; this with an expenditure of around Ten to Twelve Thousand Dollars for water supply, sewer system, equipment and furnishing of new dormitory, a temporary kitchen and equipment, will make a total expenditure of about Fifty-Five Thousand Dollars of the Sixty-Five Thousand Dollars appropriated, furnishing accommodations for one hundred and ten children at a *per capita* cost of about Five Hundred Dollars each.

In order to provide accommodations for the children already in sight to be cared for by the institution, and to provide separate quarters for boys and girls, it will be necessary to build another dormitory the size of the one already being built, a central heating plant, laundry and service building.

I am satisfied that the plan of development adopted by the trustees, is admirably adapted to the conditions; that the results obtained to date are very satisfactory, and that the *per capita* cost to the state, when the plant is completed, will be considerably lower than that of most institutions of similar character in other states.

The superintendent, Dr. Russell, with seven years' experience under Dr. Fernald in the management of the School for the Feeble-Minded at Waverly, Massachusetts, comes to his task at Brandon with the best of recommendations, and an experience that fits him admirably for the task he has assumed.

The problem of caring for our feeble-minded children, is a serious one. The state has not been slow to recognize its duty in this matter, and has contracted for their care in institutions in Massachusetts and other states, until those institutions have served notice on us that they were overcrowded, and that our children should be removed as soon as possible. We have already brought back from those institutions thirty-three children, and have only seven left at Waverly, Massachusetts, which will be brought to Brandon, as soon as the new dormitory is completed.

Institutional care and treatment seems to be the best solution of the problem yet discovered, and is in the line of true progress. The trustees in locating the institution on this large farm in Brandon, and in making plans for developing the school, have taken advantage of the experience of other states, and have started a modern institution, with fireproof dormitories of concrete construction, arranged and equipped in the most up-to-date manner, and at a minimum cost, upon a farm of about two hundred acres, equipped with a complete set of well built farm buildings sufficient to amply provide for a large dairy, and for storing the farm produce and machinery. It will also furnish ample opportunity for the exercise and development of the inmates, and will, under proper management, be a very substantial factor in supplying food products for the institution. Under proper superintendence a major part of the work can be done by the inmates themselves. A fine showing has already been made by Dr. Russell the past year under very unfavorable conditions, with a very small dairy, insufficient equipment and only a few boys capable of helping with the work.

I earnestly recommend that sufficient funds be made available by this legislature to complete, equip and maintain this School in a manner that will be a credit to the state.

TUBERCULOSIS.

The legislature of 1915 increased the appropriation to provide in a larger degree for the care of the indigent tuberculous persons. This increase in the appropriation was much needed, for, during the biennial term 98 persons have been designated for treatment—90 to the Vermont Sanatorium at Pittsford, Vermont, 7 to the Hampshire County Hospital at Haydenville, Massachusetts, and one to the Huntress Sanatorium at Rutland, Massachusetts, at the total expense of \$14,446.36.

All of the incipient cases have been designated to the Vermont Sanatorium. This institution is doing very creditable work, discharging a large portion of its patients much improved in health and furnished with knowledge of proper personal care that will enable many of them to resume their life work practically cured.

The care of the chronic cases is a very serious problem, and just how far the state should go for the proper care of the indigent persons of this class, is a problem which should be carefully considered and some definite plan adopted. During the present administration, 7 cases of this class have been designated, all of which were removed from some undesirable environment and abounding in opportunity for the spread of the disease. The danger of the spread of the disease would seem to necessitate the adoption of very stringent methods to check its progress. Segregation of the affected persons is probably the only method that can be adopted with any degree of success, and I recommend your careful consideration of the desirability of providing some suitable place for the proper care of such persons, with the end in view of checking the spread of this great plague.

WORKMEN'S COMPENSATION.

The legislature of 1915 created a new department of state by the passage of a Workmen's Compensation Act. The more essential objects of the law are:

1. To lessen accidents.
2. To provide immediate relief for the injured.
3. To protect both the employer and the employee from long drawn out and costly litigation.
4. To promote better feeling between capital and labor.
5. To lessen the costs of the courts.

The Act provides that every employer of labor shall secure compensation to his injured workmen by insurance or bond. As the cost of insurance is based upon the extent to which the workman is exposed to danger, it will be seen that it is for the financial interest of the employer to safeguard his workmen as best he may.

One of the most beneficial features of the present law is that of immediate financial relief to the work man and his family. He is, on the happening of an accident, entitled to free medical, surgical and hospital service, and to such compensation as the Industrial Accident Board may fix upon under the law. If the workman is poor, he is no longer an object of charity, and the town where he resides is relieved from the support of him and his family.

During the first year of the act, July 1, 1915, to July 1, 1916, five thousand forty-three cases came before the Industrial Accident Board, and but one of these found its way into the courts. During the first half of the second year, July 1, 1916, to January 1, 1917, 2738 cases came before the Board, and but one of these cases was appealed, thus saving thousands of dollars to both employer and employee, which would have been spent in litigation.

The cost of administering the law for the first year was \$8,765.75. Assuming that two per cent of the five thousand forty-three cases had been tried out in the courts, the cost to the state would have been in excess of forty-five thousand dollars. That the act has created a better feeling between capital and labor, is best evidenced by the manner in which both parties have accepted of its provisions, and also by the fact that many concerns and their workmen, not necessarily bound by law, have voluntarily accepted its terms.

At the time the law went into effect, there were many negligence cases pending on the dockets of the several County Courts in the State. These have now, to a large extent been disposed of, and no new negligence cases between employer and employee can be brought to the courts for trial, except by way of appeal from the decision of the Industrial Accident Board.

The showing is indeed a creditable one, considering the fact that the law has been in operation only eighteen months, practically confirming the judgment of those responsible for its enactment. Several minor defects in the law have been discovered and changes in some of its details should be made. I recommend amending and strengthening the law along the lines suggested by the commission in order that Vermont may have an ideal compensation law adapted to meet conditions that prevail here.

FORESTRY.

Vermont has not been slow to recognize the importance of conserving our forests and has established a Forestry Department for the purpose. Much has been done to create a public interest in this matter and to protect our forests from fire as will be seen by a perusal of the Report of the Forester. Demonstration tracts have been purchased and planted to pine and spruce in the different counties, and a large quantity of young trees have been sent out from the nurseries at Burlington and at the Downer Farm at Sharon. It has been thought best not to increase the number of demonstration tracts during the past two years, but to use the money available for the purchase of forest lands in increasing our holdings at Mount Mansfield and Camel's Hump, which has been done, making substantial tracts now owned by the state on the slopes of our two highest mountains.

I trust the importance of this Department will appeal to you, and that you will continue such support as it deserves.

AGRICULTURE.

The activities in the department of agriculture during the past two years made possible by the acts of the Legislature of 1915, have shown the wisdom of increasing the responsibilities of the Commissioner of Agriculture, and of extending the scope of his work. A perusal of the Commissioner's Report will give a good idea of what has been accomplished during the biennial year. I trust that you will give this report careful attention, and the department the liberal support it deserves, so that it may prove still more helpful in developing our agricultural interests during the biennial term upon which we have just entered.

EDUCATION.

Among the most important and far-reaching acts of the last legislature was the passage of the so-called Educational Bill. The Board of Education has found the task of administering the law a large one, but during the short time it has been in operation, has met with sufficient success to warrant a full and fair trial of the plan the new law has inaugurated.

This is the most important and most expensive of all our state departments, and I urge you to give careful consideration to the recommendations of the board and to the Commissioner of Education, Dr. Hillegas, that they may be supported in their commendable work of improving the schools of the state.

HIGHWAYS.

In 1892 the legislature passed the law raising a 5 percent tax on the grand list, which is collected by each town and city, then is paid into the state treasury, and reapportioned to the towns and cities by the state treasurer, on the basis of road mileage, to be used in "permanently improving the main highways" of each town and city in the state.

The legislature of 1898 created the office of state highway commissioner to direct and supervise the expenditure of all highway funds raised, appropriated, apportioned by the state.

In 1908 the legislature appropriated \$50,000 annually for highways, making it available to towns in sums of not less than one hundred dollars nor more than three hundred dollars in any year, on condition that the towns vote an equal amount. This same legislature provided for the appointment of county supervisors, and for the selection of state roads in every town. These acts proved so satisfactory that the legislature in 1908 increased the appropriation to seventy-five thousand dollars annually, and the limit of aid to a town to five hundred dollars in any year. Again in 1910 the appropriation was raised to one hundred and fifty thousand dollars annually, and the limit to towns to seven hundred and fifty dollars in any year. In 1912 the appropriation was raised to two hundred thousand dollars annually, and the limit to towns was made one thousand dollars in any year.

The powers of the state highway commissioner have from term to term been increased, until he now has complete control, not only of the plan of construction, but of the location of the work, and appointing a foreman to take charge; but by treating the towns as partners, as they really are, the commissioner has been able to settle difficulties, and accomplish better results for the towns, as well as for the state, than was possible when the

authority was divided. The cooperative features of our state aid law have helped to create a public sentiment in favor of highway improvement, and a strong local interest to back up the state highway commissioner in his plans to a degree that is quite gratifying to those who have watched the interest grow for the past twelve years, or more, and especially for the last two years.

Towns have responded annually with liberal appropriations which is good evidence of the satisfaction the law is giving to the towns in improving their market and other roads in which they are particularly interested; and the use of the surplus of the annual appropriation, first on the roads that are not important to the towns in which they are located but are important to the public; and, second, on connecting links in our system of trunk lines, has already accomplished much to satisfy those who are especially interested in trunk line improvement.

A perusal of the State Highway Commissioner's Report will reveal the fact that much work has been done during the past two years, and that it has been well distributed in the fourteen counties.

Our gravel, and gravel-telford roads are giving such general satisfaction, and our plan of improvement without incurring any indebtedness, seems so well adapted to our needs and our conditions, that I recommend a continuance of the present law and appropriations.

I also recommend that the provisions of the law be changed so that incorporated villages, under proper restrictions, may have the same privilege of voting money to take advantage of the state aid law as towns and cities do now.

BRIDGES.

One of the most vital questions in connection with the highway department is the safety of our bridges. The rapid increase in the use of motor trucks, and the heavy loads they carry, and the extreme age of many of our bridges, make it important as a matter of safety to exercise the greatest care in their repair and rebuilding, especially on our main roads. The demand is for well built bridges of a capacity sufficiently large to meet the probable requirements for years to come. It is false economy to build for present needs only, and towns should be encouraged by the state to build for the future, that our bridges, the vital and dangerous links in our highway system, may be absolutely safe and equal to any demands that may be made upon them in the future by the increased traffic that the development of our state is sure to make upon them.

I, therefore, recommend that you carefully consider the present state aid law for bridges, and amend it so as to increase the percent of aid to towns as much as in your judgment the importance of the matter seems to demand.

MAINTENANCE.

The automobile law, creating a "Maintenance Fund" for the highways, which was passed by the legislature of 1908, has proved to be more satisfactory than its warmest advocates anticipated. The large fund it has created has made it possible to keep our principal highways in better condition than would have been possible without it, while the taxpayer is relieved of an extra burden of taxation that would otherwise have fallen upon him.

The improved roads have no doubt stimulated the use of automobiles, for we have today about 16000 automobiles owned in the state, 724 motor cycles, and 725 trucks—one automobile to every twenty-three inhabitants. The increased use of automobiles has made our road problem larger, and more complex than ever, and has led to the adoption of the patrol system of maintenance. Under the law providing for this system, acceptance of its provisions was made optional with the towns; few towns took advantage of it the first year, but the highway department reports 730 miles of road, and 100 patrolmen on the list of 1916. Towns are just beginning to realize what the plan means to them. Maintenance by patrol has, during a four years' trial, proved so satisfactory, and so much superior to the old town system, that I recommend the plan be continued, and that no legislation be enacted that will in any way hinder its development.

TOWN ROADS.

Our state aid law has automatically divided our roads into two classes—state roads and town roads. So much attention has been given during the past two years to improving our state roads, that scant attention has

been given to the needs of our town roads. In fact the problem has been so large that the state has adopted the safer policy of developing the plan only as fast as public sentiment seemed to demand. The improvements on our state roads have served by way of contrast to create a demand for better town roads. I believe the time has come when this situation should be met promptly and intelligently. Let me direct your attention to a few facts well known to you all, no doubt, that bear directly upon the question.

Our total mileage of roads in the state to be maintained today is practically the same as it was ten years ago. Their use has greatly increased during that period; the public is demanding better roads than ever before, and the shorter hours of labor, and the increased rate of wages now prevailing has greatly increased the cost of maintenance. Appreciating these facts, some towns voluntarily raise more than the 20 percent tax required by law, but a majority are satisfied to raise the minimum legal rate. This course, together with the wasteful expenditure sometimes made of the funds, has resulted in a slow but constant depreciation of the roads that have been subjected to this treatment. The grand lists of some towns have increased while those of others have decreased, but a majority have remained practically stationary. The solution of the problem would seem to be increased funds, and some sort of supervision of their expenditure. Therefore, I would recommend, that the law requiring towns to raise and expend not less than one-fifth of the grand list as a town road tax, be amended so as to materially increase this tax to adequately meet present conditions.

Furthermore, on account of the growing importance, and the increased use of the town roads for automobiles, I recommend that a portion of the "Maintenance Fund" be set apart, and be made available for towns, under proper restrictions, for aiding them in maintaining and improving their town roads. If, say, \$50,000 were appropriated from the "Maintenance Fund" for this purpose, it would be another step in advance in our state road policy, making available for the town roads under state supervision the same amount that was appropriated for state roads in 1906, thus extending the principal of state aid and state supervision to practically all the roads in the state.

I am convinced that these changes, if made, would go a long way towards developing a better spirit of co-operation among all our taxpayers, and give us steady, yearly improvement of our entire highway system to the advantage alike of taxpayers and the tourist, making farms and country homes accessible by serviceable highways, adding materially to their value, and producing a system of earth and gravel roads that will be of vast economic benefit to our state and without incurring any indebtedness.

REVISION OF STATUTES.

The report of the commissioner appointed to revise the statute laws of the state, under the authority of No. 242, Acts of 1915, will be submitted to you for your action. As this work will supersede the Public Statutes, and the session laws of a public character enacted since 1906, it should receive early and careful consideration by the appropriate committee, and by the legislature itself. The permanent edition, to be published after the adjournment of the present session, will also include all the legislation of a public nature which you may enact; and special care should be taken that the public acts of this session are framed with reference to the proposed revision, so as to be in harmony with it.

TAXATION OF HYDRO-ELECTRIC PROPERTIES.

A situation confronts us at the present time, which should receive the attention of your body. During the last few years, we have witnessed the development of several of our water-powers by foreign and other corporations. These corporations have spent immense sums of money in the development of these water rights, and as a result the state will be immensely benefited, if a proper policy of control and taxation is adopted.

In the future there is bound to be more development along these lines, and it seems to me that the time has arrived when the state should adopt a definite policy of taxation of these hydro-electric plants and other water-power developments. There are two reasons why this should be done; First, fairness to the state. Second, fairness to the corporations who are making these investments.

The state is obliged from time to time to levy direct taxes upon the various municipalities for the support of schools, up-keep of highways, and the general expenses of administration. Under the present system of taxation, these properties are subject to as many varied appraisals as there are towns and municipal subdivisions

in which these properties are located. The respective boards of listers exercise their best judgment in arriving at valuations of these properties; but, without much expert knowledge as to their real values, there is bound to be a divergence of opinion, with the result that all state taxes assessed are not uniformly collected.

Then, too, the corporations find themselves subject to the multifarious methods of varying assessments, and the propositions of being obliged to pay their taxes to several different municipalities at as many different dates.

In my judgment, the state, through its method of collecting the tax due from railroads, telephone companies and other public service corporations, has solved the problem of the taxation of these hydro-electric plants, and other water-power developments. These properties should be assessed and taxed in practically the same manner as railroads, telephone companies, and other public service corporate property is now assessed and taxed. The state through its machinery already developed, can readily arrive at a uniform valuation of these properties. The result will be that the corporation will have received fair treatment, and the state will have received the benefit of the tax to which it is entitled.

It may be urged that a few towns will lose the benefit of the tax which they are now receiving, but it must not be forgotten that the collection of a tax on the part of the state from these properties will serve to lessen by so much the tax to be collected from the towns for the various purposes for which the state levies taxes. Besides, the fact that the power developed by many of these plants is transmitted over long transmission lines to distant towns, some within and some without the state, would seem to place this kind of property in the same class with railroads and telephone lines to be taxed directly by the state, and not by the town in which it is located. Under this plan, all the towns in the state will receive equal benefit.

The state already has wisely assumed certain control of all these corporations through the public service commission, and the adoption of this plan of taxation will be entirely consistent with our policy toward all other public service corporations, and would, in my judgment, be a most satisfactory arrangement, and helpful both to the corporations and to the state. The result may be easily arrived at, without a large amount of new legislation by invoking the use of machinery now in force in connection with the taxation of other corporations.

I earnestly recommend that you give this important subject the attention it deserves, and that you take such action as may seem best to you in order to give the state proper control of these developments, and the corporation a fair plan of taxation.

CONCLUSION.

Gentlemen: You have been selected by your constituents to represent them in this legislature. It is a distinct honor to be chosen to perform this public service—a service not only to your respective towns, but in a larger and much more important sense, a service to your state. Let this thought direct you in your work, and bear constantly in mind the fact that the value of your public service can be measured only in terms of successful achievement for the benefit of all the people in the state. Measured by this standard, may we be able to place a high value on the services you render at this session.

The legislature of the biennial term just closing made an especially good record in this respect, both at the regular, and at the special session, and I am glad to publicly commend them at this time for their excellent service. I shall look back upon my administration, which closes today, with great pleasure and satisfaction because of the loyalty and support of the members of the legislature, and of the officials in all the departments of our state government.

I feel that no Governor in all the history of the state could have been more fortunate in his associates than I have been. It certainly has been a great pleasure for me to have been associated with these men, and to share with them the honor of whatever of accomplishment may justly be credited to this administration. I want at this time to publicly express to all of these officials my appreciation of the kind consideration and loyal support I have received at their hands.

Public sentiment is a very important factor in the success of any public service, and newspapers are responsible in a very large degree for public sentiment. I desire on this occasion to thank the press of Vermont for the unsolicited and unstinted support given me in my work during the twelve years I have served the state as

its public servant for words of commendation and criticism alike, all of which have been most helpful, and for which I am truly grateful.

Words fail me on this occasion to express through you, representing as you do every town and city in the state, my gratitude to the people of Vermont for the confidence they have so freely placed in me during these years of service, and for the great and unsolicited honor they have bestowed upon me in selecting me as their Chief Executive. I have tried to show my appreciation by rendering faithful service, and trust that, notwithstanding my mistakes and shortcomings, the service as a whole may prove to be helpful to the state.

In turning over this important trust to my worthy successor, Honorable Horace F. Graham, I bespeak for him the same loyalty and cooperation that has been so freely accorded me, and which is so essential to a successful administration.

CHARLES W. GATES.

The Governor, having concluded the reading of his message; withdrew, and the joint assembly dissolved.

GUY W. BAILEY,*Secretary of State, Clerk.*

Farewell address
of
Horace F. Graham
As it appears in the
Journal
of the
Joint Assembly
1919

Thursday, January 9, 1919
Farewell Address

Gentlemen of the Senate and House of Representatives:

Very little attention is paid to the retiring message of the Chief Executive. It must of necessity treat of work done and policies already fixed. Man, while interested during leisure moments in history, prefers to learn and to engage in problems yet to be solved. Especially is this true if he is to be one of the active participants in their solution.

LEGISLATION OF THE SESSION OF 1917

Among the important acts of the Session of 1917 is the one consolidating and bringing into one department all the agricultural and forestry interests including suppression of insect pests, testing cattle for tuberculosis and the disposition of those found to be infected. An examination of the report of this department will give an insight into the workings of this law. I am confident that the results attained are more satisfactory and of greater value than those accomplished by four departments, operating separately. I recommend that further aid be extended to agriculture and forestry and to the farm bureaus of counties or proper districts. The past two years demonstrated the advantage of availing ourselves of Federal aid for agriculture and forestry and proved that our previous arrangements lacked good business foresight. The scarcity of farm labor will continue for some time, and only up-to-date methods ought to be used in Vermont's greatest industry. Scientific agriculture will offset to a great degree the shortage of labor.

INSURANCE

The office of Insurance Commissioner was established and the commissioner made fire warden. I believe this law gives general satisfaction. Insurance companies, foreign and domestic, contribute annually well towards two hundred thousand dollars of our revenue and are entitled to a state department.

BONDS FOR STATE OFFICIALS

The last legislature also passed an act requiring bonds from all state officials, to whom money is advanced for conducting their departments. The practice of making advances is followed in most of the states under similar restrictions. Officials required to disburse large sums of money for the business of the State cannot be expected and certainly cannot afford to disburse these funds from private means. This practice of making advances has existed since the late E. Henry Powell was auditor from 1878 to 1892 and has been continued to the present time.

CHARITIES AND PROBATION

The Board of Charities and Probation, brot into being by act of 1917, I commit to your careful consideration. It has done excellent work. The Budget Committee, believing that the department was engaged upon new work, did not recommend as large an increase in the appropriation as the department desires, but left it at the modest sum of fifteen thousand dollars. I recommend that you carefully go over the work done and appropriate a larger sum for this work. Twenty-five hundred dollars has already been donated by charitable citizens for the treatment of defective children and is being expended by a special committee. Doubtless the secretary of the board will explain this to you fully.

DIRECTOR OF STATE INSTITUTIONS

The office of Director of State Institutions was established and the general management of our five institutions brot under one head. This official is a member of the board of control and has the advice and assistance of that board in all important matters. I believe this is a better and more business-like way of conducting our institutions than the former plan of having two or three separate boards. Altho the war has increased the rate of wages and the cost of all materials and supplies, the institutions have been able to live for substantially what they did during the preceding biennium. For details of administration, your attention is invited to the report of the director.

A forward step was taken in connection with this department in the establishment of detention farms, where men under sentence are employed. Jail prisoners and persons serving sentences at the State Prison and House of Correction have already done much work upon the state forest lands, state farms and state highways. This is a strong argument in favor of the continuance of the detention plan.

BOARD OF CONTROL

The Board of Control was created. The workings of this board and the results it has accomplished are soon to be submitted to you in its report. It has been urged by some that this board is a useless appendage and has accomplished no good. Criticism comes largely from those who are wholly unfamiliar with the results attained. I ask you to read the act creating the board and its report of things done. It is for you and for the incoming Executive to decide whether the board shall be continued.

I have thus briefly touched upon but a portion of the legislation passed at the last session. Its continuance, its amendment, its repeal rest with you. You will examine into all of it carefully and, I am sure, adopt the course best for the State as a whole.

STATE INSTITUTIONS

Your committees, who visit the state institutions will, I think, find them in excellent condition. For the past two years the Director has aimed to increase the production of foodstuffs and has succeeded remarkably well. At the State Prison, the barn was destroyed by fire and a new one has been built. At the Vermont State School for Feeble-Minded Children at Brandon, temporary quarters have been provided for fifty children. Here Dr. T.J. Allen has succeeded Dr. Russell as superintendent. At the Vermont Industrial School, a fire loss has been repaired. Because of the high cost of material and the scarcity of labor and its need in other fields, no other new construction has been attempted here although appropriations were available. Much praise is due the several superintendents for the extraordinary efforts they have made and the prudent and careful way in which they have conducted their respective institutions. The State suffered a great loss in the death of Dr. W.L. Wasson, late superintendent of the Vermont State Hospital for the Insane at Waterbury. Dr. Wasson gave his heart and mind to the institution and to the care of the unfortunates who came under his charge. His place has been taken by Dr. E.A. Stanley, who I am sure will prove a capable successor.

PAROLE BOARD

Some legislation should be enacted looking to a uniform practice in imposing maximum and minimum sentences. I would suggest that the parole period be at least twice the length of the minimum sentence. The modern idea is to shorten the time of actual confinement and to increase the period of supervision.

LOCATING OFFICES AT THE CAPITAL

In October, 1902 when I came here, no offices were maintained and kept open at the State House, except during the session, other than the office of Dr. Ranger, Superintendent of Education, and the office of the Secretary of State, which was kept open by the deputy. I was the first to open and keep open at all times, except as stated, a public office at the State House. The others came and went occasionally, usually very occasionally. I have seen the state government at last brot together at the capital, there to remain. I hope, whatever good or ill the future may hold in store for me, that I have helped to some slight degree in this advancement.

PUBLIC HEALTH

A few months ago Dr. Charles S. Caverly, president of the State Board of Health deceased. Dr. Caverly was a recognized authority thruout the country upon matters of public health. For many years he gave his best thot, his time and of his means to the betterment of health in Vermont. One of the subjects dear to his heart was medical inspection in schools. Had this subject been given more attention in years past, the rejections on account of physical defects under the selective service law would have been greatly lessened, some authorities claim to the extent of fifty per cent. Adequate means should be taken to retain for treatment, until cured, those in our state institutions who are found to be afflicted with venereal diseases. Such persons ought not to be permitted to go forth and continue a public menace.

TUBERCULOSIS

The appropriation for fighting tuberculosis should be increased. The expenditure for this appropriation will be in charge of the governor and you may be certain that it will be carefully and economically used. We may well expect an increase in tuberculosis following the war and the influenza epidemics. Washington County has already voted, under an act of 1917, to establish a hospital. Our curable cases are now cared for at Pittsford and our advanced cases at Haydenville, Massachusetts and at Pembroke, New Hampshire. A preventorium has been established at Essex Center by The Vermont Association for the Prevention of Tuberculosis.

Additional provision should be made to confine for treatment, persons in jails or state institutions for crime, found to be suffering from tuberculosis. They should not expose other inmates to this dread disease. At the expiration of their sentences they should not be permitted to go forth and continue a menace to the community. I bring this subject to your attention and refer you to a statement upon the subject of tuberculosis in the appendix of this message.

VACANCIES IN THE HOUSE

As soon as may be, the necessary steps ought to be taken for filling vacancies in the House of Representatives. At the present session Windsor is deprived of her representative by the untimely death of Bert E. Cole.

UNIFORM LAWS

Your attention is directed to the report of the Board of Commissioners for the Promotion of Uniformity of Legislation in the United States, and you are earnestly requested to give consideration to this very important matter of legislation.

CONCILIATION AND ARBITRATION

The Board of Conciliation and Arbitration was organized and willing to perform any duties devolving upon it. This potential willingness was sufficient to adjust a strike at West Pawlet, without the necessity of a formal hearing by the board.

LABOR

I wish at this time to express my appreciation to labor for the unselfish and patriotic stand taken by the laboring men of Vermont in aiding every war endeavor. The sane forces of organized labor will surely prevent any revolutionary overturning of order in America.

STATE BUILDING

During the present biennium, the new state building for the Supreme Court, State Library, Vermont Historical Society and state offices has been completed and occupied. The appropriations for this building totaled two hundred thousand dollars and the entire cost, including new stacks for the library and the complete furnishing of the Supreme Court room was \$202,873.87. The commission, believing that the State should have a Supreme Court room in keeping with her dignity and the standing of her Court, took the initiative and furnished the room at an expense of \$4,203.37. To do this they were obliged to borrow \$2,356.62 and hope you will see fit to reimburse them therefore. Of the appropriation of thirty thousand dollars for the expenses of the changes in the wings of the State House, formerly occupied by the library, for a central heating plant, and for repairs elsewhere \$26,957.71 was used, leaving a balance unexpended of \$3,042.29. I suggest that this balance be made available to reimburse the commission, thus keeping the entire cost of the new building, the necessary changes in the interior of the State House, and the central heating plant within the appropriations. Of the work you can judge without further comment on my part. The commission consisting of William W. Stickney, Charles W. Gates, Charles P. Smith, Harvey W. Varnum, and the governor, have given their services and charged no expenses to the State. Dwight J. Dwinell, Sergeant at Arms, had charge of the work under the direction of the commission and since he became Sergeant at Arms has received no compensation for his services in supervising construction and repairs. By vote of the commission most of the work was delegated to a subcommittee, Mr. Varnum and the governor.

For your information summaries of the expenditures under these appropriations accompany this message.

SCHOOLS

By act of the last legislature the two agricultural schools were put in charge of the State Board of Education. This change has proved beneficial and, while the attendance has been small because of war conditions, the schools are equipped to go on with the work. Altho the building program of the State was modified by war conditions, a new dormitory was built at Randolph Center because three consecutive legislatures recommended it and appropriated for it. If this had not been done the school could not be maintained properly and efficiently. In 1903 we had two thousand four hundred and fifty-four legal schools with an enrollment of sixty-six thousand four hundred and ninety-seven pupils. In 1918 there were two thousand four hundred and four schools with an enrollment of sixty-two thousand and forty-eight pupils, a loss of fifty legal schools and four thousand four hundred and forty-nine pupils. The commissioner of education is of the opinion that this decrease is caused by older pupils entering service or engaging in war industries. As so much has been said of late about the return to the little red schoolhouse, I give you these figures. They show an average of twenty-five pupils to each legal school. Personally I believe in educating the children, especially the younger ones, as near home as possible, but only when a school of respectable size can be maintained. Certainly each school ought to have the benefits of association and competition of at least twenty-five pupils.

HIGHWAYS

During the past two seasons, work upon our permanent highways has of necessity been very much curtailed. The rapid advance in the price of labor, its scarcity and the increase in the cost of such materials as go into highway work, all contributed to bring this about. In addition to this the National Government, thru its proper boards, insisted upon only such work being begun as would be of advantage in the conduct of the war. Now that the war is over, highway work must again be strongly pushed, either under our present system or under such a plan as may in the end seem best to you. You must, however, bear in mind that while some restrictions have been removed, it is not probable that in the immediate future the cost of road material will be lessened to any appreciable degree. With half a million men kept in the service, with no immediate immigration and with an estimated loss in immigration for the last five years of from four to five million, we have no reason to expect, even when conditions become settled, a surplus of labor or much reduction in daily wages. The National Government is as yet apparently undecided as to what its highway policy is to be. The construction of trunk line roads with Federal aid will probably be the outcome. It would seem that we should hasten slowly along this path. We should first be sure of getting our own plan and that of the National Government in accord. In 1903 there was expended for permanent improvement of highways \$147,801.90. In 1917 this had reached, including maintenance, \$871,571.26. Of the first amount \$90,806.50 was from the state treasury and of the latter \$525,355.60. Since 1902 we have expended upon our permanent highways, including maintenance, engineering service, drawbridges and the Sand Bar bridge, \$7,168,442.21 or substantially \$475,000 each year. How much more the State can afford to do, if anything, is an open question about which men will differ. Including funds from automobile registrations we are now close to the million dollar mark. Can we go beyond this? Each of you can judge of the results of this work. Can you get more for your money? If so, how? Ought you to go into debt to advance this work? The appropriation of money from the automobile registration fees for the improvement of the so-called backroads has proved a great benefit and should be continued. The amount set apart for this work should be increased. By good schools and good roads we encourage those now on our hills to remain and new citizens to come. This can be done without unduly increasing the burden of taxation.

RECEIPTS, DISBURSEMENTS AND TAXATION

In 1903, the receipts of the State from all sources were \$1,276,238.01 and the disbursements \$1,212,781.19. In 1918 the former had increased to \$4,006,679.61 and the latter to \$3,738,076.72. During the same period the average tax rate of the towns had increased from \$1.60 in 1903 to \$2.36 in 1918. The grand list of the State from a little less than two millions increased to a little more than two and one-half millions. The deposits in savings banks, trust companies and savings banks and trust companies subject to taxation increased from forty-three millions to one hundred and six millions. There has been a slight falling off in these deposits since 1916, cause probably by war withdrawals. In 1917 they had reached over one hundred and eleven millions. The

deposits in national banks subject to taxation are now about twelve millions. While our wealth and general prosperity as shown by the increase of the grand list and the taxable deposits in banks has greatly increased the burden of taxation has increased. The State has reached the limit of indirect taxation. If you are to increase the expenses of government you must either do so by direct taxation or by going into debt. You may be able to cheese-pare a little here and a little there, but the saving you will make will be relatively small. The only way you can keep income and expenses equal, while conditions remain as they are, is to do without some things.

I have appended to this message a table showing the receipts and disbursements of the State for the past fifteen years.

The tax commissioner has gone into the subjects of revenue and taxation fully and I commend to you the careful reading of his report. I endorse his recommendations as they are the result of practical experience in the conduct of his department for a period of six years.

The report and recommendations of the Budget Committee, showing the expected revenue and recommended disbursements, have been placed in your hands, so you are early advised of what there is to do and what you have to do with.

While the cash on hand does not show in this report, I am advised that it is sufficient, with the certain revenues to come in before the close of the present fiscal biennium, July 1, 1919, to carry on the government and leave it without a deficit on that date. You will bear in mind that you must provide for the payment of one-half of the million dollar appropriation made by the last legislature for war expenses. One-half is being paid during the present biennium and one-half is to be paid, if you so vote, during the next biennium.

STATE BARGE TERMINAL

The subject of water transportation for inland commerce has been receiving increased attention from shippers, commercial bodies and legislators throughout the country. The war activities of the Nation showed an immediate need for additional facilities for freight transportation. This need will continue with the demand for cheaper freight rates, which it is expected will be obtained by means of water transport. Several states are constructing canals, improving natural water courses and building terminal facilities.

In May last, New York State opened to traffic the enlarged barge canal system, now operated by the United States Government. These canals by connection with Lake Champlain and having state terminals at all cities from New York to Buffalo and at ports on Lake Champlain, offer Vermont a free water route to the sea, to the Great Lakes and to the coal regions of Pennsylvania.

The subject of building and operating a state terminal as a means to induce and facilitate inland commerce at lower cost for the benefit of our people, should have your most careful consideration. In connection with highway improvement I call to your attention the report of the State Barge Terminal Commission favoring such a project.

ACCOUNTING SYSTEM

During the pre-election campaigns of 1902 and 1906, considerable criticism was made of the methods employed in handling state accounts and the results attained by the system then in use by the auditor of accounts. The Legislature of 1906 provided for a commission to examine into this matter. Pursuant thereto Governor Fletcher D. Proctor appointed Joseph A. DeBoer, then president of the National Life Insurance Company and Olin Merrill. These gentlemen with the then auditor, very carefully examined the office, its books and accounts and on May 1, 1908, established and put into force the present system. The commission made a full report to the governor, stating quite fully the conclusions reached. I suggest that you examine this report with care, should you determine that the present conditions demand a change in the system. It has seemed to me that it would be entirely out of keeping with my present office to make any explanation of my official acts as auditor.

WAR

In referring to the part Vermont had in the great war, I shall say but little, as the subject is fresh in your minds. To many of you it has come home in the loss of some dear one killed in action, missing or dead from wounds or disease. Many will return incapacitated by wounds or disease for their former activities in civil life. To these you will in the years to come extend a helping hand. Many more will return strengthened in health and character and with a broader view of life. These will soon become the rulers and guiders of the destiny of this Republic and what they believe to be best for us will become the principles about which our governmental activities will center. In passing let me say that now is the time when Vermont's part in the great struggle should be written by competent minds. I hope you will see to it that provision is made for this before you adjourn. It can best be done now by those who have lived what they would write. Some Vermont troops were called into service before war was actually declared and the balance followed directly. After encampment at Fort Ethan Allen, the Regiment was ordered to Camp Bartlett in Westfield, Massachusetts and when the 26th Division was formed, Vermont troops were used to make up the major part of the ammunition train and the machine gun battalions of that Division. In the early fall of 1917 this Division, made up entirely of New England National Guard troops, went abroad. It was the first National Guard division to go overseas and the first to go into the trenches. The balance of the regiment about three hundred in number, soon went south and for a time, with many other National Guard organizations, remained inactive. It then became the 57th Pioneer Infantry and was used as a replacement regiment. Finally with many men from Tennessee this regiment went overseas in October, 1918. On arrival in France the troops were used for replacement purposes and many of the officers given other commands. I endeavored without avail, to have the Regiment kept as a unit and filled to modern war strength with volunteers and selective service men. While many National Guard officers were discharged because of physical or mental defects, not a National Guard officer from Vermont has been found wanting; all have remained in the service and many have gone to higher and more active commands.

The Vermont Committee of Public Safety was appointed in March, 1917 and immediately organized under the chairmanship of Colonel Ira L. Reeves and the secretaryship of Fred A. Howland. When Colonel Reeves was called into service he was succeeded as chairman by James Hartness, who subsequently was succeeded at his entrance upon special war work at home and overseas, by Judge Leighton P. Slack. When Mr. Howland entered upon the War Savings Stamp campaign, Joseph G. Brown became secretary of the Committee. The Committee has been able, with the aid of patriotic and liberal citizens, to finance its work without funds from the State and now has a balance in the hands of its treasurer, Charles F. Lowe. While in some of our sister states, like expenses have been paid from the public treasury, Vermonters have performed this service as a patriotic duty.

Vermont joined with the other New England states in furnishing sawmill units of use in England. When the Vermont troops left Fort Ethan Allen, one thousand dollars was placed in the hands of Major J.M. Ashley to assist any of the men. The District Exemption Board was organized as prescribed by the President, George O. Gridley representing manufacturing; Willis N. Cady, farming; Alexander Ironside, labor; H.C. Tinkham, M.D. as the medical member and Judge Henry Conlin as the legal member. The board appointed J.G. Norton, Chief Clerk. A Local Exemption Board was organized in each county, Rutland County having two boards. Medical and Legal Advisory Boards soon followed. Captain S.S. Cushing was appointed Military Aide and Dr. J.B. Wheeler, Medical Aide to the governor. Dr. Wheeler was afterwards succeeded by Dr. J.H. Woodruff. In one of my interviews with General Crowder he told me that the machinery of the law was as well organized in Vermont as in any other state and had given his department the least trouble. Vermont has contributed two officers to the office of Provost Marshal General Crowder, Lieut. Colonel Joseph Fairbanks and Major Henry B. Shaw. Adjutant General Lee S. Tillotson went into service in December 1917. Colonel Herbert T. Johnson was appointed Acting Adjutant General and has proved to be a most efficient and painstaking officer. It should be borne in mind that all this organization and the work that followed meant many conferences, much correspondence and many trips to Washington and elsewhere. I have attached to this message a table showing the condition of the military appropriation on December 31, 1918. At the suggestion of the National Government, a Home Guard regiment of twelve companies of fifty-three officers and men each, was organized. The First Regiment, Vermont Volunteer Militia should be kept intact until Congress determines the military

policy of the Country. The officers and men have been attentive to the work, have served without pay and, while luckily they have not been called into active service, were fully armed, clothed, equipped and thoroly drilled and if needed would have given a good account of themselves. From Colonel Johnson down, many of the officers and men had long been in the National Guard, some had seen service in the Spanish American War and a few in the Regular Army. For a time certain factories, plants and public utilities were under guard at state expense. These guards were withdrawn at 6 p.m. Saturday, June 30, 1917. The State has a valid claim against the National Government for approximately \$150,000 for money expended in putting the First Vermont Infantry upon a war footing and I am advised by those in authority that this claim will be honored in due time. The question of whether state pay shall be granted to all who entered the service will come before you, and the Treasurer will advise you how this matter is being handled in other states and what the probable expense will be. This is a matter of state policy for you to determine. About fifteen thousand men have entered the service from Vermont, thirty-five hundred have been paid the state pay in full and thirty-three hundred are now on the roll. The balance of the fifteen thousand who have not yet applied are mostly selective service men to whom the present law does not apply. Volunteer nurses should be recognized as well as enlisted men. The total amount expended for state pay to December 31, 1918, was \$512,103.94. The balance of the war appropriation unexpended on that date was \$194,846.78. Sixty-one men from Vermont have been cited for their conduct or for bravery.

I have appended to this message a table showing the total enrollment from Vermont and the casualty list as it stood on December 31, 1918. I recommend that a proper certificate be given to each soldier, sailor, nurse and civilian employee from Vermont, showing fully the war service performed. It is needless for me to recount the different war endeavors, each of which Vermont has made a remarkable success.

Vermont was the first state to organize the pupils of her public schools for home garden work. This organization was known as the Green Mountain Guard. The second year it became a branch of the U.S. Boys' Working Reserve. A movement is now on foot to provide farms for returning soldiers. In Vermont, this matter is in charge of a committee consisting of Elbert S. Brigham, Commissioner of Agriculture, and Frederick H. Bickford, State Farm Labor Agent. Last week I named as delegates to a conference called by the Secretary of the Interior, at Springfield, Massachusetts, Willis N. Cady of Middlebury, Orlando L. Martin of Plainfield, Ernest W. Dunklee of Vernon and Edson N. Connal of Newport Town, the last two of whom are members of the present House.

James Hartness of Springfield retired from the chairmanship of the Vermont Committee of Public Safety to become Federal Food Administrator for Vermont. Later he was sent overseas as a member of the Aircraft commission and was succeeded as Food Administrator by Frank H. Brooks of St. Johnsbury.

In the early part of the war, Hugh J.M. Jones of Montpelier was appointed Federal Fuel Administrator. He was assisted by Mason S. Stone, who was succeeded later by Marshal J. Wood of Montpelier.

Rooms were provided in the State House for the District Board and for the Fuel Administration from their organization until just prior to the convening of the legislature. When Mr. Brooks took charge of the Food Administration, he established his office in the State House and just recently moved it to St. Johnsbury.

The Commissioner of Industries was early selected by the Federal Government to look after labor matters in Vermont. To this work he has been obliged to give considerable time.

SECRETARY OF CIVIL AND MILITARY AFFAIRS

I recommend that the secretary of civil and military affairs be given extra compensation for his services during the past two years, because of the enormous increase in his work occasioned by the war and the additional duties imposed upon him as secretary of the board of control. The compensation for this office was fixed by the Legislature of 1915 and has remained the same up to the present time.

IN CONCLUSION

I wish to express to all the state officers my appreciation of the cordial and unhesitating support they have given me during my term of office. Whenever they have been called upon to perform any service in connection

with war work in addition to their regular duties they have most willingly given of their time and without expense to the State.

I look forward to the incoming administration of Governor Percival W. Clement as one of the most progressive and beneficial yet given Vermont. During these times of readjustment the State will have the leadership of a prudent and successful business man.

HORACE F. GRAHAM.

Farewell address
of
Josiah Grout
As it appears in the
Journal
of the
Joint Assembly
1898

Thursday, October 6, 1898
Farewell Address

Gentlemen of the Senate and House of Representatives:

About to vacate the office of Governor, I take this opportunity to submit a retiring message.

Under our constitution and laws the Governor has little absolute power over matters of government, and you will not be advised so much of what he has done during the administration drawing to a close, as of what he has seen done by the official establishment of the State.

In directing your attention to such affairs of administration as seem to deserve notice, a few suggestions, intended for the public good, are submitted.

FINANCES AND STATE EXPENSES.

These, the most interesting features, in a sense, of the State government, are fully set forth by the reports of the Treasurer and Auditor, from which you can learn the round number sum of money used by the State for all public purposes, as well as the ordinary expenses of each year. The average from year to year is about the same. These public moneys are expended to sustain the State government, its schools and colleges, roads, State institutions, such public improvements as legislative wisdom authorizes; to care for the insane poor, and to do whatever things ought to be done. The affairs of the Commonwealth, so far as known, are economically administered, and if expenses seem large you should ascertain if they are not intended to promote the general progress of the State, and if they do not in some way contribute to its material prosperity. More money is used to-day in a public way than a generation since, but correspondingly more enjoyment is afforded the people. The burdens of government are as light in our State as in any other in the Union, and very much less than in many; and if any share the feeling that we are progressing too rapidly and enjoying more than we can afford, or that we are too great a departure from the economy of the fathers, they may be comforted by knowing that the direct tax upon the people, for what we have of a public character, is less than in those times with which the present is compared. It would take too much of your time to show here how every dollar is disposed of, and it would be scarcely profitable to do so since the reports of the officials entrusted with the disbursement of the State funds are readily accessible and furnish every possible detail of expenditure.

DOUBLE TAXATION AND REVENUE.

Revenue should have a basis of levy, the justness of which depends upon equality, which means that every citizen should pay taxes on all his property, thus equably supporting the government that protects all alike.

The ado about double taxation arises from an inequality in this basis growing out of the fact that a portion of the debtor class is taxed on more property than it is worth; a man's worth being the net of his possessions after deducting what he owes. And this is because this class is not allowed to offset debts against real estate.

The exact point of claim in this matter is between the mortgagor and the mortgagee of real estate. The mortgager, in whose name the real estate stands, pays the taxes on its appraised value, while he may have indebtedness over and above his personal property appraisal, which if applied against his real estate would reduce his taxable list. This is not paying twice, but rather paying on what a man does not own, for his property, real and personal alike, in a sense belongs to his creditors until his debts are paid.

The mortgagee presumably pays on the notes which are distinct assets from the reality, and so one tax only is paid by him.

The real plea in this matter is in behalf of that portion of the debtor class who hold real estate, and they would be relieved from this injustice if an offset against real estate were allowed. This class could also be relieved and the real estate values taxed in the State by taxing the mortgage notes in the town where real estate is located, allowing the mortgagor to pay the tax and deduct it from the interest, and also allowing him to offset

his debts against his real estate. This plan would save the grand list of the State from change, while a simple offset against real estate would no doubt materially change the list; but it would be a direct remedy.

Allowing the mortgagor to pay and deduct as suggested would tend to change money from towns paying heavy taxes to those less heavily burdened, but this could be practically avoided by fixing the tax on such notes in all the towns alike and at the average for the State.

These plans are opposed by the money-lender, and his idea of relief is to exempt his notes, bearing a low rate of interest, from taxation. There is a ready objection to this in the fact that such a rule imposes a correspondingly heavier burden upon the taxpaying property, and the debt-burdened taxpayer helps carry it. Therefore, do not exempt from taxes for such reasons.

This case is thus fully stated because it has been so much mooted, and upon such mistaken ground. This, therefore, is to continue the effort of last session to make it plainer as to both complaint and remedy. It seems clear, however, that the trouble complained of is misunderstood or misnamed, and that it would be measurably remedied by either plan suggested; and nothing is plainer than that exemption is too much to the money-lender's advantage. It is fair, however, to say, that upon inquiry among the states, none of them have any plan by which this inequality is wholly corrected; and after investigation, provision for which was requested of your predecessors, and a better understanding of the particular question involved, the opinion is ventured that any conceivable remedy would not fully relieve, and disturb more than it would quiet. It is also believed that strictly speaking there is no such thing as *double* taxation in our revenue system, but that a certain class does pay taxes on more property than it owns and that a certain other class is not thus suspected. It is then deemed good policy to either prove the error of the premises or cease agitation.

EDUCATION.

The common schools, under our educational system, which, may we not congratulate ourselves, is firmly established, would undoubtedly be improved by a better supervision. The beneficial influence upon schools of a thorough superintendence cannot be questioned. In matters of property you aim to secure the highest order of care and responsibility. Should you do less for your children during the formative period of their lives?

THE COLLEGES.

The colleges at Burlington and Middlebury are evidently making good use of the aid they receive from the treasury. Higher education in this State is upon a better footing than ever before, appreciably because of the assistance found in State encouragement.

NORWICH UNIVERSITY.

Norwich University differs from any other educational institution in the State, and from the work it has done deserves special consideration. A school in which a Dewey and many others prominent in the country's history were educated should receive more generous support. It has since the civil war labored under great disadvantages, and should not be allowed to continue longer as it has been obliged to, but be given such State recognition as will enable it to enlarge the field of its usefulness and enter upon a new era of prosperity.

The school is based upon obedience, and calculated to develop the best type of citizenship.

THE NORMAL SCHOOLS.

Pursuant to No. 20, Acts of 1896, W.E. Hubbard of Middlebury, C.A. Bunker of Peacham, F.W. Pierce of Chester and L.S. Norton of Bennington were appointed, who, with State Superintendent of Education M.S. Stone, constitute the Board of Normal School Examiners, Commissioners and Supervisors, in said act contemplated.

These schools, upon the report of this board, will require your attention, and it is hoped they will be put upon some permanent basis satisfactory to all, so that they may do the best possible work.

INDUSTRIAL SCHOOL.

This is one of the best institutions in the State. Under the management of an able board of trustees and a most efficient superintendent and matron, little if anything about it could be improved. It is a complete school for so many of our unfortunate boys and girls who, by its loving influences, are being shown the way to a respectable life, that you should bear it favorably in mind and provide its every need. In this school the child is taught industry, common school work, religion, love and purity.

STATE PRISON AND HOUSE OF CORRECTION.

The prisons are conducted by an able Board of Directors, efficient officials, and, considering our present system, the management is excellent.

Each institution ought to have more farm lands, and the Windsor prison ought to have the warden's dwelling, which has been under consideration so long, and for which an appropriation was once made. Many convicts can be safely employed at farm labor, profitably to the State and to great individual advantage. The improvements at the House of Correction, affording enlarged accommodations, were needed. This prison now has a desirable chapel, hospital and dining room, which allows the prisoners to eat at table instead of in their cells. These changes, with the drill exercise and flower lawns around the buildings, give the establishment a new appearance.

For statement showing expense of improvements see appendix.

PRISON REFORM.

There are in this country one hundred thousand criminals, and in this State about four hundred of this number, of the average age of twenty-five years, and confined under average sentences of say three years. Formerly this class had the sympathy of only sentimentalists and cranks, but latterly clear-headed, kind-hearted men have entreated a larger effort in their behalf. The experiences of those who know the most about prison methods prove the wisdom of reformatory work; stern repression being considered a relic of those days when the mills of the gods ground fine. There are many serving behind the bars more from accident than from a criminal nature. Some are there because they know no better, and some from choice. These sub-divisions, though, represent a small percentage of prison life. From whatever cause these fellow mortals are thus unfortunate, the State should endeavor to put them in the straight and narrow way; therefore, in connection with every prison there should be a school in which a portion of every convict's time should be spent in improving head and heart. The average convict upon receiving his liberty, becomes a parent, often of a large family, and instead of calculating how much can be put into the treasury from his time and labor while under sentence, would it not be wiser and more humane as a people to employ ourselves in calculating how much good can be done him and our future citizenship? During this administration court expenses have been \$238,000, three-fourths of which arose from criminal prosecutions.

Education is the foundation of reformation. It is a plant of slow growth, always, however, manifesting its influence in the course of time, and properly directed is sure to convert, elevate, dignify and honor. We should no longer, then, consider our criminals a source of revenue, but as unfortunate men and women with souls to save and characters to rebuild. The inmates of prisons are public wards from whose vicious tendencies and criminal acts society demands protection, and since these wards are continued from generation to generation, is it not as interesting to study a diminution of their numbers as simply to restrain them? Since then repression does not perceptibly diminish this social menace, the influences by reason of which happily we are above it, should be sent into the hearts of those who thus break law and disturb order.

It is recorded, in those days when the mills ground fine, that a duly solemnized family became conspicuous in criminal annals. The parents served the full term of more or less sentences for their misdeeds, and yet found time to plant the seed from which, in two generations, seventy odd grew up into enrolled criminals. In that case the public fenced one side of the field, imagining they had an enclosure.

The people of this State donate annually thousands of dollars to prepare the hearts of law-abiding heathen in foreign lands for communion with the great Heart of Hearts, but we give nothing to lift up the hearts of an unfortunate class we always have with us, called criminals.

The courts that try and dispose of these cases do the best that can be done from the standpoint of their observation, No man, however at the outset, can determine the most advisable treatment for a convict who starts on a long term of prison service; each case should be watched, trusted and encouraged according to the progress observed. Few absolutely unimprovable cases will be found, and they can be put down for stern repression.

Whatever along this line of thought is now done for the convict becomes a part of the Governor's work, and unless you desire to continue the course at present pursued in this State with this class of our people, you should authorize the board of directors to ascertain deserving cases, as they appear from prison discipline and in the school work of the prisons, which you should also authorize, and to recommend these cases for such conditional executive clemency as may seem advisable; and a board of prison supervisors should be created charged with the duty of knowing, through the sheriffs and other police officers of the State, the faith with which such convicts keep the terms of their release, and to finally recommend full pardon to all whose lives prove them worthy of restoration to citizenship. Such a board, acting in conjunction with the executive, will relieve him of much hard work which does not belong to that office, and render a much needed service of which the State in due time will be proud, and under which our society cannot fail to improve, and because of which court expenses will gradually decrease.

Trusting you will thoroughly investigate and carefully consider this most important subject, it is committed and commended, hoping, in the interests of humanity and the welfare of society, for your favorable action upon some plan in your judgment best suited to public demands in this behalf.

PARDONS AND CONDITIONAL DISCHARGES.

One person only, in this administration, has been granted a pardon, whose name appears in the appendix. The conditional discharge is so generally mistaken for a pardon, and so much misunderstanding prevails as to its economy in prison service, that an explanation may not be unprofitable. The prisoner released conditionally under the *statute* is still a convict and continues such until pardoned under the *constitution*. The conditional discharge does not interfere with the sentence of the court, except as to liberty, locality and labor of the convict; these conditions are important to a free man, but by no means all of life. The conditions of such a discharge require the released to deport according to the exactions of good behavior, and report monthly to Governor and Sheriff. Thus assisted, making life successfully a satisfactory period of time, the executive can remove the disabilities remaining under the sentence and restore the highest privileges of life. The discharge then simply suspends certain features of the sentence, puts the convict on good behavior, watches, and finally treats him according to his deserts. The sentence thus suspended remains over the person to whom it relates indefinitely, and when thought best he can be pardoned, or failing in conduct, be returned to prison. In case if misconduct these released convicts can, easily, without adding to court expenses, be returned to custody. The conditional discharge, then, is a wise provision, and properly used cannot fail to conserve the best interests of all concerned.

During this administration one hundred and twenty-seven applications for clemency have been carefully considered, and forty-eight have been conditionally released: seven of this number because far advanced in disease, some of whom have since died. The average portion of sentence to each thus released is two years, and remember all these cases are still convicts out on trial, under political and social disabilities, calling for the co-operation of every true citizen in conducting them to respectability and usefulness; and many of them already report interesting progress.

EXPENSE OF COMMITMENTS.

The State has paid during the present administration for commitments to the house of correction \$10,080.70, of which a portion is worked out and returned to the treasury by the convicts. If the 722 commitments had been made by a warden from the prison, which in the opinion of the superintendent could have been done without additional force, a saving would have been made to the treasury from five to seven thousand dollars, depending on number in a committal. This showing relates to the house of correction, and if extended to the State prison would be somewhat larger. For a better understanding of this matter see statement in appendix.

I recommend that you consider and act upon it in the interest of a more economical public service.

THE WATERBURY ASYLUM.

It is easy to say this institution is under excellent management and its inmates all well cared for. Little more can be said in this connection without repeating the details of the superintendent's report, to which your attention is directed.

The investigation of two years ago resulted in a radical change of administration, which in many respects must be considered an improvement.

It is pleasing to no longer see bars at most of the ward windows, and to know that rarely any of the unfortunate inmates are restrained. Another way, easier, gentler, kinder, has been devised, and suggests a humanity in the treatment and care of such cases that our people expect.

During the present administration a cottage, neat and tidy, to accommodate the convalescent female patients, has been opened, and serves a good purpose, allowing improvables, in an improving condition, to be cared for apart from the others.

There are in this institution from thirty to fifty old, demented people, which number are not, strictly speaking, insane, but most decidedly not fit in mind or body to remain in any of our town or city communities, for lack of conveniences to properly care for them. These should be separated from the violent class, and an annex or cottage, similar to the one above referred to, should be added for them.

The Asylum is sadly in need of grounds upon which the patients can be exercised. It also needs more farm territory, upon which the labor of many of the inmates can be utilized, greatly to their benefit and the advantage of the State. These would not be expensive additions, and whatever they might cost, their practical value to the institution and its occupants would be more than an equivalent for the price paid.

Of the changes in State institutions in the last two years, none are more satisfactory than those seen at the Asylum.

BRATTLEBORO RETREAT.

Few establishments of the kind in the country are superior, in location, equipment, surroundings and management, to this one. It is indeed a retreat, abounding in conveniences and comforts. The State has about one hundred patients in this institution, and the counties of Windham, Windsor, Bennington and Rutland are authorized to send all cases arising within their jurisdiction to this asylum. This arrangement was made because the Waterbury Asylum was in a crowded condition, and the Retreat is used to accommodate the overflow, the understanding being that whenever there is room at the State institution it shall be occupied by these cases.

THE SOLDIER'S HOME.

No expense incurred by the State serves a better purpose, or is more cheerfully met, than the allowance to this institution. Since its establishment the State has expressed its gratitude to the indigent veterans of the civil war in a willing maintenance of this home. The record already discloses that its need is growing less from year to year as the numbers dependent upon it are one by one mustered from the service of time into that of eternity. No Vermont Legislature will ever need be told the wants of the Soldier's Home. At the session of 1898, as at all former sessions since it was founded, a generous support will be accorded.

FISH HATCHERY.

The Hatchery at Roxbury is doing a good work stocking the streams and ponds of the State with trout. Tables in the appendix will show how generally this work is being conducted, and no comment is required to demonstrate its efficiency or benefits. The Hatchery deserves well at your hands.

STATE GEOLOGIST AND CURATOR.

The official in charge of this branch of the service, Mr. George W. Perry, has been and still is seriously out of health and unable to suitably complete the work contemplated by Act No. 7 of the acts of the last session. Resigning his office, Prof. George H. Perkins of Burlington was appointed to fill the vacancy, and gives assurance that he will have ready, sometime during the session, a report of his work.

RAILROADS AND RAILROAD COMMISSION.

In the past two years there have been forty-eight fatal accidents in connection with the railroad service of the State, which fact presents a subject for your investigation and consideration.

The electric roads are becoming such a factor in the carrying service as to deserve your careful attention.

The better opinion seems to be that these roads should be put under the jurisdiction of the Railroad Commission.

This commission continues its work and is coming to be all the more acceptable to both people and roads.

At the last session the pay of the members of this and the other State boards was changed, and while the law accomplishing the change was in the main well advised, yet you are requested to consider if the pay of this board is what it ought to be, and if it should not be restored practically to the old basis. Upon investigation you will find the duties of the railroad commission different from those of the other State boards.

STATE BOARD OF HEALTH.

The importance of this organization cannot be over-estimated. Food, water and other health conditions of the State are subjects legitimately under its control. Laboratory work, as necessary to the physician as the compass to the mariner, conducted at Burlington by Dr. Linsley, under the auspices of this board, should be enlarged and more liberally assisted. I trust your interest in this feature of our government will be commensurate with its value to health and life. The State must aid the laboratory work, or it must cease. Consult then its true relation to the dearest interests of our people, and deal with it so as to promote the civilization of which we boast.

STATE BENEFICIARIES.

This State appropriates, each biennial term, for the education of indigent, feeble-minded, blind, deaf and dumb children, the sum of twenty-two thousand dollars. The statute makes the Governor commissioner of this fund and its application, and requires the towns, through the county clerks, to keep him advised of the number of these unfortunates in the State. These required returns are not made according to law, so, for the purpose of knowing whether all such of our children are being educated, a recent canvass of the several towns was instituted, revealing that twenty-one are not considered. This number, and the thirty-three receiving benefits, makes fifty-four of this class in the State. It was thought you might wish to know how nearly existing provision covers this field of duty. The most of those at school are improvables and improving. Some have graduated, making room for others, but about the number of twenty scattered over the State are subjects for your further consideration in this direction. If the appropriations were in one general sum instead of a given amount to each class, and the commissioner allowed to apportion according to applications, regardless of classes, the work intended would no doubt be more satisfactorily accomplished. See report in the appendix.

THE NATIONAL GUARD.

This organization won golden opinions on public occasions, including the muster at Chester. Its efficiency was all that could be desired, except as to physical ability, which, for lack of interest in the membership, appeared in the ranks among the officers to an objectionable extent. This in future organization should be carefully guarded against.

Soon after the muster at Chester, Capt. Herbert E. Tutherly of the regular army, who had served acceptably four years in connection with the National Guard, returned to his regiment, and Major Stephen P. Jocelyn, 19th Infantry, was detailed by the War Department to continue the service from which, under Capt. Tutherly, the Guard had realized so much benefit. Maj. Jocelyn's work opened auspiciously, and the War Department has been requested, upon a re-organization of the Guard, to return him to his detail in connection with it.

Early last winter the old pattern guns were exchanged for the new model; the buzzacot and other camp conveniences were ordered for the several companies.

In March last, war threatening, requisitions were made for munitions, tentage, clothing and blankets necessary to fully equip the regiment, which were not honored for want of property. Had these requisitions

been filled a regiment of the size of the old Guard ready for active services could have been sent to the front on twelve hours' notice.

The discipline of this body as then organized was excellent when it volunteered as one man, in response to the President's calls for troops to serve in the war with Spain. From this ready action it was easier to tender full quotas under the President's requests for an army, which was done on the day of his first proclamation.

Mobilization of the regiment awaited orders from the War Department, and it rendezvoused on the permanent camp ground at Burlington, where the physical fitness of officers and men being determined, it was raised to 1008 officers and men, mustered into the United States service, and immediately, under orders from the War Department, proceeded to camp of instruction at Chickamauga Park. The War Department early, by orders to that effect, signified its purpose to assume all expense of the regiment accruing after acceptance by the government, thus absolutely leaving the State no opportunity to do anything in this regard.

Upon muster-in all army property in the State was required by the government for use in clothing and equipping the regiment, which being insufficient, it went away only partially supplied in these respects, but with the assurance that the deficiency would be furnished at Chickamauga as the necessary property could be manufactured. Upon arrival at Chickamauga the executive was advised from time to time by its officers and others that the regiment was comfortably provided for and being equipped as rapidly as possible; and from such advices, not able to learn of anything needed which it did not have, no expense after it left Camp Olympia was incurred by the State, except to grant request for tactics at a cost of about \$100.

Some of the States sent fully equipped regiments because they had uniforms and guns used in connection with their Guard organizations with which to do it, and it is to be regretted that this State did not give a National Guard organization large enough to allow the same thing to be done by its regiment. Such not being the case, the Vermont soldiers had to leave the State partially equipped, about 700 in uniform and 300 citizen's dress; not, however, until the best that could be done for them in this regard was done.

Such organizations, upon acceptance by the government, being in the United States service, were entirely under national control and no State had a right to equip such soldiers without the consent of the War Department, which consent, as already stated, was at the outset withheld. Then the matter of equipping the regiment before it left the State, a thing so much desired by all, stood as follows:

1st. That no chance to uniform being presented before muster into the service, requisitions thereto requesting having been refused; and after acceptance such work being exclusively assumed by the government, the State was thus precluded from any part therein.

2nd. Under the circumstances the State could not have uniformed the regiment without overriding the authority of the government, which was regarded an insurmountable difficulty.

3rd. When suddenly and unexpectedly the regiment was ordered South, a three days' delay of the order was secured, to allow better preparation for departure and final adieus; also to see if still further delay was desired, that further effort might be made to uniform and arm before going; but the executive was informed by many of the officers and men that it was a general desire of the regiment to go at once and not wait for full equipment.

4th. It was repeatedly and no doubt correctly reported by the officers and others, including soldiers, that the government kept its assurance and completed the equipment of the regiment as speedily as possible, and under the circumstances with commendable dispatch; and also that no unnecessary hardship was imposed upon the men while at Camp Thomas, and that it suffered from nothing more than the unavoidable inconvenience of camp life and consequent sickness, which, while considerable and greatly to be deplored, was much less than in many other regiments in the war with Spain and very much below the average, for a similar period of regiments from this State in the civil war.

When peace was assured, the War Department was requested to move the Vermont regiment from Chickamauga to Camp Olympia and muster it out of the United States service when no longer needed for war purposes. A thirty days' furlough and a muster-out at company headquarters were also requested. These

requests were granted, and when muster-out is complete it will be the First Regiment, National Guard of Vermont, under No. 5 of the Acts of the Special Session.

Thus in outline you have the part Vermont took in a most remarkable war, which demonstrates a patriotism and soldiership of which the State is proud, suggests the anxious love that went with and welcomed the return of our soldiers, and places beyond dispute the advantage of an efficient militia so organized as to be always ready for an emergency; and looking to such an institution, I recommend a Guard organization sufficient in numbers to constitute a maximum regiment for the United States service. Such an organization will need be twice as large as now authorized by law, excluding the battery; to maintain which, under the conditions of our population, the companies will have to be small, probably no larger than authorized by existing laws, and twice as many, properly distributed over the State, which would give two regiments of same size to the present one. These two regiments, upon call for troops from the State, could easily be consolidated into one, retaining the officers according to seniority of rank, provision for which should be made in the law authorizing such a system, which would be notice to all participating, and friction would thus be avoided in case of consolidation.

The battery property has been turned over to the government, and in such legislation as you may provide for reorganizing the militia the battery should be omitted. Perplexities were encountered in preparing the First Vermont Volunteer Infantry for service, and it was compelled to go in an incomplete condition because of inadequate organization. The contract for enlistment should be such as to render the men enlisted under it liable to the call of the President without further enlistment, and possibly the organization should be in connection with a national Statute, which would render it more a feature of the regular army than it has been. A change in our militia system, that will accomplish a more practicable organization, is of the utmost importance; and if the State does not feel able to maintain some such militia or guard organization, it better do without. It has cost from \$25,000 to \$30,000 a year to maintain the present system, which was sufficient for parade purposes, but did not prove equal to the requirements of actual service, not because of quality, but owing to an insufficient organization.

EXPENSE OF MOBILIZING THE REGIMENT.

Exclusive of the seven dollars a month extra pay to the enlisted men, the expense incurred by the State in preparing the regiment for the United States services was about \$20,000, all of which becomes a claim against the general government.

SPECIAL SESSION.

After fully considering the exigencies of the service, a special session was summoned to meet May 5, last, at which an extra compensation was granted the enlisted men of the regiment, which generous action was everywhere received with great favor and more than appreciated by the men and their families.

This gratuity was a willing testimonial in the State's gratitude to the valor, patriotic sacrifice, patient service and unquestioned gallantry of its brave regiment, which though not employed in battle, none the less performed its full duty and returns to as warm a welcome as heart can express.

PERMANENT CAMP GROUND.

The camp ground near Fort Ethan Allen, consisting of about fifty-three acres, and which was in an unfinished condition at the beginning of the present administration, has been equipped for permanent use. It is enclosed by a suitable fence, has convenient buildings, is well watered, sodded, and by reason of its proximity to the range upon the government reservation, is one of the most desirable camp grounds in the country. The State, for the consummation of this result, is indebted to contributions from public-spirited citizens, a list of whom can be seen in the appendix. To the sum of \$2015 thus donated, about a thousand dollars was added from the treasury.

ROADS.

Better roads are so undeniably desirable, that all sections of country have become interested in securing them. Some of the States have provided means and adopted practical ways for permanent road work, some are

still discussing the subject, while this State distributes among the towns \$87,000 of State money annually, raised for permanent roads and in some instances for ordinary town purposes.

For generations in this State we put toward a half million each year on roads;--not into them, but upon them—and the roads were from year to year the same poor ways, over which a patient public jounced and stumbled. A few years since, only, our eyes opened and the need of better roads gradually became a conviction which six years ago ripened into a five per cent. State tax, authorized to carry on permanent work. A State commission, with authority to suggest as to the character of this work and application of this tax, was created, and though it had rendered a valuable service, and it is believed accomplished much good, it was dropped two years ago, leaving the fund thus dedicated to permanent road work entirely to the town road commissioners. There should be a State supervision of its expenditure, or the fund, which is in the nature of a trust, created for a given purpose, should cease.

Permanent road building is not accomplished by ordinary highway work, but by constructing roads that will take care of themselves for a reasonable period of time. Permanency should be considered with reference to locality, travel and other kindred conditions, and should not be made too expensive. Extravagance is a danger to be avoided as one that will imperil the whole enterprise. We should regulate our progress in this respect by practical economy.

The roads of the State have been noticeably improved within the last decade, and if we wisely push forward the work so well begun, a greater improvement will follow in years to come. Massachusetts has probably made greater progress in permanent construction than any other State, and expends toward a million of dollars annually in aid of this work on a plan it might be well for you to consider.

The better you make the roads, the more your farms will be worth, and all the more will summer tourists come within our borders.

If you should raise the State tax to twelve per cent. and expend every dollar of the probable \$200,000 such a tax will annually command under competent State supervision, the State would enter upon an era of prosperity that can be afforded and would be enjoyed. Remember it requires money to make roads. Do not bond, pay as you go, but get permanent roads as rapidly as can be considered consistent with our financial ability. See appendix.

PROHIBITION.

Prohibition continues to be one of the most interesting features of our State government, more vital to the welfare of our society than any other, and deserves your most careful, earnest consideration.

Two-thirds of the criminal class attribute their downfall to the use of alcoholic stimulants, and an equal percentage of the insane and paupers can ascribe their misfortunes to the same cause.

The prohibitory law is well enforced in the rural sections, fairly well enforced in a few of the larger towns, indifferently enforced in some of them, and openly disregarded in others. The prohibitory cause in this State is substantially in the same condition as two years ago. The law is as well enforced now as then, possibly better, but this does not meet the situation. Some localities, but few, however, to our credit be it said, persist in flagrant violation—a fact well known to the officials whose duty it is to enforce. There is law enough, there are officials enough, and we will never be a self-respecting people until enforcement of the prohibitory law is triumphant. After two years official experience, please note the opinion that the law *can* be enforced, as well one law as another, in all sections of the State alike, when complainant, prosecutor, witness, judge, jury and citizen cooperate in so ordering.

The State's attorneys hold the key to the situation and the judges of the courts turn it when they allow certificate of pay. Great power for weal or woe to our people rests with the judges who hold our county courts.

TUBERCULOSIS.

Between forty and fifty thousand dollars has already been expended in attempting to subdue this disease. Certain indications only are given by which the course of the work for its extermination may be known, while its progress is susceptible of self-registration.

An individual who would undertake the extinction of as volatile a quantity as pulmonary ailments, or any kindred susceptibilities among stock, at a probable cost of a hundred or more thousand dollars, work four years and expend fully half that sum, knowing his progress only by the rule of guess, would be counted fit for guardianship. Yet this is what the thorough-going business man would say the State of Vermont is doing. A record of all stock in the State subject to this disease, with power to test as fast as recorded, would soon determine the whole undertaking and afford an opportunity to know more of the thoroughness of the work already done. From a business standpoint there can be little question about this proposition, and it is as clear that the present haphazard way of testing will lead to nothing definite and cost as much, if not more than a compulsory, systematic plan.

A man should be allowed to do according to his mind, if it is right, and should be compelled to do what he ought, if he will not do it of his own motion. If it is right to test that portion of the stock of the State voluntarily offered for that purpose, it is also right to test the balance, whether the owners are willing or not. If it is right to test three-fourths, it is all the more right to test the other fourth. The three-fourths tested have a right, in self-defence, to demand a test of the balance. A compulsory test, with an accurate record, would soon furnish our State with something for the money it has expended in this direction, and the farmer would soon find it to his advantage to have a public record of the sanitary condition of his stock.

CORPORATION LEGISLATION.

This State tenaciously adheres to the vicious practice of granting legislative charters. Most matters can be incorporated through the office of the Secretary of State under existing laws, and every whit as good a charter can be thus obtained.

Repeated but unsuccessful efforts have been made to change this practice, and while some charters are granted under general laws, yet at the last session 129 corporation acts ran through the legislative hopper, and also 67 called miscellaneous, but relating to corporations or charters, making 196 acts in all of a private character, occupying three-fourths of the book containing the acts of that session; and these against 142 public acts. It is fair to estimate that three-fourths of the time and expense of legislation in this State goes to private benefit. And this is not the worst; nearly all this work is rushed on to executive approval *by title only*. It will bear repeating that three-fourths of our legislation is for private account, in which the State has only a paternal interest. From a full canvass of the States upon this subject you are advised that only a few of them do the like, and they regret their neglect to have cast off the incubus. Some of the States avoid all private legislation by constitutional inhibition; others regulate it by legislative enactment; so that nearly all escape the folly in which we persist.

The granting of charters is a source of revenue in all the States issuing them under the general law, ranging from a few hundred, along the way of several thousand, to the round sum of three hundred thousand dollars annually in the State of New York. Instead of realizing for the treasury from these favors for private gain, we expend thousands every year to offer them indiscriminately in large numbers, many of which are never used, and in a way which shocks legislative practices. Seven sessions has this farce been observed by an eye-witness, and belief has become firm that it should give way to the original intention that our government should not subordinate its legislative prerogatives to private behests.

Charters generally, even those including questions of eminent domain and condemnation proceedings, can undoubtedly be authorized by general legislation, for which a reasonable fee should be paid into the treasury. If constitutional difficulties embarrass, make exceptions to suit cases, but remember any power that has time and patience to read through at least once the charter it grants, is in better position to confer a safe instrument than the Vermont Legislature.

You have some of the facts and reasons bearing upon this matter. It is then in your hands, and the people look to you for deliverance.

THE CAUCUS.

The caucus is a root factor in the nomination, and, where a nomination is equivalent to an election, is of the utmost importance. This institution is regulated in most of the States by law, and it should be in this State. It has been allowed to run wild long enough. House bill No. 1 of last session, which would have received prompt executive approval had it not been strangled by some unfriendly influence, was well enough as far as it went, but a broader law, regulating the caucus from start to finish, with penalty provisions, is what the people are waiting for, and it is the general impression that this session should enact a law by which caucus jumping and convention raiding will be prevented for all future time. Control the caucus as completely as the election; require check lists; put all the meetings at the same hour; have every choice by ballot; keep the boxes open a reasonable time; exact an honest count, so that a delegate's credentials will signify purity of process, independence of choice, and certify an honest result.

ATTORNEY-GENERAL.

This State ought to have an Attorney-General. Such an officer would assure a better administration of the criminal law, and save the treasury a very considerable sum of money every year. His services are needed by the Governor often, and at times it is awkward to be without them. It will take from the local attorney lucrative assignments, but what he loses the public will gain.

Aware of the general prejudice against more offices, I yet trust you will not allow this longer to outweigh substantial reasons in favor of an office so much needed, the creation of which will promote the public weal, and not only cost nothing, but accomplish an actual annual saving.

PATRIOTISM.

Love of country, next to love of home, is the sheet anchor of society. A people established in patriotism are strong individually, and when associated for political purposes suggest great possibilities.

Patriotism has figured conspicuously in setting the standard of Vermont character, and school children should be taught the lives of the country's founders and defenders, that purity, principle and justice may continue to predominate in affairs of State. Study Washington and Lincoln until the deeds of their noble lives are reflected in the conduct of coming generations.

Put the flag over the school house by legislative act and defend it against thoughtless desecration as you would against the enemy. Respect the flag and you will respect the country.

PURE FOOD.

The food consumed by the people should be pure. Adulteration, substitution and imitation are active enemies of such a product. These gilded arts have assailed health and so far sophisticated business and morals as to intimidate honest men in efforts at honest transactions.

The States cannot alone fully regulate this subject, but perhaps Congress can, by either controlling it directly or authorizing the States to do so. If after all is said and done interstate rights or repugnancy to constitutional prerogatives are lions in the path, amend the national constitution so as to remove this barrier to honesty, behind which rascality intrenches and from which our industries are assaulted. If you should memorialize Congress for the regulation of this matter, you would reflect a sentiment sure at no distant day to assert itself against these giant frauds.

INSPECTOR OF MILK TESTS.

The creameries of the State are public conveniences. Most of them receive and account for milk according to some kind of a test, and since many farmers realize their principal income from the milk hauled to these public places, why should not a public guaranty be given of both accuracy and honesty? Our farmers, delivering each to the creameries from a few thousands to 300,000 pounds annually, are awaiting patiently the

pleasure of an introduction to an inspector of milk tests, and the hope is you will soon accord them such an opportunity.

FIRE PROTECTION.

Of the losses by fire in this State, a large number can be traced to incendiarism, and also a large number remain unknown. In the year 1895, the incendiary lighted forty-three fires in the State, and ninety-one were of unknown origin. The property losses by fire that year were \$621,071, of which insurance companies paid over \$400,000. Sound public policy demands that more be done to discover the unknown and to extinguish the incendiary's torch.

Vermont should have a Fire Marshal, or some equivalent official, paid by the insurance companies, through the State treasury, as the Inspector of finance is paid, and similar officials in many of the States; whose duty it shall be to establish, if possible, the origin of every fire that occurs. Reducing hazard in fire risks reduces rates, and in this way, if in no other, the people get the benefit of such an office.

This is the fourth time the executive has called legislative attention to this matter, and you should stamp it a message joke, or accord it the serious attention it deserves.

STATE HOUSE IMPROVEMENTS.

It is pleasant to note the improvement since last session in the system of lighting this building, and the State will enjoy this change more than any other that has been made in State property for years.

The old gas system of lighting was insufficient and unhealthful. The Sergeant-at-Arms, the Honorable Truman C. Phinney, deserves the thanks of the State for making the change.

ADDITIONAL ACCOMMODATIONS.

In 1884, an appropriation was voted for the much needed new part to this building, and since it has been occupied the wonder, almost equal to any of the seven great ones, has been how we existed, or rather kept along without it.

The State needs as seriously now as then an addition to the Capitol that shall accommodate the Speaker, clerks, the Auditor, provide an office for the executive, and a place for public documents, papers and books that are now tucked away in damp, dark by-places, where mildew and destruction are already at work.

This can be accomplished at moderate expense, but, cost much or little, such an improvement is needed, and what the State of Vermont needs it can afford.

COMPOSITION OF STATE BOARDS.

Women upon boards of charity have served, in many instances, an excellent purpose, especially in institutions where both sexes are represented, and a great many think you will elevate the public service by providing a place for them upon such boards in this State; and such thought seems the better opinion upon the subject.

PARIS EXPOSITION.

Upon the invitation of His Excellency the Governor of the Commonwealth of Massachusetts, this State was represented at a joint meeting of the Massachusetts State Board of Trade and State of Massachusetts, and at a banquet to the Governors of the New England States, and invited guests, on the twenty-second day and evening of March last, for the purpose of harmonizing a plan under which the New England States can as one body be represented at the Paris Exposition in 1900. Nothing was definitely agreed upon except that it would be desirable for the six states to exhibit their products as one organization. This subject claims your attention, and it is hoped you will, by special committee, investigate its merits, and after conferring with the other New England Governors, more particularly Governor Wolcott, you will act advisedly in the premises.

In this connection it may be said that at the request of the Commissioner General for the United States to the Paris Exposition, through the agency of the schools in America, popular contributions are contemplated for a fund to erect a suitable memorial in honor of Lafayette, whose remains rest obscurely in the city of Paris. It is

proposed to unveil and dedicate a monument on the fourth day of July, 1900, to the memory of this noble patriot, of which America and France will be equally proud; which ceremony will be, perhaps, the most conspicuous historic feature of the world's coming Exposition.

Your able Superintendent of Education is canvassing the schools of the State, in aid of this significant and beautiful international event, and has been requested to report results, that you may fittingly memorialize.

EXECUTIVE OFFICE.

The executive department should be provided with an office at the State Capitol and also a secretary whose entire time shall be given to the duties of his appointment.

The desirability of this cannot be successfully questioned.

INSURANCE COMMISSIONER.

The office of Insurance Commissioner has been suggested by those who have opportunity to know its advisability, and you will no doubt seasonably hear more upon this subject and have an opportunity to pass upon its merits.

FUTILE LEGISLATION.

At the last regular session one hundred and fifty sections of the Vermont statutes were amended and repealed. Each session some way seems called upon to correct a very considerable portion of the work of the preceding session, while fact carries its own explanation. Do not feel under any obligation to make new laws. Your best service is liable to be in preventing new enactments.

THE LAST NIGHT.

During the closing two days of the last regular session the executive signed more than one-third of the enacted measures of the entire session, and it is hoped he approved them. This fact speaks for itself, and will continue to so speak until the work of the sessions is more judiciously arranged and executed, and until our legislators keep better faith with their sense of duty in this particular.

CONCLUSION.

The unique government of our unique little State has become historic. Vermont character is everywhere at a premium. The proud acts of our men are the envy of ambition. Good government, our perennial boast, depends upon guarding well every interest of the people. To the best of my ability have I as opportunity offered, discharged this duty to my State. I have told you what has been left undone in years of the past that ought to have been done, and what has been done as best it could be during the last two years for the welfare of our Commonwealth, and as I retire from public life, with which I have been honored more or less for the past twenty-six years, I desire to thank the people of the State I love for their confidence and uniform kindness. I desire also to thank my friends, from the deepest gratitude of the heart, for their support and counsel in time of trial. About to cross the threshold of a new century, in which the art of human government and composition of citizenship will have greater possibilities than ever before, let us look to God for courage, love and humanity, that shall keep Vermont in the national constellation of States the bright star that shall never set.

Thanking you for the courtesy of this occasion, I bid you a final adieu.

JOSIAH GROUT.

Farewell address
of
James Hartness
As it appears in the
Journal
of the
Joint Assembly.

1923

Thursday, January 4, 1923

Farewell Address

Ladies and Gentlemen:

One of the momentous events in the history of our State government is the convening of the people's representatives in Legislative session.

Today we have the newly elected Governor, Lieutenant Governor, Senators, Representatives and State Officers.

In one sense it may seem to be a new body, but it is not new. It is rejuvenated by the induction of new members. This change does not disrupt. It carries forward according to customs and traditions the processes of our plan of government and progress.

One of the features of this occasion is the courteous custom that provides for an address by the retiring governor. This implies, and rightly so, a spirit of continuity of purpose of each succeeding administration.

It is with great pleasure I give my testimony of the courtesies extended to me by my able predecessor, Governor Percival W. Clement, and of my present desire in delivering this message, to render my best services to the continued progress of the state under the leadership of Governor Redfield Proctor.

My knowledge of the excellent work of my predecessors and of the high promise of equally great service of my successor leaves to me the treatment of only certain particular phases of state government. I shall endeavor to be constructive in formulating general principles without encroaching in the prerogatives of my thoroughly well qualified successor.

But before entering on the discussion of the various problems I desire, in the interest of the high purpose of stability, continuity and orderly progress of our government, to pay tribute to my predecessors in office who have served so well and true to these principles through all these years, and I know you will all join me in special tribute to the memory of the two noble souls who have passed to the Great Beyond during the administration that is now drawing to its close. I refer to the Honorable Samuel E. Pingree, governor from 1884 to 1886, and the Honorable Allen M. Fletcher, governor from 1912 to 1915.

I now present for your consideration what may be considered a national subject, but its bearing on our Vermont problems is of supreme importance. The affairs of Vermont as a state, and of Vermonters as individuals are closely interwoven with national affairs. We cannot govern our state irrespective of the outer world. Vermont's life, health and welfare are dependent upon the life, health and welfare of the nation, therefore it is eminently fitting that we give first consideration to a subject that is of paramount importance to all; namely, political and social unrest.

If political and social unrest of a few habitually discontented men and false propaganda it could be kept in check, but many people who are normally contented have become restless under the influence of unfair practices by which they have suffered many injustices.

My own training and experience leads me to take up the phase which relates broadly to the economics of statecrafts. To approach this problem it is necessary to realize that modern economics is an immensely complicated problem, particularly if we attempt in any way to enter into a detailed analysis of the various operations in the millions of departments. It is enough for us to know that there has been an exceedingly rapid growth of our ways and means for employing our energies and resources. With this rapid growth and intricacy there has been developed certain unfair practices, the correction of which should be given our prime consideration.

As we go forward with this subject, its direct bearing on the governmental affairs of our state will be apparent. It not only applies directly to the affairs of our state, but in the most vital sense it is of significance to the life and progress of the individual.

Coincident with the marvelous discoveries of science and the practical application of these discoveries, there has been created a gigantic and at the same time delicate system embracing all of our activities.

Our success in the creation of all those things – things that make up our present day world – is the result of the combined work of millions of men and women. The brainwork, skill, art, industry and unity of action have created a wonderful system of commerce, manufacturing and transportation.

This grand structure consists of the most intricate and powerful mechanisms and devices of science. It has been created and is now being used by millions of people. In fact the people form a vital part of the structure, so that the whole structure may be considered a mighty engine endowed with intelligence, skill and human purpose. This part of the gigantic engine that consists of men and women is something more than flesh and blood. It cannot be controlled as beasts of burden are controlled. It carries millions of hearts and minds and these must be satisfied.

We have met with wonderful success in creating the material part of this structure, but we have lamentably failed to make due allowance for the hearts and minds of the people who form the vital part.

The difficulty in our present situation lies in the fact that we are now vitally dependent on the continued functioning of these systems.

Our task is to study the problem with a double view of protecting the beneficial features and at the same time eliminating the harmful features.

Our progress thus far has been made with only a slight degree of governmental regulation. We have had governmental regulations that have affected our interstate commerce, and, during the war, many of the branches of business were controlled. But, in general, the greatest growth seems to have been the result of the unhampered functioning of human initiative and private enterprise.

One of the features of the development of the last hundred years and particularly of the recent decades, has been the loss of much of the original free and independent action of each family in providing for itself the necessities of life. This individual independence has almost wholly disappeared. We have in its place a most complete system of inter-dependence. By the new system great advance has been made in providing not only the simple necessities of life, but a vast number of other things that have greatly enhanced our general welfare.

The inter-functioning of the various elements in each of the great systems, and the cooperation of all the systems have thus far been evolved through actual working conditions.

Attempts to regulate by governmental authority have in many cases been handicapping. This has probably been due to the fact that our scheme of regulation has run contrary to natural law. Our regulations have been restrictive and not helpful. They have applied the brake, shut off the power or placed obstacles in the way.

It is for us to protest the continued functioning of these great economic systems on which life of family and nation now depends, but we must do more than merely protect the existing order. We must take up with a determined purpose the task of clearing the systems of harmful features, but this must be done without involving disastrous interruption. If we do not eliminate some of the unfair practices by orderly methods we will see the continued growth of the political and social unrest.

The problem of government is a human problem. The problem of governmental economics is a problem of human economics. If we know how the human being functions most effectively, we know how the government and the people of the government can work most effectively.

Men work most effectively when they are pleased with their work and their pay in money and esteem, and they become depressed and inefficient, and in some cases anarchistic, when they are dissatisfied.

This element of satisfactory and just compensation becomes a basic element of good government. It affects the lives, not only of the manual worker, but all people in our country. The lack of such compensation is the basic reason for the internal strife that threatens the entire structure. This dissatisfaction is just as harmful whether it is based on a false or a true premise. Therefore, we must not only endeavor to remove harmful causes, but also get rid of the false conceptions.

Regarding the problem of what is a fair and just pay, we can find no more equitable scheme of solution than arbitration based on a code that fits economic laws. The common sense point of view shows that we must establish such a basis before we can estimate what is a fair apportionment to each one.

In the formulation of the basis for such adjustment, it will not be necessary for us to leave the common sense scheme of procedure, but we must not expect to achieve this result in one week or in one year. A year's work of a national commission of competent men should produce a code that would be better for labor, capital and the general public, than the present wasteful plan of strike and coercion.

Under the present methods force is used to gain a pay that is claimed to be just by workers. It is a faulty plan because it is unwise and substitutes strikes and coercion for a rational arbitration. It depends on fighting strength and not on justice. If capital is the stronger, it wins; if labor is the stronger, it wins; but, in either case the strife has reduced the earning and paying power and has not been conducted on a just basis.

We must devise a basis for an economically sound compensation for both labor and capital. The plan must be one that does not reduce the spirit of enterprise. It must stimulate the spirit of industry and provide adequate reward for initiative, effective organizing ability and all those prime elements that are essential to greatest beneficial results.

We must not reduce the opportunities of advance for the workers and others, regardless of their starting point in life. We must, however, put a positive barrier in the way of the man or men who try to gain wealth and power by ways and means that are injurious to the general welfare. We must see that not only the worker, but the capitalist as well, uses his energies in a way beneficial to the public interest. The code should easily embrace the full scope of the use of all energies and all resources.

Such a plan demands the minimum interruption of our activities in producing and distributing our product. It dictates this because we know that the wages of capital and all kinds of labor – professional as well as manual – depend on the amount of value produced; that the largest value will be produced by a combination of best methods and a continuity of operation. Anything that reduces these essentials reduces the value produced.

Therefore, one of the big facts for us to grasp is that we must eliminate the waste and ultimate loss due to either the interruption of work or the use of inefficient methods and implements. We must also eliminate, as far as possible, every agency that tends to lower the spirit of the workers.

Another essential fact is, that we must make it clear to everyone that our present order, with its good and bad features, must not be interrupted. In order to allay the unrest we must show a determined purpose to greatly improve the existing conditions.

In the formulation of a code we must indicate the ways and means for making the best use of our resources of labor and capital. Since it is the human element that must be considered when we are trying to find the most effective ways of management, we must go back to the study of the nature of the individual. When we get a fair understanding of the individual, our next step is to study the group. In all this study, let us keep in mind that our problem is to reduce the discontent. We must create conditions that make the work more congenial, easier and better paying. This object must be attained if we are to prevent a breakdown of the great economic structure of industry.

If our government of the people, by the people and for the people is to endure, we must maintain the conditions by which the groups of men work most efficiently, and this scheme of continuity of functioning of the group is one of the fundamentals that must be grasped. It is one of the conditions under which we have grown, and it is one of the conditions that must be maintained if our government is to survive, and it is the condition on which our present and future welfare depends. Anything that reduces the degree of efficiency of the group, reduces the value produced and consequently not only reduces the power to pay the various workers, but also reduces the strength of the nation, and here comes in our big national menace.

Mention has been made of the destructive effect of strikes, but it is not the strike that constitutes the most serious menace. The greatest menace is the existence of serious inequalities, that our present regulations fail to

correct, and the fact that false leadership and false propaganda will continue the spread of disaffection if we do not correct both of these menaces.

Back of all harmful causes we find a lack of knowledge of the fundamental principles on which our economic and general welfare depends.

The task that is ours today is to set forth the plain facts regarding these principles, so that all people may understand.

In order to get a better comprehension of our present condition, let us glance over the changes that have taken place. At the time of the founding of our country, our scheme of life was of a simpler nature and each man could work out his own destiny. Today we have a system of work that demands the most complete team work of the whole nation. By the new system a man can produce a hundred to a thousand times the value he could under the old order of things, and the adoption of this new system has made it possible not only to supply the primitive needs of food, raiment and shelter such as we had one hundred and fifty years ago, but we are now able to produce millions of accessories that go to make a man's work still more efficient and at the same time enhance his general welfare.

In creating this new order of things we have used the best energies of mind and body under conditions by which they function most effectively.

Each one of the thousand divisions of the greater problems has been worked out and solved by a group of men who have concentrated all of their energies on that one purpose. We must now give thought to protecting the coordination of those elements, and this becomes a supreme problem in statecraft.

Some one nation will go ahead, and that nation will be the one that makes the best use of its energies. To that nation other nations will pay tribute in the market where the products are exchanged. That nation, with hostile purpose could subjugate all others. It will be invincible in war.

From every angle of view there is just one course to pursue, and that is forward. Our trend forward, however, under our form of government, can only be maintained when a strong majority of the people is so inclined, hence our strength in relation to other countries will depend on the relative spirit of the people of each country. We must see to it that discontent is eliminated as much as possible, and that we energize our people to the greatest extent in serving effectively.

In order to do this we must clarify the subject by setting forth the fact that certain conditions are necessary for progress. We must be prepared to find a continuation of inequalities due to transitional conditions brought about by progress, but these inequalities must be considered from a rational standpoint. There must be a constructive attempt to change these objectionable conditions as fast as the general welfare of the organization will permit.

The highest functioning of this economic structure is dependent therefore upon the highest spirit of the group. In each of the millions of positions in the great structure, certain conditions are necessary to protect that spirit. The functioning of this structure in normal times has resulted in America's leadership in providing, for the larger part of our people, those things that make for progress, comfort and happiness.

It is not surprising to find that we have many discontented people in our country. Such people may be found in any nation. In this discontented group, however, we have now many of high mentality and noble purpose, who believe the world would be made better by some one of the many schemes that have been devised that run contrary to the laws of our land and contrary to the natural law of human economics of today.

The purpose of the code should be to establish conditions that will be acceptable to labor, capital and to the general public. We must outline policies that will increase the total earning power of all our resources and services, so that the power to pay for the services of labor and capital is brought up to the highest standard that such policies can establish.

The increase of the paying power is one of the strategic points in reaching a result that will be acceptable to all. It would by no means be tied to an increase in all directions, for that would merely maintain the present

inequality, but it would reach in a most effective and popular way a host of those who are justly entitled to higher pay.

In order to increase the earning power, we must not only eliminate waste of material and energy, and build up organizations in which the material ways and means are most effective, but we must eliminate as much as possible that enormous waste due to dissention, and replace it with a high spirit of interest in the work, and a confidence of all that there is now to be set in motion an effective means for a more just pay for services rendered.

All people are not antagonistic to unionized labor or manufacturing organizations. Even in the extreme groups there are many men who wish to serve effectively and receive a fair pay and serve in peace. These men and the great mass of thinking voters can see the justice of an attempt to arrive at an equitable basis of compensation of all services. They can see that the crooked purposes will be fully shown up as we proceed with this plan of selecting policies for an industrial code. They know that the policies that fit our economic laws and our human needs are unlike the policies of unfair dealing.

These men still remember that we have been in a war. They still hold in highest esteem our flag and our homes, and they now see the hand writing on the wall. It is these people who constitute the great mass of thinking voters who will recognize the need of a common sense plan that will bring an adjustment through orderly processes.

They know that the continuation of strife lowers the individual efficiency, the values produced, the steadiness of employment, and, last but not least, it weakens our nation both in conquest of peace and in the conquest of war.

Those who still long for a chance to improve the conditions of their families and homes, and who will vote for and live for high standards, are the ones who will stabilize our government by opposing disruptive anarchy, providing they see a rational and unprejudiced plan that can accomplish this purpose by orderly methods.

They know that the essential elements of an industrial spirit is the spirit of work, and work is the farthest removed from crookedness of purpose.

They know a straightforward purpose is the natural purpose of a worker – that if he has any other purpose it has been forced into his mind by someone who is not a natural worker.

They know that men who have accomplished the most for the workers in cooperation and planning the ways and means of working have not functioned to their highest efficiency with mercenary motives.

They know that our form of government is not a failure – that it can provide orderly ways and means to correct our existing abuses – that, although we have been very remiss and tardy in action, there is now a definite warning that we must act according to a rational plan.

The importance of the broad view of Human Economics in the industries lies in the fact that it is basically the determining factor in the wage and capital contest.

With a true basic starting point we will arrive with less conflict to a general understanding regarding rate of wages for labor of all kinds and capital.

I realize fully the disturbing nature of even the suggestion of determining the value of capital's service and the thought of the possibility that any one should have the hardihood to suggest such an adjustment, but a code that truly fits our economic laws will not lessen the highest rewards of capital that have been justly attained in the past, but it will put a definite barrier in the way of high finance schemes of robbery of the public and labor. It's actual effect should be to increase the earning power of capital by eliminating the uneconomic practices.

We are hearing much talk about dehydrating our heavily watered stocks. It is stimulated by the knowledge that watered corporation stock has been the basis of capital's claims for exemption under excess profits tax, as well as an excuse to take off unfair profits.

We must discuss this problem frankly and openly. It must be understood by the general public. It can be expressed in words that all will understand and on a basis that will continue the beneficial results of the past and eliminate or greatly reduce the harmful results.

To meet this general proposition in a way that will benefit labor and the public it is necessary to set forth the basic principles of Industrial and Human Economics.

ECONOMY IN STATE MANAGEMENT

The subject of economy is one that has always been of great importance in every home, business, state and nation. Today, as never before, this subject stands preeminent. It is the core of statecraft, and every expression that rings true to the higher forms of statecraft is fundamentally in tune with the science of economy.

Economy in the broadest sense embraces frugality, thrift, conservation, enterprise and all those things that relate to the most effective use of all our resources. It is not for us to take our talents or resources and bury them in the ground if by the most effective use of all of our energies of mind and body we can increase their value two fold.

By nature we are frugal, thrifty and conservative, and these characteristics should be held undiminished. They should be maintained as we consider the new ways and means that fit the new world in which we find ourselves. If we take up the phases of state economy, in which the greatest results can be achieved, we will go directly to the general aspect of the state's management of its business affairs.

During the last year much attention was given to the discussion of state expenses, particularly the subject of cost of our many departments. There seemed to be a general trend of opinion toward certain consolidations of our state departments.

True economy tells us that the waste is not primarily in the multiplicity of officers or offices, nor in the amounts paid in salaries – that it is not in the number of specialists in the various departments nor in the total cost of this overhead at the capital, nor is it in the overhead expense that is scattered throughout the state. The practice of true economy goes to the root of the matter and asks, first: what can we afford, and second: what will make the best use of our available resources of money and energy.

Fundamentally the management of our business affairs must be of the most effective kind. It must obtain the best results for the people of the state.

We know that the most effective type of private management places the responsibility on a board of directors and that board functions through a business manager. Whether the total business is under one manager or under several departmental managers, is a matter to be decided on the basis of relative efficiency.

An economical management does something more than handle the business in a routine manner. It does not blindly follow the rules of yesterday. It does not trail behind. It leads in the best use of its money, energy and other resources.

The general problem of consolidation resolves itself into the question “Shall we continue our present independence of action of each department, or shall we put many of our department chiefs under the authority of one head?”

Under a consolidation each one of these heads would function under a higher authority. There would undoubtedly be a saving in salaries by this move, but the greatest saving would be the result of a more business like administration. It is not likely that this would greatly reduce the number of chiefs, because some of the present divisions require the undivided attention of a specialist who has had long experience in directing such work.

The real big difference and big change for the reduction of cost of state work would be achieved by the existence of a business executive whose duties would be similar to the duties of a business manager of a private corporation.

At the present time the Budget Committee and the Board of Control are supposed to serve as such a head, but as a matter of practice both of these bodies merely trim down requests of the department heads.

Of course we know that the Budget Committee may in emergencies increase the appropriation for any purpose or department, and it might appear that it could even stop the unnecessary expenditure of some wasteful practices, but these wasteful practices must be corrected from day to day as the work proceeds. It cannot be done as efficiently by a control that functions one in two years like our legislature nor by monthly or weekly or even daily meetings of a board of directors or a Committee of Budget or a Board of Control. *It is in the actual work that the true growth and economies are achieved.*

A board of directors is a necessary element, but its principal work would be to select a competent manager and then work through him by giving him the wide range of control that is possessed by a responsible manager in our most economical organizations.

The amount of money available for a department may be still be determined by legislature, but with a proper method of management it might be possible to save from one-fourth to three-quarters of the money appropriated, or there might be achieved from two to four times the value in return for the expenditure.

In practice the Board of Control and the Budget Committee deal almost wholly with figures irrespective of values. These bodies should not be blamed for not knowing the values, for the value of services for which money is expended can only be known by actual contact with the work all day long and every day.

The one essential in the practice of economy is to see that we use our money and energies frugally and effectively. To do this we must scrutinize methods in the actual work. Then with a real knowledge of the work being done a study of the figures may be beneficial, but figures, for figures' sake, produce endless discussion. The high purpose of comparing expenditures in various departments by years has an important bearing when we are bringing the total amount of our expenditures within the bounds of our resources, but true economy does not stop at setting a high limit. It goes directly to getting a just return for money spent. It claims that a just return is not less than the highest that can be attained by the best use of our money.

This high purpose can be achieved by a change in the system. It does not necessarily go all the way toward a business manager for all of the business affairs, but a start can be made in that direction by a reasonable consolidation that places a few business groups under a single business head. This head should be responsible to a board that works like a board of directors in a private corporation.

Such an arrangement would not make its savings wholly in salaries or in any of the other minor items, it would go directly to the big economies.

Regarding the general problem of a business manager I quote an editorial that appeared in the Bristol Herald last spring:

“If large municipalities can successfully operate under a business manager empowered to select his assistants and at such salaries as he deems proper to pay it might be worth the time of the next legislature to consider the feasibility of the plan for the State of Vermont. This may sound a bit revolutionary – it may be revolutionary in the extreme – but it is a business proposition. * * * * *

“The greatest corporations of the country, the Standard Oil Company, the United States Steel Company, the Harvester Company, do a yearly business probably hundreds of millions of dollars in excess of the overturn in money by the State of Vermont, and general managers direct such stupendous activities. Such general managers to be sure, have a check upon them in the form of boards of directors, and a business manager for Vermont would have a similar check. * * * * *

“The state press is continually advocating less commissions in our state government, and the business manager plan would eliminate such governmental bureaus. Most of the commissions that have a part in the

state government are creatures of necessity which had their birth because of such necessity. They came into being as a part of legislation enacted to provide places for deserving politicians. Probably there is not a single instance where the duties imposed upon members of any commission could not have been assumed by existing state departments. There is no need for a single commission in Vermont. The state is too small to require assistants to departments in the form of commissions.

“Hire the general manager from one of the biggest corporations in the country, tell him exactly how much money he can spend, ask him to present his budget at the opening of a legislature and vote to appropriate the amount he says will be necessary. Empower the administrative head of the business and of the state government to hire and fire whomever he wishes and whenever he believes it to be for the good of the service. If such an official prefers to hire only residents of Montpelier, North Hero, Brookline or Burlington, give him that authority.

“The Herald has no idea of how much salary should be paid such an official as it would like to see at the head of the business department of the State of Vermont, but, offhand, would suggest that at \$25,000 a year man would be a mighty cheap investment for the state. About all the governmental machinery needed outside of the general manager’s office, would be found in the offices of the Secretary of State, State Auditor, State Treasurer and State Board of Health.”

The general proposition of consolidation is one that will doubtless be given most careful consideration by this General Assembly. A reduction of the number of departments is a move in the direction that might ultimately lead to the creation of an office of State Manager for the strictly business and engineering affairs of the state.

On this general subject of business management I addressed a letter to the Budget Committee last May. In that letter I stated that our methods of conducting business were about 50% efficient – that the taxpayers were paying twice as much as necessary to get a given result, or to state in another way, we should be receiving twice the value we are now receiving for our present tax.

In order to take up this subject as it is seen and felt by those who labor and scrimp to pay this tax bill, just let us try to forget that we are here in this great gathering; let us try to remember what that tax money represents in the family. To establish this point my letter to the Budget Committee included the following paragraph:

“The people of the state are entitled to a much better use of the state’s money. The money that is paid in taxes by the people is taken from the funds needed in the home. The sacrifices of family comforts are made to gain better roads, better educational facilities, better general conditions for living and working in Vermont. The voting for and payment of high tax clearly indicates the readiness of our people to contribute most generously for progress, particularly for progress for the children and for the betterment of home conditions. It is an evidence of thrift, frugality and hard work in the homes and in the field. It does not, however, indicate the approval of our people of extravagant, wasteful and inefficient of expenditure.”

In my letter I suggest that the committee could see the difference between governmental management and the efficient type by observing the workings of two kinds of offices – governmental offices and offices of highly developed private organizations. It stated that a few days devoted to such observations would reveal a marked opportunity to make a great improvement in our business methods.

It does not take the housewife long to estimate the efficiency of another housewife when she has an opportunity to look into the home. The same is true of managers of business of all kinds, including engineering undertakings. For instance, if an engineer entering an engineering office sees an alert group of interested men working according to intelligent plans, he receives one impression; but if he finds the opposite condition, he not only knows that the cost of the work of the office itself is much too high for the work turned out, but that there is a serious question regarding the character of the office work and its effect on the actual construction work outside. The planning and direction of the office should be of highest character in order to insure the best use of our working forces and the best value produced in construction.

The inefficient condition should not be charged up to the personnel of the offices in the state capitol. We should blame ourselves for the results. This condition is not peculiar to Vermont. It is to be found in nearly all government offices. The general character of our entire personnel is exceptionally high, but the fact remains that our plan is wrong.

The legislature determines the character of our scheme of business management of the state's affairs and then proceeds to make appropriations to be administered by this inefficient scheme. The people who execute these orders in office and field must labor with the handicap that we have established.

We may appoint investigating committees from now 'till doomsday without getting this evil corrected. The fault lies in our wasteful plan of selecting business executives from this or that county or state, not for their special fitness, but to fit our plan of government that was never intended for administering great engineering and business undertakings.

But this is only one-half of the mistake. By frequent changes made in our personnel we prevent the natural evolution of an efficient organization.

Nominally the governor is chief executive, but after all he has little to say regarding methods of executing our business affairs, and even if he were given absolute authority and came into office well qualified by experience and record to manage such affairs, he could accomplish only a little in the brief term of two or four or even six years. It takes time and long continued effort, as well as wisely directed energies to bring up the efficiency on par with the best practice of our private organizations of similar character.

The scheme of management that fits our need today is well known to men who have lived and served in efficiently conducted business of similar character.

The proposition to turn over all business affairs of the state to a state manager is the most direct way to gain a high efficiency. The next scheme is to reduce the number of department heads. But, whichever way we turn we must recognize that it is experience that counts and that the experienced executive or executives must be free to work according to knowledge gained by experience.

Economy is a science that does not concern itself necessarily with titles.

To meet this long established custom, it may be best to let the titled drift along as heretofore and hope to produce a change in actual working that will more nearly fit true economy.

Whatever plan of organization is adopted the work must be done in keeping with the laws of economy. These laws are laws of nature that cannot be amended nor abolished by legislative action. No matter what may be the nominal character of our organization we must conform to the inexorable laws of nature.

We cannot dodge the issue of inefficiency of our present standards of state business management. By some method we must come to the plain common sense fact that the business must be managed by men who are the best fitted for that particular business.

We should select the best man available for each important division.

We should search the whole country, including our own state, to find him.

We should not dole out these positions for political reasons. We should give prime consideration to the thousand times greater number of our people who pay the taxes and suffer from the present inefficient system of management.

In this connection it is well for us to face the fact that inefficient management has a far reaching effect. It goes beyond the pain and fatigue of earning the money to pay the tax. It is a direct blow at our attempts to develop the state into a place where boys and girls can grow up and prosper.

The home angle of view must be kept in mind. If we could only portray the aching hearts of the Vermont mothers when their boys and girls are forced to leave home in order to find their best opportunity for success, there would be a more general demand for a scheme of management that would give Vermont a better chance to

progress in a way that would fit economics of today. Our state management of business should be an inspiring example of correct and efficient administration.

Next to the selection of the best man for each place we must continue his term of office year after year instead of making frequent changes in order to “pass around” these offices.

We need a high order of civil service reform that will select and maintain in office all workers from the chief down. The appointment and retention in office of the best available man as chief will insure the best available people for each part of the work.

A disruption by change of chiefs or personnel of the group is the real big cause of our low grade of efficiency. We could get along on a 75% efficiency with mediocre chiefs if we could obtain and keep a good personnel for the working outfit, but I see no justification for the selection of anything less than the best chiefs. The continuity of service of chief and staff must be conditioned only by the satisfactory action – not satisfactory from the political standpoint, but satisfactory from a high code of business principles.

It will probably be difficult to bring about any radical change of business management at any one session of legislature. In fact, the stability of our government is of more value in the long run than the facility to quickly change our plan. But, a change must come. We must be true to our principles of thrift, frugality and the effective use of our energies and resources.

To this end I believe we will ultimately bring our practice and laws into perfect harmony with the laws of nature in the realm of economy.

Quoting again from my letter to the Budget Committee:

“It is not difficult for us to accept a general proposition of a business management of our affairs, but when we discover that it details a continuing personnel of chiefs of divisions and general staff, we object strenuously and say that it is not in keeping with our plan of government. Notwithstanding this attitude, I believe we can find a scheme that will fit our governmental notions and at the same time one that will give us a continuing personnel. It does not necessarily carry with it a longer service of a governor, but it does embrace a continuing force of business executives and chiefs of departments. It would make it possible for all to hold their positions on a basis of value of their service to the state rather than political affiliations. In a certain degree we have a continuing personnel at the present time, but it is far from sufficient to bring up our efficient use of funds. We must choose between the old way, that spends five million dollars for two and a half million dollars’ worth of work, and a modern way that will get the same work for half the money.

“This is a very simple proposition. It does not involve great technical details. It deals only with plain facts. Let us go into this problem free from all entanglements, handicaps and precedents that relate to an old economic world that has passed out of existence.

“By making our standard of measure *real service to Vermont homes and better opportunities*, rather than considering the political significance of this or that policy of management, we will greatly enhance the welfare of our people and state and simplify your problems of state economy.

“In taking up this problem it is well, too, for us to realize that our inefficiency of management is not due to failure of our predecessors in office, nor is it due to lack of vision of our founders. The present inefficiency has been caused by our inability to adapt our ideals to the rapid development of the science of management. This has resulted in our having many elements in our scheme of management that are definite misfits. Our terms of political officers are necessarily short. I would not suggest a change in these periods of services of men selected by popular ballot, but I would urge the appointment and maintenance in office of all those connected with our business managements, and that we turn over to a business man or men the business of the state.”

This would leave the elected officers free to function as contemplated by our founders, but would protect the state’s interest by preventing the disruption of the growth of an efficient organization of management.

The natural action of the Budget Committee at a meeting called to consider this matter was to appoint sub-committees to investigate the various departments in conformity with the statutes. Such investigation has borne some fruit, but it was not my purpose to limit the action of the committee to such investigation.

In order to differentiate my proposition from one that would result in an investigation of details I stated:

“We must look for the big elements and cut off the confusion of discussing details. In other words, we must not fix our attention so exclusively on the waste of a leaking spigot when the old barrel is being drained through the bunghole.

“In view of the fact of the serious handicap under which our departments are functioning, we should carry our investigation far enough to make certain definite recommendations for change of methods of management that will ultimately bring our efficiency on par with high grade private business organization. To this end I wish to present for your consideration some of the elements of the present economic conditions existing when our state was founded. The rapid changes of even the last few decades have produced changes of far reaching significance. Today we are facing problems of government that are distinctly business problems.

“It will not be necessary to go into all the elements that have led up to creating the great change in the scheme of life.

“Briefly outlined, as individuals and communities we have left the old scheme of producing our food, raiment and shelter and we now have become specialists, producing a very narrow range of things and depending on trading with others to obtain the things we ourselves do not produce.

“The great extension of the use of machinery as an aid in production and transportation has made possible this more efficient way of using human energies. A day’s work, aided by machinery, in some instances, produces a value a hundred or a thousand times the value produced by a day’s work of a man fifty years ago. This change involves a high degree of administrative ability that all states have been slow to realize. So highly absorbed have our people become in the development of details of the systems of work that the method of government has received insufficient study.

“Along with the development of the intricacies of machinery and the great complexity of all forms of business – producing, transporting and exchanging – the human race has had a one-sided development. We have achieved great things in the field of science and by the aid of these discoveries we have built up wonderful systems in which millions of workers have their energies coordinated. While the steps have been taken in a rational manner and have changed the habit of work of millions of people, the fact remains that our habits of government persist beyond the period for which they were established.

“Psychologists and biologists agree that we are largely creatures of habit and that our reason has only a secondary influence. On account of this fact we have seen so many failures in national government. It is the dominance of the primitive habit that inclines an important part of Europe to anarchy in its various forms. There is a desire for independent action and an inborn objection to centralized planning that is necessary in this day of modern intricacy.

“In the world of industry, commerce, finance and general business there has been forced a high degree of coordination, otherwise we would still have been making our own wagons; there would be no automobiles, no watches and very few of the many things that now contribute to the essentials of our daily life.

“It would be futile to suggest an important change in our scheme of management of the state if we did not have in our possession this one great economic fact, that the method of highly developed private corporations applied to our state work would effect an enormous saving, and would establish conditions by which the workers in office and every other branch of the work would have the pleasure and satisfaction of working in efficient units, and would be able to go out from such a working force and join another with an ability to hold their own in competition with others.

“Still another reason for changing the spirit of our state organizations is the indirect effect on the private organizations in the state, for there are many private organizations in which the spirit of work is of a kind that does not make for progress and could not compete with live competitors.

“I believe we can go into this matter with full confidence of its meeting popular approval. We know of course that we must deal with the habit of thought of men who have played an important part in shaping our laws and perhaps a few of those who are still aspiring for office, but we have reached a time when the drift of public opinion is not in the control of the few men aspiring to public office.

“I believe this proposition will be greatly acceptable to the thousand times greater number of our people who have taken no part in the management of our state, but who have played a very hard part in scrimping to set aside a certain portion of the earnings for the payment of taxes. To these people, most of whom are the women who in the homes have borne the brunt of saving to pay the tax, this proposition will be most acceptable.

“The habit of thought that carries a small part of our people in a political groove, does not affect the vast majority of our voters. Hence the probability of making a radical change is greater than it might seem to the few people who have been engaged in state work.

“The powerful effect of habit-functioning applies to our proposition from two different angles. It represents the drag on one hand that prevents progress, and on the other it shows us the absolute need of selection of men who have acquired the habit of progressive thought and action in highly specialized organizations.

“Our general expression for this is ‘experience’, and we universally admit that experience in swimming, in typewriting, in stenography, in surgery and in all higher functioning, is absolutely essential. Our experience in state work is essential if we wish to continue the old methods. It is right at this point where the higher form of mentation plays its most important part and gives us a strong inclination to continue going along in the same old way. We can read and study and talk until doomsday, but the rational process fails to get us out of the groove of habit unless there is something in what we learn by words that stirs us deeply and forces us out of the habit groove.

“In view of the absolute need of long actual experience in practical management of highly successful organizations of similar magnitude, our directing forces of the state must be selected from a field in which they can be most easily found. There must be no restriction to county or state boundary. Men of these high qualifications are not easily found, and we should not hesitate to go into the fields in which that experience is gained. Those fields will be in the highly developed industrial states.

“This fundamental fact clearly indicates that these managers must be selected and appointed, but there must be an obligation imposed that the appointive power will select the ablest available men – men with right personalities, natural aptitude, education, special fitness and a successful business record in the management of similar affairs. The man meeting those qualifications should have strong ability in the selection and the co-ordination of workers. He should be imbued with the right spirit and be able to impart that spirit to his organization so as to get a high degree of interest and co-operation of the entire force. Such a chief would tie together the plans and the work. He would see to it that the money paid for overhead was well warranted by being expended for plans, direction, supervision and general management that would make most effective the use of the energies of the workers, accomplishing the greatest amount for a given expenditure of money. He would so apportion the funds for overhead and actual labor that the sum of both overhead and labor would produce the largest value; and, last but not least, he would be the farthest removed from the type of slave drivers that are sometimes found in the business world.

“This brings us to the inevitable statement that we must build up a continuing organization having the finest personnel and the finest purpose, not handicapped in the least by any political consideration.

“From the foregoing it is apparent that the governor elected by our present system for a brief period, should not be expected to adequately meet the requirements of a business executive. The ample duties of the governor could be exercised without encroaching on the functioning of the real business administration of our business affairs.

“The governor, with the approval of the budget committee, or some other continuing board, could be authorized to make a six-year contract with a business executive, under conditions that would make the selection of a man of highest qualifications, to whom would be given the manager’s power of administration of all the business departments. The well organized departments would require the minimum of his attention. A man of the right type would never be a disturber of things that are functioning properly. He should be absolutely free from political interference.

“If these conditions are not acceptable, then let us recognize the plain fact that we will continue paying half our tax money to please a few of the people, and at the expense of the workers in our homes who scrimp and economize to pay this extra tax cost.”

As previously stated, the meeting of the Budget Committee following my letter resulted in the appointment of sub-committees made up of members of the Budget Committee to investigate the various departments. This was to carry out the provision of the statute, but failed to meet the major conditions set forth in my letter.

The recommendations of these sub-committees I know will have your most careful consideration, but I wish to make it clear that in looking for details we frequently overlook major problems. My letter dealt with major problems. The details of management are best known by the men in the work, providing the men are competent to handle the work.

An ordinary investigation by those who are not intimately familiar with the work is generally of a disturbing character and frequently reduces the efficiency more than it increases it.

One of the great misfortunes of this country is the typical investigation of a business by outside experts. We have experts of all kinds and taken as a class they are the highest type of workers, but each one has his special field, and in the general field of management there are many subdivisions. There is nothing so disturbing to a working organization as average investigations by experts, for the general effect of such investigations disrupts and disorganizes, and it endeavors to substitute detail directions of work for *habit action* and *experience*. We cannot make our best progress in that way. We must not disorganize our present working forces. We must build on what we have and gradually change it over, and that is the difference between the right approach to such problems and the typical approach recommended by the average investigator.

Plans after plans have been devised by theorists, but it is not plans or words or diagrams that we need. We need in the first place *experienced business management*. The exact character of this title is not important, but the nature of his experience and ability as an actual manager is absolutely necessary.

From the foregoing statement you will see my reason for placing very small value on a formal investigation, and why I wish to emphasize the need of adopting the direct method of putting in experienced practical business managers.

The simplest way to state it is that we need to have all these business affairs guided by men who have had experience in management of things of similar magnitude and complexity, for it is the actual experience that counts. I have used the examples of skill and ability that demonstrate the supreme need of experience of the right kind, in order to build up an efficiently functioning business world. We can discuss this subject as long as we wish, but we will never find a substitute for an actual experience in a highly organized institution.

A business management would see where the dollar went and would start into action means for getting one hundred cents worth of value for each dollar expended.

The statement has been made that municipal managers have not always been successful, that in some cases the city manager has been short lived. The failure may have been due to the type of manager selected, lack of support and backing, or the failure to allow sufficient time to get results of a good management. These elements are of great significance. Regarding the length of time for accomplishing results we know that in apple culture it takes five or more years after an orchard is set out for it to reach the bearing period. In handling management problems we must know that it takes fully the same length of time to transform an old inefficient organization even after having selected a high type of individual works; for a long period is required to build up the working spirit and organization.

A new manager even unhampered by misfit laws cannot quickly change over the entire organization left by the previous management. Changes of an inefficient management must be carefully made. The element of time is of supreme importance. One of the fundamentals of managements is that an inefficient management is better than none. Changes must be gradually made. Two or four years cannot get rid of the deadwood or the inefficient habits of previous years.

Our program should provide experience business executives and give them the same freedom or action that has been found necessary in highly organized modern businesses, and at least six years' time in which to create an economic co-ordination of our business forces.

Regarding the general problem of expenses of supervision or overhead, as represented in the expense of a central office, outside inspectors, supervisors, district commissioners, etc., let us take for example the management of the highway department. It would not be difficult for us to eliminate all of the overhead. We could close the office at Montpelier and cut off all the salaries of inspectors, engineers and other officials paid by towns and state, and even dispense with the services of a local foreman.

Such an absence of organization no one would tolerate. On the other hand a plan that fills the office with men under the political system should be equally unacceptable to the taxpayer and all those dependent on the state's welfare. But every voter and taxpayer should endorse an efficient organization made up, as nearly as may be, along the lines of our best organizations in the country.

The extent to which we would go in supervision would be determined by the result in the largest returns for all the money expended.

In such an organization, with the work scattered over thousands of miles, the intelligent direction and supervision, as well as the inspection of work for which the state pays, is of highest importance.

The process of creating an efficient organization of that kind is a slow process. It calls not only for appointment of the best men, but for that continuity of their services that is essential to the gradual development of the whole organization. Such an organization we already have in the making.

There has been gradually evolving in the last twenty year an organization of high efficiency. During the war, the scarcity of labor, as well as the high cost, retarded the natural rate of growth. Since then we have been doing more road work each succeeding year – improving the drainage, the road bed, grades and surfaces.

Driving through the country and observing the workings of the road gangs, each succeeding year has shown less idleness of the workers and better results generally, but there is still a chance to make a marked improvement in our scheme of supervision and inspection.

The whole process of road building calls for a scrutiny by the paying party all the way along.

The inspectors, the town representatives, and all interested parties should be thoroughly alive to the needs of well directed work, faithfully and industriously performed. Mixing cement for bridges as well as making the base and top surface of our roads must be faithfully done.

Our inspecting engineers, especially on larger projects, must be competent and dependable.

The foregoing is merely an example that may be broadly applied to all of our work.

The essential thing is to have the ablest man at the head of each division and then see to it that his department is not handicapped by political influence.

The lowering of our efficiency to fifty per cent or the doubling of our cost lies directly at the door of our scheme of management of state affairs.

We have succeeded in getting the Board of Education free from political disturbance. The highway department is on the way. The other departments, if gradually merged into fewer departments, will bring a little higher degree of efficiency, and this will be one of the natural steps toward the ultimate goal of a state Manager for state's business.

PUBLICITY

The purpose of publicity should be to promote the interests of the people of the state. The money expended should be used according to the most effective methods.

The publication of statistics of the fertility of our soil and the volume of our products is doubtless of some value, but the publicity that inspires action that is beneficial to our people and state should stand as our chief aim, second only to education, if indeed second to any. It should be directed primarily in the interest of our youth and younger women and men. It must be of a character that indicates the opportunities in a few branches of work.

We should not scatter our publicity energy over a wide range of subjects.

There is no service the state can render to the people that is equal to that of energizing and directing a wholesome and desirable spirit of work.

The preparation of such material requires special talent and an intimate working knowledge of the subject treated.

It cannot be handled in an academic faction, and it must reach the minds of those who find their greatest happiness in doing things. Many of our people possess, in a high degree, a nature that longs to express itself in performing an essential and paying work.

We can publish a million times the number of copies of the volumes of statistics that we have already put out and yet fall short of stimulating a single soul to activity. It is not statistics of our natural resources. It is not the fertility of our soil. It is not our proximity to market. The thing that counts is the stimulation of enterprise in our young people in the field of useful and effective work.

The whole problem of publicity is fundamentally a part of the modern problem of statecraft. It must be considered in the same way. It must fit today. We must recognize that great things can be achieved by publicity if we work in harmony with the laws of nature that govern the interest and action of our people.

A congenial work is one of the best things in the world. A work may be changed from congenial to distasteful by the slur of a constitutional assassin of good purposes. A diseased body and mind produces pessimists and pessimism is contagious.

Plenty of wholesome publicity will let light into the depressed souls and light is an antidote for pessimism.

The whole subject to trend of public opinion and its effect on our development is of most vital interest to all well wishers of our state.

It will not be possible to wholly eliminate the constitutional fault finder, but we can keep the news avenues so full of sound, sane and beneficial information that there will be as sturdy growth of constructive optimism.

The prospects for a prosperous and happy existence of our young people are enhanced by publicity that awakens their interest in modern effective ways of working.

To you, the members of the General Assembly of 1923 and 4, comes this opportunity to establish a plan of constructive publicity.

Our statute providing for the expenditure of funds for publicity was remodeled at the last session of legislature with a view of making it possible to put out a more beneficial type of publicity – one that would develop our greatest of all resources: the human spirit of industry.

The amount to be expended was increased from ten to thirty thousand dollars per year, in order to provide, at my request, funds for promoting industrial development. It was not possible to get the wording of this statute sufficiently definite to cover the publicity for developing our human resources. The publicity work, however, was started, but before the initial publication was ready for distribution a question was raised as to the legality of the use of the funds for such publication. In order to eliminate this discussion the publication was issued without expense to the state, but the “follow up” material was not issued.

The subject matter of the book, which was entitled “Industrial Progress and Human Economics,” appears as a part of this message. It should be used as a basis for pamphlets prepared by inspiring writers who have something more than a word knowledge of the work.

Men competent to carry on publicity of the kind we need are not easily found; they are mostly of the high powered publicity writers, equipped with self-starters. The services of such men should be enlisted to prepare, not only follow up material based on industrial opportunities, but any other of a few branches of work the state would find advisable to push in the interests: of the people.

The publication should be put out in brief attractive pamphlets of larger readable type and short paragraphs, appealing the spirit of our young people.

I emphasize the need of approaching the young people because I consider it the most effective way to use our state’s fund for publicity. A young man twenty-five years of age can be effectively impressed with one-tenth the publicity energy that would be required to make an equal impression on a man of fifty. Hence, in the interest of progress and economy, the publications must be prepared for the younger people. This does not rob it of interest to others, for nearly all of our older group have a keen interest in the progress of the younger members of the family and state.

The scheme of publicity should not be one that would increase the office work at Montpelier. The publication should be sent out without waiting for requests. The method of distraction should be the one that would accomplish the purpose most effectively.

The size of the editions of these pamphlets should depend on the character of the text. The first few editions doubtless would run over one hundred thousand copies each.

The pamphlets should be supplemented by a reasonable amount of paid for space in our state papers, but the ratio of pamphlet to press expense should be determined in the interest of the people.

AIR TRANSPORTATION

History has shown that with the growth of each new means of transportation came the necessity to establish certain rules and regulations to protect the general public. In the sea, lake and river traffic, codes have been established. The same is true of the steam and electric railways and automobile transportation.

We are now confronted with the need of establishing regulations for navigation of the air.

The problem of regulating air navigation in some respects is unlike any of the transportation problems we have had to solve in the past. Aside from “taking off” and “landing” a plane is out of reach of the officers of the law. After leaving the ground the aviator may travel in any direction and has a great range of choice of altitude.

The velocity of airplanes has steadily crept up until recently we have established a record of speed that would cross Vermont east and west through Montpelier in sixteen minutes, and north and south in forty minutes, and would carry a plane around the earth in four days; making the trip, for instance, between the north and south pole in two days.

These figures relate to speed attained for a few miles, but there is every reason to believe that enormous velocities will be possible for transcontinental, as well as intercontinental, travel.

These facts make it apparent that the regulations must be almost wholly of interstate character, or national character, and ultimately of an international character. With every prospect that the great need of such interstate regulation will result in early congressional action, our wisest course will be to confine our attention to establishing regulations for purely state need.

We should establish regulations that would prevent certain kinds of stunt flying, overloading of planes, use of defective or unfit planes, operation of planes by unlicensed pilots, taking off from small fields by planes that require large fields, excepting under conditions of weather that will favor such planes, and a regulation of the surface condition of fields designated as landing fields.

On account of the complex nature, the whole problem of flying, including as it does a structure every member of which functions under very high stress, it will be impossible at the present time to devise specific regulations, but undoubtedly some regulations can be established and others left to some board of authority to formulate as the art advances. This board need not add additional salaries or expenses. Ultimately it will probably come under a highway board.

Vermont can easily be made a comparatively desirable flying area. Aviators who have flown over adjoining state are relieved when they come to the open pasture lands of Vermont. In emergencies the expert flyers, especially of the slow landing speed machines, do not hesitate to land, even on a side hill of moderate grade.

We have many fields that could be converted by a slight amount of work into desirable landing fields that would be of great benefit to the state as well as to the local community.

The interest of the state in developing such fields is of great importance. In nearly all cases, however, the towns or villages or individuals would be disposed to set aside such fields, and perhaps pay a reasonable amount towards making necessary changes.

A small amount set aside for state aid in this scheme of transportation would hasten the coming of Vermont's occupying a strategic position on the air map. Its real value will be in its furnishing a quick and direct communication across our own mountains and bringing our whole area within two or three hours of all of New England, northern New Jersey and a large part of New York State. While the prime value would be its service in the business of transporting passengers and goods, it also would put Vermont in commuting distance of our largest cities for summer and winter pleasure travel.

Another angle of this subject of providing landing fields is the humanitarian need of providing harbors of safety for distressed aircraft passing over our state. Our coast is lined with light houses, buoys and beacons. We have provided many safeguards for the other means of transportation. We have made the roadbeds as safe as possible for the automobile, and we have furnished regulations, for licensing operators and specified certain fitness of a machine to travel on the road.

The last year, in which we had three preventable accidents with the lamentable toll of seven lives, emphasizes the need of state regulations prohibiting certain practices.

LAW ENFORCEMENT AND LIQUOR TRAFFIC

Laws are rules of conduct prescribed by the people, for their governance through their legislative or representative assembly. They are enacted after due consideration of the special conditions which call for them, and after careful scrutiny of their reasonableness. When adopted, they are the expression of the will of the citizens of a sovereign state. Obedience to law means preservation of order and a due protection of all the rights of the people. When a law has been adopted, our duty in respect to it is clear. Our love for and loyalty to our government and all the higher ideals of citizenship call upon us to obey it. It is the special duty of all law enforcement officers to see that it is obeyed. Respect for and obedience to law makes the state strong and is an evidence of virile citizenship.

Our laws should be respected and obeyed. When not obeyed, or when treated lightly, respect for them and for the government is lost; people become lawless; self-respect is lost; the people lose their sense of responsibility; a lower morale results; it is but a step from such a condition to one of anarchy.

It is our duty to maintain the pride of our people, their love of ordered liberty, their respect for the best conditions of the state that has always stood for the highest ideals of citizenship.

It is apparent that some of the laws of our state are not enforced as they should be. This is a condition that must be remedied. It is of the first importance that our people maintain their self-respect. They cannot do this if they do not stand for law enforcement.

I call attention to the grave dangers attending this loss of respect for law and order. I urge the necessity for strong enforcement of all rules of conduct which have been made by the people for their governance.

The constitution of the state – the document upon which the framers rested the security of the future – provides that governor shall “take care that the laws are faithfully executed.” In the spirit of the provision of the fundamental of law of the state, I urge the hearty cooperation of each and every citizen so that there may be no let down in law enforcement. Every act of the legislature and of congress is entitled to respect because it is the law. There must be on the part of our people a strong abiding faith on all our institutions. All law enforcement officers must be earnestly active in breaking up all violations of our laws. Inattention to these duties is a violation of oath of office and they by such violation become enemies to the people instead of their servants.

One of the big problems of the present time is the enforcement of the laws relating to the manufacture and sale of intoxicating beverages.

This problem is greatly complicated by the vast sums of money that were spent in days before the 18th amendment, sale of intoxicants are now exceedingly active in trying to break down public sentiment in the hope to re-establish their old profitable business.

The present effect of such influence has lessened the respect for laws and landed many violators behind prison walls.

They were lured by the high profits of prohibited sales and the impression that certain talk of laxity of law enforcement actually granted immunity for offenders.

The statement that in one of our cities there exists as many secret bars as there were open bars in the days of local option seems to imply a sale of liquor in quantities equal to that of local option days. As a matter of fact, notwithstanding a few isolated examples to the contrary, prohibition is gaining steadily and we shall ultimately have a practical immunity from the dire effect of intoxicating beverages.

The 18th amendment will stand as long as the 19th amendment and that will stand for all time.

The highly organized illicit trade must be matched by equally active law enforcement, and this effect will land some of the many chief conspirators, as well as the bootleggers, in prison.

It is due our people to know that prohibition is gaining and that a more stringent enforcement is due to follow a full realization on the part of our people, that lax and indifferent enforcement officers only lead to abrupt changes that will deliver many offenders within the grasp of the law.

We have always known that intoxicating beverages have been very destructive of many of the best interests of the home, but now we have discovered that there is an economic side that alone is of sufficient weight to make prohibition a great boon to all other branches of trade and business.

Therefore, this general assembly has both the home and the business interest of the state to conserve when any subject of concurrent legislation comes up for consideration.

The Governor, having concluded the reading of his message, was escorted to the Executive chamber by the committee appointed by the Chair, and the Joint Assembly dissolved.

MILLARD C. TAFT
Secretary of State, Clerk.

Farewell address

of

Philip H. Hoff

As it appears in the

Journal

of the

Joint Assembly.

1969

Thursday, January 9, 1969

Farewell Address

RETIRING MESSAGE

Thank you very much, Lieutenant Governor Hayes, Governor-elect Davis and Mrs. Davis, Mr. Speaker, Mr. President Pro Tem, Members of the General Assembly, and my fellow Vermonters:

My appearance before you today is in accordance with what has been traditionally referred to as the outgoing Governor's farewell address. I, however, do not look upon this as a farewell in any sense of the word.

One thing that we all have come to realize is that no Vermonter can turn his back upon the affairs of this great state. I think of this citizen involvement . . . this public participation in government . . . as a vital feature of the years you and I have worked together in this, the peoples' house.

Six years ago, this Assembly and the people of Vermont joined me in a challenge to control change and not merely to react to it . . . in a challenge to shape our future and not merely to endure it . . . in a challenge to preserve the best of our rich heritage and not to squander it . . . and finally, in a challenge to mobilize our total resources for the benefit of all our citizens.

The challenge at that time was to design a bold departure from the past – a past worthy of honor and pride – but also a past that too often has been used as an excuse for public indifference and apathy.

Vermonters today have new reason to be proud of our heritage. Vermonters today, I believe, have a new sense of pride in our joint efforts to meet pressing public needs through revitalized governmental structures. Vermont has a new sense of confidence in its future.

No longer are Vermonters content to accept second best for themselves or for their children. No longer does Vermont see itself apart from the nation. Neither do we separate our aspirations as Vermonters from our aspirations as Americans.

I am convinced that this is because we have been challenged and because we have responded to that challenge with fresh inspiration and dedication to the public good.

Working together, we have moved our state forward, making significant progress in every area of social concern, political reform and economic development.

But this is not a time for accounting past accomplishments. Neither is it a time for judging the history of the immediate past. Rather, it is a time for facing the realities of the present and the opportunities of the future.

The present cannot be a plateau in the performance of public service. The future must be planned for and its promise realized through action now.

One need not dwell long on the events of the past few years to realize that the world did not stand still as Vermont moved ahead in revitalizing our welfare programs, in reforming our penal system, in modernizing the administration of justice and in improving the quality of education. But today's technology and social upheaval has made our progress relative rather than absolute.

We take great pride in the statistics of our expanded economic base. Yet we realize these statistics are of little value to the man out of work or the family without adequate housing.

The rewarding rise in personal income during the past few years gives us all new hope. But it is less significant to us as we view our public responsibilities than the specter of the man who still has not broken the cycle of poverty.

What comfort can we take in our expanded educational opportunities until we have assured every young Vermonter the opportunity to achieve his full academic potential regardless of his financial status or the geographic accident of his birth.

This we have come to realize and to make an integral part of our public lives. This, of course, is the idea that government is nothing more or less than individual citizens, on a one-man, one-vote basis, cooperating to meet needs that would not or could not be met otherwise.

Acceptance of this concept of government has been crucial to our progress as a state. It represents a sharp shift from past perceptions of government and its role in our society.

It was an essential factor in our move toward the regionalization of public services so necessary to balance public needs and resources required to meet them. It provides the philosophical and administrative base for future progress. It also assures us of realistic action to keep government as close to the people as possible.

Cooperative town action in the formation of union school districts has been matched by the regrouping of judicial and other services. This breaking down of artificial political boundaries has also breathed new vitality into the New England Governors' Conference and multi-state planning and economic development through the New England Regional Commission.

This departure from past modes of thought and action offers more promise for future progress than any other concept underlying our present social and political structure.

It has permeated every aspect of public service. It is as important to our highway program as is the very asphalt from which our roads are constructed. It is the essential element in making equality of educational opportunity a reality within the state.

It underscores our unity as a people and our identity with the problems of people through the nation. It is the hall mark of our willingness to replace shadow with substance and our concern for people rather than mere institutions.

The struggle to maintain this focus is a continuous one. It is made increasingly difficult by forces tending to polarize our society. It demands constant surveillance and determined dedication if we are not to be deterred from our goal of maintaining our basic unity as a state and as a nation.

There is evidence that social and political change moves in waves of progression and reaction. We must assure ourselves and future generations that the pendulum of progress never centers in the same place.

We cannot be content to mark on the treadmill of the status quo because to do so would be to lose ground already won.

This will also demand that we pay creative attention to the message of alienation sounded by our young people. They seek relevancy in our institutions and honesty and freedom from shame in our community values. Their message does not differ greatly from the idealism of other generations of young people. It has been intensified, however, by our new affluence, by the faceless threat of nuclear war, and the computer complexion of so many lives.

Vermont stands out in the vale of violence as a green – even if snow-covered – oasis. The warmth of its people, the beauty of its landscape, its traditional concern for human rights, make it in my judgment unique.

This very uniqueness is a constant challenge. It demands that we adapt to the world of today in such a way that our move for progress does not jeopardize the values we already enjoy.

Yet today's world demands rephrasing the questions we ask ourselves just as much as it demands new solutions to lingering social problems.

Can we, for example, escape questioning the values which permit us to deface and debase our ever-shrinking landscape in the name of uncontrolled economic enterprise?

We must redefine individual freedom and community responsibility. This has tremendous implications in terms of our total tax structure, our educational and welfare programs, just as it does in the areas of water and air pollution.

Past yardsticks for progress are no longer adequate. We must determine a new social balance sheet with which to assess the true human condition.

Freedom today is certainly the single most important goal of our state and our nation. We have finally come to realize that a man is not free if his children have access to less than a first-class education.

We have agreed as a matter of public policy that a man is not free if his brother is not free.

Freedom is not the mere absence of restraint – it is the ability and the capacity to choose among meaningful alternative each of which assures a creative and secure life.

If this is our vision and we pursue it with vigor and vitality, I foresee continued progress in our state and nation.

We have the means, the talent, the resources, to assure every Vermonter a new dimension of freedom. We need only the will and the determination to take full advantage of our opportunity.

The spirit of adventure so strong in man's reach for the moon must be injected into our efforts to improve the lives of our citizens.

Our nation's science and technology has been successful because of our willingness to venture from the known to the unknown, our willingness to challenge old concepts, and to experiment with new ways of doing things.

It is my hope that we will apply this same daring to our efforts to assure this new dimension of freedom for every man.

State government has responded to the quickened tempo of change. Our efforts must be intensified if we are to keep pace. This must be done despite cries that our stride has been too great, our pace too brisk, our step too bold.

Once again, I see it essential to suggest that we no longer procrastinate in strengthening our ability to come to grips with contemporary problems through public action. Such fundamental areas of concern as constitutional reform, governmental reorganization, conservation, educational services and taxation cannot be ignored.

At times, progress in these and other vital areas has been hampered by political expediency. But these are not partisan concepts. They are the tools necessary if our system of government is to bring out the very best that is in our people.

The deficiencies in the structure of state government, for example, have long been visible. They stand as a barricade to our progress as a state. Additional reorganization of the executive branch will strengthen our ability to meet urgent public needs. It will also give the people new confidence in the institutions which they control.

Our private institutions have prospered these past few years as never before in our history. If this growth is to continue, public services must be revised drastically.

Private effectiveness and public inefficiency cannot be tolerated side by side any more than we can ignore private affluence and poverty existing side by side.

When our public institutions languish, the private sector of our economy curiously is the first to suffer.

The investment in new schools, new pollution-abatement facilities, highways and public buildings must not lag if the buoyancy of our economy is to be maintained.

Public investment is crucial to private prosperity – investment in our human and natural resources is essential if we are to continue to build a better society.

We know, for example, that almost five thousand new public school classrooms will be needed in Vermont by the year 1975.

We know that highways will have to be constructed to link the major population centers not being served by our interstate system.

We know that more than six hundred new hospital beds must be available in Vermont within the next six years.

We know that at least thirteen thousand new housing units will be needed in six years, exclusive of housing for the poor, the elderly, and the handicapped.

Our educational system must be broadened to offer optimum opportunity for all students. This should include fourteen years of publicly sponsored and publicly financed education to all who qualify.

These examples merely illustrate the relative nature of progress and our continuing responsibilities as Vermont as your Governor these past six years. I am grateful to the people of Vermont for that opportunity. I look upon these years, quite honestly, as the most rewarding of my life. I hope that every Vermonter today shares my pride in our state and its willingness to forge a better life for its citizens.

As I look about his chamber I see the faces of persons I have enjoyed working with and indeed a few who have been largely in opposition to my view of the state and the nation.

But I would be remiss if I did not acknowledge my appreciation for the sincerity and dedication to Vermont of every person in this assemblage.

It is with humility, with hope, and confidence in our state and its people that I say thank you, both on behalf of myself and my wife, and wish each of you every good fortune. Thank you.

HOWARD E. ARMSTRONG
Secretary of State, Clerk

Farewell address

of

Joseph B. Johnson

As it appears in the

Journal

of the

Joint Assembly.

1959

Thursday, January 15, 1959
Farewell Address

Retiring Message

*Mr. President, Members of the Joint Assembly
Ladies and Gentlemen:*

There apparently has been a practice of long standing that the retiring governor, before leaving office, should present a message to the members of the General Assembly. I appreciate your action in inviting me to appear before you at this time. While there certainly can be some value in trying, from four years' experience as Chief Executive of the State, to point out the accomplishments of lasting value to the people of the State, I will try not to trespass greatly on the prerogatives of my successor who will this afternoon give you his Inaugural Message with recommendations for your guidance in the deliberations of the Session.

The authority of a governor of Vermont is rather vague in many respects. The office, of course, carries certain prestige and influence, but if it were not for the cooperation of other State officials, elected and appointed, and members of boards and commissions, department heads and employees generally, not much could be accomplished. So, at this time, I wish to express my very deep appreciation to my many associates in State service who have helped me so greatly during the past four years. I wish particularly to thank the members of my staff in the Executive Office for their always efficient and valuable help. Vermont is fortunate indeed in that its officials, both elected and appointed, are not merely political figureheads, but actually work full time on the job, being dedicated and skillful executives and administrators. The people of the State of Vermont benefit greatly not only from the work of these full-time officials, but from the contributions of many men and women of integrity and ability who are willing to accept appointments to boards and commissions, with little or no remuneration.

In this age of rapid communications it is, of course, important that information on the activities of their government officials and agencies be promptly and accurately given to the people. I wish also to express my sincere thanks and appreciation to the members of the press, radio and television services. While it would be too much to expect that a governor would never be irked at the press reports, I am glad to state at this time that I feel, everything considered, that I have been very well treated in the publicity that has had to deal with the Executive Department. I have enjoyed the friendly relations with the hard-working reporters who, I am convinced, try to do their job honestly and sincerely.

Four years ago and two years ago when I appeared before the General Assembly on occasions similar to this, my Inaugural Messages naturally were pointed more toward the future. Today, for a few moments it seems important that I emphasize some of the accomplishments during my four-year administration. Of course, I do not claim that I am responsible for all that has happened during this period, since many of the programs were well started under previous governors. In the final analysis, the direction and extent of our government activities were determined by the members of the Legislature through the laws which they enacted including appropriation of funds.

We are all conscious of the greatly increased expenditures by State Government, especially in the last fifteen years. There, of course, has been a definite trend in Vermont as elsewhere, to shift the payment for services from local governments to State Government. This was to be expected from the changes in our manner of living, especially in transportation, and in shifting from a rural economy to one where more and more people are supported through industry of one form or another. Speaking broadly, I can state that during this period of expansion of State activities, the people of Vermont have really received good value in return for their tax money.

While we have to carry on normal routine activities of government, a large part of our expense has actually been an investment in the future, as I will attempt to show in referring to the activities of some of our State departments. Time will not permit me to go into much detail or even mention every important contribution to

the future of our State, but I do wish to emphasize that we definitely on many fronts have been planning for the future.

EDUCATION

In the field of education, Vermont has made remarkable strides forward in the last four years. Up to this point, at least we have been able to pay our way and I believe our young people have benefited greatly. The services of the Department of Education to local school districts in improving the curriculum and instruction have been materially strengthened. With the help of Department leadership, teachers in many parts of the state are working out better materials and methods for instructing their pupils. Carrying on the state-aid for school construction program, begun in 1953, we have assisted materially in the construction of nearly thirty million dollars' worth of new school buildings in Vermont. Teachers' salaries have been raised with State assistance to a level where we no longer have a serious problem of losing our teachers to other states. Whereas the average salary of all principals and all teachers in the State in 1955 was only \$3,180, today it is over \$4,100 and will continue to rise.

The Legislature of 1955 cleared up the status of the University of Vermont so it is now definitely an instrumentality of the State with a majority of its trustees being elected by the Legislature or appointed by the Governor. Our teachers colleges have been expanded and I hope soon will be able to offer general two- and four-year courses beyond the high school level in order to serve the needs of more Vermonters.

The New England Board of Higher Education, representing the six State Universities in New England, was established in 1955 under the New England Higher Education Compact which was approved by the Congress in 1954. Under this cooperative plan, during the past year, \$65,000 was distributed to the region's medical and dental schools. The University of Vermont College of Medicine has already benefited financially. Final arrangements among the six State Universities were completed during the past year to institute this plan which makes available a wider variety of educational opportunities to New England's young people. They may now enroll at other state universities in certain regional programs not offered at their own state universities. As regional students, they enjoy special consideration for admission and pay only the in-state or resident fee. Unnecessary duplication is avoided by sharing the specialized facilities and staff required by such programs as social work, dairy manufacturing, pulp and paper technology, landscape architecture, hotel administration, pharmacy, law, and others.

HIGHWAYS

Undoubtedly the most significant development, and certainly the one most obvious, is the progress which we have made in bringing our high way system up to date. To do this necessitated departing from the Vermont tradition of financing highway improvements on a "pay-as-you-go" basis. Two successive Legislatures have approved the bonding programs which I recommended to step up the highway construction program. The results can be found in every section of Vermont today.

Our highway network is a sound investment in the future of our State, It is one of our greatest selling points in our efforts to bring industry and tourists into the State and to transport our valuable agricultural products where they can be sold, especially in the metropolitan markets. It is hoped that progress on the new interstate system and the rebuilding of other important Vermont highways will be continued at the fastest pace which can be soundly financed. Our Highway Board and Highway Department are to be commended for the manner in which they have met the challenge of extensive and rapid expansion.

POWER

Equally as important to the future development of the State, I believe, is the progress we have made during the last four years in the acquisition of an additional supply of electric power. It is not only the fact that we have this additional power today which is of such great importance to our future, but the fact that we also have transmission facilities available to receive more power from every direction.

In the past, Vermont, with relatively little firm all-year water power, had to rely on acquiring its electricity largely from sources to the east of us. Today, with a properly engineered grid system built throughout the State,

we are in a position to acquire electric power in the future from every direction: north, south, east and west. This in itself puts Vermont in a most enviable position for the future, not only for building up our industry, but in taking care of the increasing demand from our household and agricultural users. When power from atomic energy becomes commercially feasible, we shall be in a position to take full advantage of it.

It is a fact, also, that today we are receiving low-cost St. Lawrence electric power which no other New England state has been able to obtain and we are doing so at savings which will be passed on to the public. Several legislatures in their wisdom decided that this power development should be handled by private enterprise rather than through state ownership. The Legislature also asserted that our Public Service Commission should negotiate with the New York State Power Authority for St. Lawrence electric power and be responsible for a proper state distribution system. The members of the Public Service Commission and their staff have accomplished this task with outstanding success against many difficult and trying circumstances. I congratulate them for their efforts in behalf of the people of Vermont.

AGRICULTURE

One of the outstanding achievements of the State Government in agriculture during the present administration has been reducing the incidence of Brucellosis in Vermont to less than one per cent of the cow population. On August 19, 1957, Vermont was classified as a modified-certified Brucellosis free area. We were the ninth state to receive this recognition. Since 1957 we have demonstrated that the present program will hold Brucellosis at this low level.

The policy question now arises—is a control program good enough for this great dairy state, that is striving to expand markets for Vermont milk and cattle, or should we attempt to secure full eradication? Control involves continued cost to Vermont taxpayers. If eradication can be attained costs would be substantially reduced. It would appear to be in the public interest to make every reasonable effort to eradicate this devastating disease which has a direct bearing on human health as well as the future of our great dairy industry.

During the present administration, the Vermont Milk Control Board has by low-cost, conservative action established minimum prices which have enabled competition to operate above these floor levels in the Vermont retail milk market. This has prevented disastrous price wars which can tend to create monopoly but still has enabled Vermont consumers to secure top quality milk at reasonable prices. One hour's average industry pay will now buy seven quarts of milk; just previous to World War I the same hour's pay would buy only three-and-a-half quarts of milk.

Farm bulk milk tanks are rapidly changing the methods of handling milk, On December 1, 1958, we had 2,000 tanks in operation. There are approximately 9,000 commercial dairy farmers in Vermont. Many country milk plants are being closed. This is part of the great mechanical revolution in agriculture which in common with all revolutions creates hardship for some people, but if wisely handled can reduce the cost of assembling and transporting milk and keep Vermont competitive in our great milk markets.

The combining of some artificial breeding cooperatives and egg marketing cooperatives which have been accomplished, and more cooperative mergers which are now in the discussion stage, indicate that the Vermont farmers are moving effectively to reduce costs and increase their bargaining power. The trend toward fewer and larger farms permits more effective organization.

FORESTRY

In forestry, also, plans have been made for prudent conservation and expansion of one of our most valuable resources, the woodlands. The Forestry Department has recently increased the production of little trees at our State Nursery from one million annually to twelve million per year by this next fall. Timber cut on our State forests by private operators under good forest practices has increased rapidly so that this past year \$40,350 was turned into the General Fund from timber sales.

During the biennial period, over 5,000 forest landowners have received assistance from the county foresters. During the past two years, 18 municipal forests have been established, making a total of 90 in the State. Last year, from these forests, over two million board feet of logs and twelve-hundred cords of wood were cut.

RECREATION

Vermont is getting wide recognition as a four-season recreation area. Our recreation-tourist industry is growing by leaps and bounds. The State Government, through several of its departments, has performed very satisfactorily in promoting different phases of this activity so desirable for the pleasure of our own people, and of great importance to our general economy. The program of the Vermont Development Commission has been of outstanding value.

We have, by far, the best winter recreational areas in the east. With highway access roads, we have interested more private capital to invest in new ski areas.

Our summer park program has expanded quickly and we are in a race to keep up with the ever-growing demands for more recreational facilities. From the \$200,000 bond issue authorized for expansion of State Parks by the 1957 Legislature, approximately 200 tent sites and 100 Green Mountain lean-tos, together with the necessary sanitary facilities, will be available for this summer's campers. The number of campers making use of our parks during the past four years has increased from 43,000 to over 70,000 annually, all of which means better economic conditions for the people of our State.

At no time in history have we seen such a growing interest in the Vermont outdoors. We are convinced that our fisheries and wildlife resources will continue to form an integral part of our vast recreation industry in Vermont. Looking to the future, as well as to the present, the fish and game programs are in keeping with the responsibilities of all of us to pass on to future generations every opportunity possible to use and enjoy the heritage which has come down to us.

The Fish and Game Department has shown a keen awareness of planning for the future, by acquiring access sites to our lakes and ponds, and also in the name of the State, lands available for public hunting so that Vermonters and their visitors will have rights-of-way providing more opportunities to fish and hunt in their leisure hours.

Research management, protection, propagation and conservation education, and more efficient law enforcement are effective tools of our Fish and Game Service. We now have one of the most modern chains of fish-raising installations to be found in the eastern part of the country. Sixty per cent of fish and game license receipts are contributed by out-of-state people.

The Champlain Valley region is a key point in the waterfowl flyway region from Canada to the Florida Keys. The Fish and Game Service apparently has done its job well in view of last summer's presentation to them of the Charles Banks Belt Medal, the Atlantic Flyway Council's top conservation award.

We can be much encouraged by the expanding cooperation between the Fish and Game Commission, the Forests and Parks Commission, the Water Resources Board and the State Department of Education.

In addition to the importance of tourist recreation which means much to our economy, we must not overlook the fact that our own Vermonters have an increasing need for recreation, in their home communities. It is encouraging to note that there is an ever-expanding program of recreational activities for all ages—children, youth, and adults, with trained leadership. The development of new recreation facilities—parks, playgrounds, swimming pools and community centers—indicates the interest on the community level in making towns attractive and a better place in which to live. The State Recreation Board has rendered many services to help the local communities help themselves.

Two years ago, plans were started for the Champlain Celebration. This year, New York and Vermont, with the collaboration of Canada, are celebrating the 350th Anniversary of the discovery of Lake Champlain by Samuel de Champlain. I trust that every community in Vermont will take part in this "year of history" which will do much to advertise Vermont to the world.

THE HISTORIC SITES COMMISSION

The Historic Sites Commission has carried out many projects during the last four years, including construction of an elevator in the Bennington Monument. Their most important accomplishment has been the

acquisition for the State of the Calvin Coolidge Homestead at Plymouth, made possible by the generosity of the late Mrs. Grace Coolidge and John Coolidge, the son of the President and Mrs. Coolidge.

NATURAL RESOURCES

Outstanding progress has been made in the management and conservation of our valuable natural resources. The State is now joining with the Federal and local governments to eradicate pollution of our streams and lakes. We are beginning to see real progress in this very important work, to conserve and improve our Water Resources.

Our geological program has been stepped up considerably since 1955 in order to have a State-wide geological map available by 1961, one hundred years after the last one was produced. Through cooperation with the Federal Government and other New England states, we now have additional flood control dams being erected in the State which will protect our lives and property in the years ahead. Many of these projects will also serve our recreational interests.

HEALTH AND WELFARE

The State's Health and Welfare programs have also expanded to meet the needs of our citizens. Our institutions, improved by sorely needed buildings, are better able to serve the demands made upon them. Also the work force has been increased to permit regular hours instead of sixty or more hours a week as formerly.

In our mental institutions, the emphasis is becoming more and more on rehabilitation and through our four rehabilitation centers, established and operated under our Board of Institutions and our Department of Education, we are taking advantage of modern medicines and treatments to produce remarkable success in many cases.

The emphasis on rehabilitation is more in evidence at Windsor Prison and the Weeks School. The Alcoholic Rehabilitation effort is also becoming more effective.

HIGHWAY SAFETY

While our accident rate on the highways and the number of fatalities continue to be excessive, we can take some satisfaction in the relatively fine record in Vermont this past year. Our reduction in highway fatalities in 1958 over the previous year was the largest percentage-wise of any state in nation. We must give considerable credit to the members of the Emergency Council on Highway Safety, authorized by the last Legislature, for this accomplishment. The studies made, and the effective information given to the public helped develop the fine cooperation of all State and local agencies and the public generally, which brought about the improved record.

PUBLIC SAFETY

The Department of Public Safety, with its added personnel, has been able to continue its fine service along its various lines. The Fire Marshal's office is still very sadly undermanned, which situation should be corrected immediately. We have, as authorized by the 1957 Legislature, procedures so that the State Government can act more effectively in times of civil disasters. The Civil Defense division is trying to meet the changed conditions as set up by the National pattern.

NATIONAL GUARD

Vermont can be very proud of its National Guard, both the Army and the Air sections. While all of the armories authorized by the 1957 Legislature have not been built because of lack of Federal funds and authorizations, great progress has been made in the building programs both in the armories and at the headquarters at Camp Johnson and at the National Guard Air port in Burlington. At summer maneuvers, our units continue to perform in an outstanding manner.

PERSONNEL

The State has a fundamentally sound civil service program based on merit system principles. We are fortunate, too, in having a competent group of State employees who are subject to the civil service system and who benefit directly therefrom. We all recognize the need for rules and regulations which will assure orderly,

uniform procedures. Our personnel regulations, however, have become overcomplicated and highly technical, resulting in the introduction of cumbersome procedures and management frustrations. It is generally accepted that civil service employees should be selected on the basis of fair, open competition, but, by the same token, simple procedures should be available to agency employers and department heads which will permit prompt separation of unsatisfactory employees. Our present rules apparently make possible through technicalities serious delays in hearing appeal cases. Revision of the faulty personnel rules should be accomplished without delay.

The rates of compensation paid to the State's 3,300 classified civil service employees have been adjusted over the years to meet competitive wage and salary rates and fringe benefits payable in private employment in Vermont. They compare favorably with salary scales in effect in other New England states and do not appear to need any adjustment at the present time. Salaries of department and agency heads have not kept pace, however, and today we have a substantial number of classified employees whose salaries are equal to, and in many cases, in excess of the salaries paid to department heads who must assume vastly greater, more important responsibilities. This grievous inequity which has persisted for several years justifies urgent consideration.

INTERIM COMMISSIONS

I hope the Legislature will study and give serious consideration to the specific matters and recommendations on which some of the State's leading citizens have spent so much time and effort. I am referring particularly to the following:

“The Interim Commission to Study the Operation of State Government”;

“The Emergency Council on Highway Safety”;

“The Interim Commission on Nursing”;

“The Study of Vermont's Correctional Facilities by the National Probation and Parole Association and the Governor's Advisory Committee.”

FINANCES

To accomplish so much in improving State services and building for the future, it has, of course, been necessary to increase State expenditures. Four years ago, our State tax rates were increased considerably and two years ago there were some minor adjustments upward.

While current revenues are holding up very well, in fact increasing, we have not quite been able to match the expenditures authorized by the last Legislature from the General Fund. I will call to your attention that some members of the 1957 Legislature were somewhat over-optimistic and appropriations were made about one million dollars in excess of the Governor's recommendations, without any additional income being provided for. I hope that the members of the present Legislature, including those who contributed to that action in 1957, will remember this and be more careful in the current session.

I feel that the present time calls for prudence and careful consideration as regards the financial planning of State Government. As we analyze our real situation, I believe we can rest assured that a good foundation has been laid for the future growth of Vermont and the prosperity of its people. We have increased the amount of our bonded debt, but not to an excessive degree. Our credit rating is still “Triple A.” Our tax system has operated on a basis generally fair to business and to all our citizens, and until the recent recession, was supplying sufficient funds.

With the anticipated resumption of greater business activities generally in the Nation, and including our own area, I believe it is fair to assume that we can expect more income from our present tax rates than previously has been obtained. It would seem to me to be the part of wisdom to take a breathing spell at this time to allow our general economy to catch up with the expansion which we have already made in our basic programs and facilities. In my opinion, major increases in taxes cannot be justified at this time. Your problem will be to evaluate the progress which Vermont has made and is making, and to decide at what level of expenditures the people of Vermont can afford to be committed by their State Government.

CONCLUSION

From the standpoint of operating effectively the Executive Office of Government, I believe the single most important change to be made is a constitutional amendment allowing a four-year term of office for the Governor and some other officials. It certainly is not too early now to lay the necessary groundwork for such a change, because constitutional proposals will be under consideration for the next two years and will be first acted upon in 1961.

I think that more efficiency and effectiveness can also be brought about in another term of State Government by revamping our court system so that municipal judges would serve on a full-time basis. This, of course, would mean fewer judges and higher pay for those who did serve in this capacity.

These two steps—the four-year term for governor and the modernization of our municipal court system—would be major steps toward better government.

In the Legislative branch of government, there are also certain steps which could be taken to speed up the legislative processes. Among the most important of these is the responsibility of the committee chairmen in the House and Senate to avoid unnecessary delays in action on bills.

The lobbyists associated with the Vermont General Assembly are, for the most part, of the highest caliber and often are of the greatest value in providing committees with useful and necessary information. However, in some instances lobbyists are called upon to represent many clients during the legislative session and often find themselves overburdened with work. When this happens, committees are requested to delay hearings, and sometimes, of course, the real clever lobbyist will try to put off action on a bill until the closing days of the session, in hopes that in the confusion he will have a better chance to gain his ends.

I believe the committee chairmen can be of real service to all their fellow Vermonters if they schedule hearings fairly and honestly, and then insist that action proceed on the bill in an orderly fashion. If this cannot be done, it might then be desirable to consider very seriously the possibility of limiting the number of clients any one lobbyist may represent.

I shall always cherish my associations with the New England Governors' Conference and business groups working to create a better New England, of which Vermont is an integral part

During my years as Governor, many projects of regional interest were considered and definite progress was made in several areas. Besides the cooperation on Higher Education which I have already mentioned, there are many other areas in which endeavors of this nature may be carried out. I would like to mention two, with the recommendation that they receive serious consideration by this Legislature.

Vermont and all of New England could benefit greatly if the methods of doing business in the several states were clarified and simplified. This condition could be attained through acceptance of a **uniform commercial code**, which would place all methods of doing business in the several states on a similar basis.

Of a like nature is the regulation of the vast flow of personal and commercial traffic. It would be exceedingly beneficial to all concerned to have uniformity in this field as soon as possible. While much progress has been made in this direction in recent years, I hope a definite attempt will be made to develop a **greater uniformity of motor vehicle rules and regulations**.

There are many other thoughts that come to my mind concerning my experience, both as a Legislator and as your Chief Executive, but I know that you are much more interested in getting on with the job ahead of you. I will say that I have thoroughly enjoyed the seven sessions of the General Assembly with which it has been my privilege to work in one capacity or another. The people of Vermont have indeed been wonderful to both Mrs. Johnson and myself.

I know, also, that Vermont will continue to grow and prosper in the years ahead, probably at a faster rate than we now foresee. I leave the Governor's Office in the capable hands of my successor.

My best wishes and hopes for the future are extended to Governor Stafford, to other officials, to this General Assembly and to all the citizens of Vermont. May all work together effectively for good government.

Thank you.

Dissolution

The Governor, having concluded the reading of his Retiring Message, was escorted with Mrs. Johnson to the Executive Chamber by the Committee appointed by the Chair.

The Joint Assembly dissolved.

HOWARD E. ARMSTRONG,
Secretary of State, Clerk.

Farewell address

of

F. Ray Keyser, Jr.

As it appears in the

Journal

of the

Joint Assembly.

1963

Thursday, January 17, 1963

Farewell Address

RETIRING MESSAGE

Mr. President, Members of the Joint Assembly
Ladies and Gentlemen:

Today I have the privilege of adding another retiring Governor's message to the pages of history. I have known from the day that ninety-two thousand Vermonters sent me to the Governor's chair two years ago that at some future date this event would take place. Thus, it comes as no surprise; however, I may add that the timing is extremely poor.

I am told that this is an historical occasion. Frankly, I would like to disclaim any credit for its occurrence – it is not exactly as planned by me. We now leave the Governor's office and become what has been described as an "elder statesman". It is not that I mind becoming an "elder statesman", it is just the age at which it occurs that bothers me. It has its compensation, however, for there are few who have become so old so young.

I have been interested in observing the preparations for this day. I must say that they have raised my apprehensions about today's events. I was not exactly sure whether the batteries of the 105 millimeter howitzers were to be used as a part of the inauguration – or farewell. These worries have been relieved by the fact that the howitzers have been pointed to the west and not at the Governor's office. I understand that they are fully mobile and in case the new administration has any doubts, I would like to assure them now that I will go peaceably and use of the National Guard will not be necessary.

There are many individuals who have been and will be cast in the role of Governor. In this sense, my occupancy has been only a part of the life and vitality of the Governorship. Thus he who is cast in this roll must not detract from its high standards but add to them as envisioned by the authors of democracy, our founding fathers. This I have endeavored to do. Today I report to you on Vermont's progress as one of many Governors charged with advancing the broad public interest.

During the past two years there has been a concerted and determined effort to move Vermont ahead in many areas. Progress requires a many pronged program if real advancement is to be made. We did not select one or two fields of activity but chose rather to move on a broad base for effective progress. This program, as detailed in my inaugural message of two years ago, involved (1) improved economy and efficiency in government, (2) new jobs, (3) capital investments to develop the economy and (4) meeting social needs of our people.

Each of the four are equally important; let me discuss the first now.

State government now spends annually in excess of one hundred million dollars. Ten years ago annual spending was only at the twenty million dollar level. Understanding and administering an operation of this magnitude is a tremendous responsibility.

In 1960 startling legislative reorganization occurred, creating a department of administration and consolidating over 100 separate agencies, boards and commissions into 20 major departments. I was intimately concerned with this accomplishment as Speaker of the House and during these two years as Governor have enjoyed the task of making that legislation effective.

The over-all reorganization took effect March 1, 1961, and was accomplished smoothly.

The Department of Administration now stands as an effective force of governmental administration. Its organization has involved recruitment of top personnel. Three of the major divisions, budget and management, purchasing and personnel, have new directors. This administration's establishment of central electronic data processing required day-to-day attention which only those who have first hand knowledge of the problems of initial installation of any electronic equipment can fully appreciate. It is now operating efficiently and stands ready to perform many operations previously done manually or with less efficient equipment.

Management consultants hired by the State of Maine have recently reported and recommended adoption of a central data processing unit for that state. The forging ahead in this field of administration has given Vermont national attention.

Professional management was started in the budget and management division. Thus, for the first time in our history, the state's administrative system possesses the tools of organizational self-analysis and improvement. Already, use of these professional management services has resulted in instituting substantial departmental reorganization. This trend should continue and be an effective force for continual improvement in the efficiency of governmental operations.

You will experience during this session the impact of many new ideas in administration and greater detail in financial data. The budget itself as the result of action taken by me, will have a new look as a "Program Budget".

Progress has been made in personnel administration. A new classified employees pay plan was adopted removing the inequities of the old plan and providing needed increases in pay.

In-service training courses were started for state employees, in cooperation with the University of Vermont, offering classes in the field of public administration, accounting and other areas. The response was tremendous. The program should be continued and expanded under the concepts of enlightened personnel management.

Progress in Vermont government administration has thus moved ahead at the most rapid pace in our recent history.

This required both legislative and executive action. In taking executive action, let me express my appreciation to the employees of the state with whom I have enjoyed working closely, and without whose cooperation, advice, assistance and dedication these accomplishments could not have been made.

The second and third objectives stated in my inaugural of two years ago fall in the areas of economic development for the State. They received positive and specific impetus, founded in the belief then expressed that Vermont's potential is the greatest ever in this space age. I stand firm in this conviction.

The foundation has been built to attain this potential. Our competitive position with other areas of the country in attracting new jobs was improved by the fact that no new general fund taxes were enacted, one repealed and one placed in the process of repeal. Government was administered on a sound financial basis resulting in an operating surplus which was applied to the reduction of the inherited deficit by the cumulative amount of nearly \$2 million dollars. Vermont's interest and assistance in creating new jobs was widely broadcast. Thus, the climate in which to do business was enhanced.

The new Industrial Building Authority is organized, has made its initial loan, and stands ready to provide needed industrial financing in the future.

Bond issues of a million dollars for state park improvement and expansion, a million dollars for sewage treatment plants, a part of our total anti-pollution program, \$375,000 for airport construction and \$6.2 million for highway construction were the major items of capital investment to provide transportation and expanding facilities in a state looking to the future.

Funds from an increase in the non-resident hunting license fees have given greater ability to carry on programs of building ponds, access areas to our waters and stocking of our lakes and streams.

These were a part of a program which today is providing us with some of the finest state parks in the nation, a highway system of the future, following the new 14-year arterial highway concept, access for private flying and expanding hunting and fishing.

Equally important is the direction of development. We completed the controversial reorganization of the Development Department. While this received public attention as to the high level positions, there was complete reorganization throughout the department and our New York office. It resulted in publication of "Goals for Development" pinpointing the minimum long range goals for the State.

The State advertising campaign was changed in concept and in the various media in which it was placed. The 1962 Senior Girl Scout Roundup was a wonderful participation in a youth activity and the single largest promotional event which the State had ever undertaken. It was tremendously successful.

My use of the Governor's office to advance Vermont's economic welfare is well known and became the subject of some criticism. I have traveled extensively in the State's behalf, much of which was at no expense to the taxpayers and have opened the doors of industry to Vermont, promoted the vacation travel business, and Vermont farm products. This has been done as a part of an integrated program of development.

We had not previously been active in the middle west in promoting Vermont. During these two years a new office was opened in Cleveland and I am told that we experienced a noticeable increase in visitors from that area.

In-State speaking engagements have been designed to bring an awareness of the State's potential. I am convinced that national forces of exploding population, transportation, leisure time and higher standards of living will have great impact on Vermont. It should take place among an awakened people who will demand action in order that Vermont's attraction be maintained for future generations. Armed with this firm conviction I recommended and we are now engaged in a \$103,000 state-wide planning project. We will be the second or third state in the nation to have looked at planning on a statewide basis. This is a key program today for the future.

Thus, action for economic development has been designed to produce results during the past two years and to look to the future.

The results have given Vermont an enviable record. The State has enjoyed an increasing high level of employment. Many new industries located in Vermont and existing industries expanded. Industrial prospects increased 25 percent in 1962 over 1961. The Development Department reports far more activity now in the industrial field than ever before and with greater interest.

In 1962 the new advertising campaign resulted in a 47 percent increase in recreational inquiries and reports of the Federal Reserve Bank in Boston show our vacation travel business rose 5 percent. This leads all New England states and was five times greater than most.

Thus, Vermont has moved ahead in the field of new jobs and economic development. With the foundation which has been laid, its demonstrated success, effective future leadership should maintain an increase in the impetus thus started.

The fourth objective was to move ahead in meeting the social needs of our people.

Education advancement received top billing. Four million dollars was provided for new school buildings, curriculum improved, particularly from teaching material prepared. An additional \$750,000 in state aid to education will be paid during the biennium.

At the University of Vermont construction of a new gymnasium and field house, a new engineering building and remodeling of the Billings Library, totaling \$4,135,000, and increased operating appropriations provided progress and a means to meet the impact of increased enrollments expected in 1964.

At the Vermont Technical College a \$465,000 new building, equipment valued at \$250,000, provided the means of adding the mechanical technological course to the existing courses in highway, electrical and agricultural technology. In 1957 I had the pleasure of introducing the legislation which created this school. The high school seniors surveyed then showed the greatest interest in the mechanical technological course.

Reorganization of the technical and three teachers colleges under the jurisdiction of the Vermont State Colleges has received national recognition as a progressive educational step. It has already resulted in many changes, long range planning and the addition of a new nurses training program at Castleton.

In the field of special education, there were increases in schools for retarded children and funds for education of the deaf at the Austine School.

In today's changing world the demand for both quantity and quality of education require continual improvement. This progress was achieved. This legislature will play a vital role in a continuing need for improvement in education.

We have moved ahead in other areas for social progress. A new TB clinic; medical care for the aged by my executive order effective July 1; a new dormitory, equipment and land for Brandon Training School; liberalization of the occupational disease law; a new inter-departmental agency on senior citizens; increase in maximum old age assistance grants to \$80 was all new action taken.

Progress was made in the fields of public assistance involving poor relief, child welfare, aid and service for the blind, aid to dependent children, committed children, the State Hospital, Brattleboro Retreat, Brandon Training School, Weeks, Vermont Sanitarium, community mental health, various vocational rehabilitation programs, alcoholic rehabilitation, aid to the partially and permanently disabled, and multiple services provided by the Department of Health. These were a part of existing programs put to good and effective use during the past two years.

Thus, Vermont has moved ahead in the field of needed social services.

In addition to these four objectives, action was taken during the two years on what can be described as special problems.

Rutland Railroad In September of 1961 the Rutland Railroad became strikebound. Efforts at mediation by the federal mediator and myself personally, on request, could not avert it.

Management then filed a petition with the I.C.C. requesting abandonment or release from its obligation of service. The State became one of many parties to that action.

As Governor it became my duty to develop the State's position in that proceeding.

Let me pause here to explain that under the "Interstate Commerce Clause" of the federal constitution the federal government has exclusive jurisdiction over the operation of the Rutland Railway. The State at no time has had the authority or power to force the resumption of service.

The position of the State at all times has been in recognition of the importance of railway service to the western side of the State and to take action to accomplish its resumption. Not only is resumption important, but it is imperative that it be sound and of a character which reasonably can assure continued operation in the future. It has been our policy to restore stable rail service.

The State spent approximately \$25,000 in detailed studies by the best experts we could find on the economic feasibility of the operation of the railroad. To my knowledge, it is the only study which has been made.

On the basis of this it is our belief that stable railway service can be provided between Rutland and Burlington, the Bennington-Shaftsbury areas, with the outside possibility of Arlington, and in the Bellows Falls area to Gassetts. This would provide service to approximately 90 percent of all previous incoming and outgoing freight on the lines of the Rutland in Vermont.

While this was the position of the State as one of the parties to the ICC proceedings, the Interstate Commerce Commission has the responsibility of determining the question of abandonment. They ruled in favor of abandonment. As a result of a stipulation entered into any eventual authorized abandonment places the State in a position to designate purchases at a substantial reduction in price for the purpose of providing rail service. Without this stipulation, sale could be made which would not result in resuming service.

We inherited the problem, have faced it squarely and taken action in the best interest of the State. It is not a problem to be dealt with by political expediency and properly handled in the future resumption of railway service should be imminent.

New York World's Fair 1964 -1965 In 1964-65 the New York World's Fair will be held. At my request a small appropriation was made and used as a part of the funds for planning a New England exhibit. Commitments have been made to the other New England states on participation costing two and one-half million dollars. Vermont's share is \$175,000. Over ten million people are expected to attend this international

event and I strongly recommend an appropriation early in the session conditioned on action as previously agreed by all New England states.

National Guard The federal department of Defense initiated a reorganization of reserve forces, which would have seriously impaired the National Guard's ability to carry out its multiple missions. I took an active part urging changes in the plan by participation in Congressional committee hearings, the New England and national Governors' conferences. This was of great concern if units were to be able to carry out their mission in a post-nuclear attack recovery period or in the event of civil or natural disaster. I am pleased to report that the authorized strength of the National Guard units in Vermont, instead of having a substantial reduction under the original plan, will now have a substantial increase.

Educational Television Through the University of Vermont and the Educational Television Commission, the groundwork has been laid for your consideration of an educational television network for the State. I strongly recommend that this be done.

Medium Security Institution There is a demonstrated need for a new medium security institution. During this administration detailed plans have been prepared and I recommend its enactment.

State Parks We have had two successive bond issues of a million dollars each providing development of State park facilities. They are a credit to Vermont and have contributed greatly to our economy. Demand for these facilities in the future requires that this program be continued on a self-liquidating basis.

Medical Care for the Aged During the preparation of the budget two years ago I endeavored to obtain the facts determinative of appropriations required to offer medical care to the aged under provisions for the near needy in the Kerr-Mills bill. It was not available and I requested the Department of Social Welfare to commence obtaining this information. This was worked out in the 1961 legislature, by giving the Governor authority to commence such a program between July 1 and December 31, 1962 by executive order. I am pleased to report that we were able to implement it at the earliest possible time by executive order. The program should be continued with improvements. It has always received my support.

Lyndon Teachers College Two years ago I requested and received legislation authorizing the sale or lease of Lyndon Teachers College for educational purposes. This was motivated by desire to provide better educational opportunity in the northeast and in the State generally. It was believed that its accomplishments would provide free scholarships for students of the area, provide a faster growing educational institution and be of tremendous economical and cultural advantage. Unfortunately, some in the area preferred to interpret the action directly opposite from this intention. I am told this attitude was the blow which doomed the possibility of attracting the necessary capital to the project.

Problems Placed in Process for Action There are other special problems on which we have taken action to lay the groundwork through research, necessary for the formulation of programs for their solution. These include studies on the feasibility of obtaining natural gas; improvement of mental health; the staffed Governor's Committee on problems of children and youth; cooperation of the Department of Social Welfare and Vocational Education Division, Department of Education, on a research project to determine changes in welfare programs to accomplish rehabilitation instead of welfare as a way of life; development by the Board of State Buildings of the long range capital needs of the State to mention a few.

One such project started, pointing to the future, should be given particular emphasis. I again mention the state-wide planning project now under way in the Development Department. It is my belief that it will be both constructive and controversial. It is my hope that it will be followed by effective leadership in order that our development can be based on long range thinking.

These special problems are not intended to be all inclusive. They are some of the matters which span administrations, and therefore, demand comment.

After traveling 200,000 miles and making in excess of 600 speeches in your behalf, the time has come to conclude this message. It is difficult, if not impossible, to properly survey in a matter of minutes the activities of the last 24 months. Suffice it to say that severe limitations were experienced by the fact that each day contained

only 24 hours. Without the love, understanding, and encouragement of Joan, it would have been impossible. Without a staff dedicated to making my task easier, to whom hours of work meant nothing, it would have been impossible. To them, members of the legislature, the departments and friends across the State, I will forever be indebted, for there is no greater satisfaction in life than the privilege of service. Thank you.

DISSOLUTION

The Governor, having concluded the reading of his Retiring Message, was escorted to the Executive Chamber by the Committee appointee by the Chair.

The Joint Assembly dissolved.

HOWARD E. ARMSTRONG
Secretary of State, Clerk

Farewell address
of
Madeleine M. Kunin
As it appears in the
Journal
of the
Joint Assembly.

1991

Thursday, January 10, 1991

Farewell Address

Farewell Message of Outgoing Governor

“Mr. President, Mr. Speaker, Members of this General Assembly and of the Administration, and fellow citizens:

“Six years ago, I was escorted into this Chamber by Rip Hathorn, known to us all as ‘Mr. Doorkeeper.’

“As I took my brother’s arm and stepped across the threshold from private citizen to Governor of the State of Vermont, I took a deep breath.

“In a few hours, I will exhale.

“But right now, as I bid you farewell, I sharply draw in my breath again, not because I brace myself for the future, but because I feel the tug of memory, and it touches my heart.

“I tell myself that this farewell speech is but a formal procedure, part of the process of succession which has occurred time and time again here at this podium, as one Governor gave his farewell in the morning and the newly-elected Governor was sworn in that afternoon.

“I would like to take this opportunity to wish Dick Snelling well, when he steps up to this podium to take the oath of office. I know my husband joins me in extending a welcome to him and Barbara.

“One cannot help but marvel at how easily this transition from one administration to another is accomplished in an experienced and confident democracy.

“Such an orderly transfer of power has occurred 73 times in our history. It is hard to consider it unusual.

“But when I reflect on these six years, they are unusual, both in the life of this state, and in my own life.

“Vermont has been extraordinarily good to me and to my family. When my mother and my brother and I arrived on the S.S. Manhattan on June 10, 1940, in New York Harbor, and we caught an early morning glimpse of the Statue of Liberty, little did I think that her torch was held high for me.

“Place of birth, religion, gender, none of these proved to be insurmountable barriers. Only in Vermont could the usual stereotypes fade into the background, a state where the people give each one of us a chance to prove who we are, by what we say and what we do.

“I thank you, Vermont, for having given me this chance to be your Governor, and for having accepted me as tolerantly and at times, as lovingly, as you did.

“I would like to publicly express my deeply-felt thanks to my staff, and to all the members of our administration. They are a very special group of women and men who care very much about the state they serve.

“We’ve been a happy family, with lively dinner table debates, united by a powerful common vision of Vermont, one that is shared by the several thousand men and women who work for the State of Vermont.

“And as I stand here before you, I thank the members of this General Assembly, and those who have served in prior Legislatures, who day-by-day, bill-by-bill, vote-by-vote, worked with us. And at this mellow moment, I would also like to thank those of you who worked against us. As a result, we worked a little harder, and perhaps, a little better.

“A special camaraderie exists amongst those of us who have sat in these seats under this splendid Golden Dome.

“We have celebrated heady victories, and commiserated over lonely defeats. All our human foibles, emotions and values are displayed on this brilliant stage: greed and generosity, coldness and compassion, seriousness and, thank goodness, humor.

“The Freshmen amongst you will be initiated shortly.

“This morning I reminisce about all the times you have formed a delegation to escort me into the well of this House.

“Thanks to you, I have not walked alone.

“There is great symbolism in the processions we have formed. We have achieved so much together along the way, walking the same paths more often than not. Each time I ascended these steps by myself, parting from you here at the base, I knew I could not have gotten here without you.

“As I look back, it is when we worked together that we were at our best.

“That is how we have come so far in these six years, moving to the head of the class in so many important areas; today, Vermont is the #1 state in the country for children’s services, for the environment, and for mental health services. And we are ranked 1 of the top 10 education states in the nation.

“These accomplishments were only achieved with enormous hard work, and a careful investment of our resources.

“I firmly believe it is these investments which will sustain our strength in hard times, and will also create the springboard for our strong economic recovery.

“I ask you, would any company expand its job opportunities or seek to locate in a state which ranked 47th in the nation in teachers’ salaries? That’s where we were.

“Today, we rank 26th.

“Would new jobs be created in a state which did not even provide kindergarten for all of its children? That was the case in 1984, when 60 school districts had no public kindergartens.

“Doubling the funding for education, creating an education partnership with business, initiating 45 early childhood programs, learning through interactive television, revamping vocational and technical education for the year 2000, these are the critical public investments in Vermont’s future.

“Tomorrow’s jobs will go to those states who have developed their brain power, and Vermont will be ready because in good economic times, we invested our wealth in our children, and it is they who will bring us the greatest rewards.

“I have placed great emphasis on education in these six years, both in money and time; I visited just about every school in the state, some more than once.

“I did so because I believe that education is the single most powerful tool for personal growth and economic security.

“As education changed my life, it is changing the lives of Vermont children.

“My determination to improve our schools was strengthened one winter night when I was invited to Wolcott to speak about the proposed foundation plan to redistribute state education aid.

“Wolcott’s townspeople had just voted to build a new school, and now they questioned whether or not they could afford it. Should they rescind the vote? That was the question.

“I listened. These people wanted the best for their children, but they did not have the means to provide it.

“I promised them I would help them get their new school.

“And that is a promise you and I kept.

“It was called the foundation plan. It brought us closer to the goal of providing an equally good education for all of Vermont’s children, regardless of whether they live in Shelburne or Wolcott.

“And last year, we raised taxes to keep our commitment in place.

“Think of the investment we have made in mental health. Six years ago, our state hospital was refused accreditation, and our community mental health services were in disarray.

“Today, we are a model for the nation.

“Together, we have worked to weave together some of the torn fabric of society, through the Reach-up program, access to pre-natal care, health care for children, an innovative corrections system. 12 parent/child centers, the youth conservation corps and a unique center for the treatment and prevention of sexual abuse.

“Six years ago none of these programs existed. Only 900 children were in subsidized day care; today there are more than 3,000.

“Why did we make these investments in families and children? Because that is how we build a strong and stable society.

“I was personally determined to take steps to strengthen Vermont families, because as a candidate, I had been haunted by the lingering vision of the scenes I had witnessed along the parade routes I had traveled.

“The parade route in any Vermont town is instructive, if you know where to look.

“I marched past houses with pretty geraniums in the windows and neatly-trimmed lawns. The families, sometimes three generations, were seated in their lawn chairs by the curb, all in a row, smiling, waving. They looked perfect.

“But then I walked past a three-story wooden structure in the center of town and spotted a pale young girl, no more than twelve years old, holding her arms straight out, as if she were carrying a tray. Her arms held a newborn baby, draped in a gray-white blanket.

“Nothing was perfect here, not the sagging balcony, not the sad child, not the tiny baby.

“I vowed I would find a way to do something to help that child and her baby, and others like her.

“And we did.

“Not long ago, a young woman approached me in Poultney and said, ‘I want to thank you for the Reach-up program, I’m going to Castleton now, and it’s changed my life.’

“That is what we did together.

“And it is that woman’s changed life which will make all the difference for the future of Vermont; a young woman who will be self-supporting, who will be better educated, and who will pass that confidence on to her children.

“As I think back on these six years, I recall the environmental crisis we were in. The citizens of Williamstown were alarmed because of the chemical contamination of their water, Lake Champlain was deteriorating because of pollution, and there was not a glimpse of a policy to deal with solid waste, with leaking underground storage tanks, or with hazardous waste.

“Today, they are all in place, and Vermont is a widely acknowledged national environmental leader.

“Most recently, we led the way in developing a comprehensive energy plan for the year 2000.

“Six years ago, we were in the midst of an agricultural crisis and hundreds of farmers filled this Chamber asking for help.

“And when the federal government ignored their plea, Vermont responded. By refinancing debt, easing property tax burdens, providing agricultural loans and purchasing development rights, we have, in fact, ‘saved’ hundreds of Vermont family farms.

“And then, there is Act 200.

“This is how we will shape our future, as we, the citizens of Vermont, envision it. And Act 200, as unveiled in last week’s state agency plans, will also make our government more accountable to the people. I urge you to protect and nurture it.

“Not very long ago, we had no state housing policy, and no ability to save farms and conserve land.

“Today, the innovative Housing and Conservation Trust Fund has helped save and construct over 1,700 units of affordable housing.

“And in the last six years, we have protected, for the enjoyment and use of future generations, an amazing total of 32,000 acres, approximately the combined size of the towns of Burlington, South Burlington, Shelburne and Winooski.

“Have we invested well in Vermont’s future? Yes we have.

“We have acted on the belief that we owe the next generation its Vermont heritage. We could not afford to squander it by inaction or neglect

“And we have taken these actions while the federal government retreated and virtually abandoned its domestic agenda.

“If our people were to be housed, we had to do it; if the environment was to be protected, it was our initiative; and if our families were to be strengthened, we had to find the way.

“I am proud that we stepped in, not simply with programs and dollars, but with compassion, with conviction, and with ideas that worked.

“And at the same time, we took a broad approach. We helped create more jobs and improved Vermonters’ standard of living; we are no longer a poor state, nor are we a high-tax state.

“And in these difficult economic times, I am proud to leave the State of Vermont in a position of economic soundness, better equipped than any other New England state to cope with what may be a prolonged and deep recession.

“Our position is affirmed by our double A bond rating which stated:

“‘Vermont’s adherence to generally conservative financial and debt policies has been the source of its credit strength.’

“One unique characteristic of this administration has also been the presence of women in key positions, in unprecedented numbers. The participation of women, along with the strong support of like-minded men, has helped establish a family court, a maternal leave policy, and access to pre-natal care.

“But most importantly, the rich talents that women bring to the political process have been tapped, and that expanded talent pool benefits all Vermonters.

“Having the experience of being Governor for six activist years, how do I see the future?

“Some words of caution and some words of hope.

“In this Bicentennial year, as we celebrate our statehood, it is time to question once again just how much statehood do we want?

“What is the function of government in the 21st Century, particularly in Vermont, a state which prides itself on its individualism and independence, which has never forgotten its youthful years as a scrappy independent republic?

“What is our responsibility to individualism, to ourselves, and where do we draw the line between self-interest and the common interest?

“Where is the line of demarcation between our land during our lifetime, and the land our children and their children will walk upon? Certainly, this was the central debate in Act 200; ownership or stewardship.

“And what is our responsibility to one another? Where do we draw the line between taking care of our needs, and turn to help a neighbor, or even, a stranger?

“There are no simple or final answers to these questions, but if we are to continue to protect our natural heritage and to value our humanity, we must constantly ask them, and strive for clear answers.

“I came to this country as an immigrant and worked my way through college. I could easily conclude that I climbed up the ladder by myself.

“But I didn’t. I got my education because of the low tuition at the University of Massachusetts, and my husband was educated by the G.I. bill.

“Government has traditionally helped people like me up the ladder; it is not a new idea.

“What is new is how we do it in this time and place.

“In a democracy, we will always experience that tension between individualism and the common good, between less government and more; this debate keeps us vital and dynamic, and it’s been going on for 200 years.

“We must also be more realistic about how we pay for the government we want.

“To achieve universal health care, property tax reform, higher quality public education, and a more affordable college education, we must face political reality and stop perpetuating the myth that our constituents can have it all without paying for it.

“Both liberals and conservatives have to face that reality.

“Liberals have to acknowledge that it is impossible to reap a multi-million windfall to fund these services simply by taxing the rich more.

“Even greater tax progressivity will not produce sufficient funds to meet these needs.

“And conservatives have to stop saying we can have it all if we just curb waste and abuse and set our priorities straight. It is time that we become courageous realists and make the hard choices.

“A word of caution on the environment. It will be tempting, in difficult economic times, to reduce our environmental commitment, in the belief that environmental protection stifles economic growth.

“I urge you to reject the temptation.

“Vermont has proven again and again that investment in a healthy, clean and beautiful environment brings long-term economic benefits, and those who fail to make that environmental investment pay a high price.

“Our billboard law, bottle law, and Act 250 are widely respected, not only by environmentalists, but also by the business community. And the recent agreements with Killington provide a stunning example of the win/win strategy which results in both economic growth and conservation.

“Words of hope: in these unsettling times, when the winds of war chill us, and when the economic news worries us, we have to restore confidence in our very ability to cope with change.

“We in Vermont have what so few parts of the country, or for that matter, the world have — we know who we are.

“We are a community. And from that we draw strength.

“When the 131st Reserve Unit was called up to go to Saudi Arabia, the state turned into one small village again. The outpouring of affection, of support, was extraordinary. Not only from relatives and friends, where you would expect to see it, but from strangers, and on the most impersonal infrastructure of them all, the interstate highway.

“I-89, a mere number of a place, was festooned with flags, hand-scrawled signs, and expressions of hope, of prayer, and of messages which said: you are not alone, we are with you. We were united in our caring, regardless of our differing views on the Persian Gulf crisis.

“Vermont is a community where, when a family is stricken with Aids, the town holds a fair, and the most dreadful of tragedies is not suffered alone.

“This is Vermont.

“This was the Vermont of 200 years ago when Vermonters had to band together for their very survival. The miracle is that we have retained enough of the values of that era to sustain us today.

“And it is these values which will enable us to govern well for the next 200 years.

“It is these basics which count, and that is what I have learned in my six years.

“Political strategies are important; the facts, reason and logic, all are critical.

“But the difference between an ordinary government and an extraordinary government is not created this way.

“An excellent government is a humane government, one that makes choices based on truth, justice and compassion.

“To achieve that, I have learned that passion counts. Passionate conviction makes the difference between what happens and what doesn’t.

“I have learned to trust my personal beliefs, because it is our personal beliefs which give the heartbeat to public agendas.

“Intensity of feeling makes all the difference.

“And idealism is what is sustaining.

“That is the only reason to be a political person — to translate belief into action, to create change for the better — whenever, wherever, and however one can.

“It is for this I am most grateful to the people of Vermont, for giving me this position of responsibility for six years, a position which allowed me to transform my values, and to the best of my ability, the values dear to Vermont, into words and deeds.

“I remain optimistic about Vermont’s future.

“We are confident, strong, and resilient.

“There is no doubt that we will continue to be a very special state, even more so as time goes on.

“As I say good-bye, I look forward to the pleasure of living in Vermont as one of its many public-spirited citizens.

“Good-bye and thank you.”

Dissolution

The Governor, having completed the reading of her message, was escorted from the Hall by the Committee appointed by the Chair.

Thereupon, the first Joint Assembly dissolved.

Farewell address
of
John G. McCullough
As it appears in the
Journal
of the
Joint Assembly.

1904

Thursday, October 6, 1904

Farewell Address

Gentlemen of the General Assembly:

Following the custom of recent years, and because it accords with my own judgment, I have the honor to submit to you, information relating to some important matters connected with the administration of the government for the past two years.

I adopt the method used by my predecessor, because it is an intelligent one and also because it will enable you to institute such comparisons between matters referred to during the period of this and preceding administrations, as will, I hope, materially aid in the performance of the duties which rest upon you.

STATE FINANCES.

The State Treasurer reports the financial condition on June 30th, 1904, as follows:

RESOURCES.

Cash on hand and in banks.....	\$ 412,562.89	
Corporation Taxes, estimated,	525,000.00	
Collateral Inheritance Tax, estimated,	30,000.00	
	-----	-----
		\$ 967,562.89

LIABILITIES

Due to towns, U.S. Deposit money.....	\$ 2,701.85	
Due soldiers unpaid balances.....	8,039.88	
Due towns for school and highway taxes,	278,159.39	
Liquor license fees,	18,517.50	
Fines under License Act.....	975.00	
Unpaid Auditor's orders,	9,616.88	
	-----	-----
		\$ 318,010.50

Leaving available for the current fiscal year ending June 30 th , 1905, the sum of.....		\$ 649,552.39
An increase of available assets over those of July 1, 1902, of.....		111,464.60
And a decrease in the net liabilities of the state during the two years of.....		23,580.79
The net liabilities of the State, July 1, 1904, were.....		23,290.85
A decrease of indebtedness since June 30 th , 1899 of.....		494,107.72

The six per cent. registered bonds of the Agricultural College amounting to \$135,500.00, due in 1910, is the only liability of the state not included in the foregoing statement.

RECEIPTS.

Cash on hand and in banks, July 1, 1902.....	\$ 324,969.28
Tax, collateral inheritance,.....	66,667.28

Tax, corporation,.....	1,138,850.57
Account Civil War Claim,	125,000.00
From all other sources.....	<u>375,752.09</u>
Total	\$ 2,031,239.22

The actual receipts for the bi-ennial period ending June 30, 1902, excluding the state tax, were.....	\$ 1,372,598.77
The actual receipts for the bi-ennial period ending June 30, 1904, no state tax being assessed were	<u>1,706,269.94</u>
Increase in receipts for the period.....	\$ 333,671.17
To make the comparison on same basis as 1902, deduct, received on Civil War Claim,	<u>125,000.00</u>
Net actual increase of receipts during the period,.....	\$ 208,671.17

STATE EXPENSES.

The Auditor's orders outstanding and unpaid June 30 th , 1902, were.....	\$ 42,482.74
June 30, 1904, they were.....	9,616.88
A decrease of.....	\$ 32,865.86
The Auditor has drawn during the term orders amounting to.....	1,571,681.43

The Auditor reports that, after deducting all receipts from various institutions and balances returned by various officials, which have been deposited in the State Treasury, the next expenses of the state for the bi-ennial term have been \$1,384,294.37.

These may be classified as follows:

SUMMARY.

Administration of justice.....	\$ 393,068.20
Agriculture,	55,690.88
Arthur Memorial	1,018.00
Commissioners on appeals,.....	149.85
County Commissioners,.....	3,367.40
Court of Claims.....	383.04
Dairymen's Association.....	2,000.00
Deceased veterans, funeral and headstone,.....	3,752.55
Educational,	123,416.24
Executive departments,.....	52,792.84
Fish and Game,	10,866.98
Feeding stuffs appropriation,	561.75
Highway Commissioner,.....	2,372.13
Insane	322,163.49
Legislative expenses,	60,640.09
Libraries,.....	12,711.04
Maple Sugar Makers' Association.....	954.47
Military,	52,316.72
Noxious animal bounties.....	19,821.80
Penal,.....	71,548.98
Pensions,	480.00

Public health,.....	\$	29,803.91
Printing,.....		34,828.18
Railroad Commissioners,.....		11,245.25
Reimbursement State Treasurer No. 156, 1902.....		59,240.95
Revolutionary Rolls,.....		389.16
Soldiers' claims under No. 86, 1898.....		85.85
Soldiers' Home,.....		20,534.50
Special appropriations,.....		23,688.48
Special commissions.....		14,401.64

Total,.....	\$	1,384,294.37
To this should be added the sum of		2,139.45
paid by the Treasurer prior to December 12, 1902, for		
which the Auditor has drawn no orders, making an		
aggregate total expense for the bi-ennial period of.....	\$	1,386,433.82
The net expense for the bi-ennial period ending June 30,		
1902, as stated by my predecessor was.....	\$	1,190,374.53

Increased expense for the bi-ennial term	\$	196,059.29
Average annual increase		93,029.64

These figures may not be exact, but they are substantially correct, and the Auditor in the preliminary part of his report discusses this matter and points out, in part, the avenues through which this increase has occurred.

I call this matter of increase of State expenses sharply to your attention. In my judgment no further increase should be permitted, but a reduction should be insisted upon and effected by and through the action of the General Assembly.

In the past two years no State tax has been levied, but this fortunate condition cannot continue, unless you call a halt in the matter of State expenses yourselves.

In this connection, I recommend that the law relating to bounties for the killing of noxious animals be repealed. In the last bi-ennial term the State has paid on this account \$19,821.80 and my judgment has not been correspondingly benefited.

The Auditor of Accounts, under our law, next to the Legislature, stands guardian over the public treasury. If you find upon investigation, that there is an inadequate clerical or other force provided for this important office, I recommend that you be not niggardly in making further reasonable appropriation therefor.

In considering the financial condition of the State, it may be proper to briefly call your attention to some conditions which indicate material prosperity, and from the reports of the Inspector of Finance, I have taken the following items:

Savings Banks and Trust Companies:	No.	Depositors	Deposits.
June 30, 1904	42	139,853	\$ 46,958,290.52
June 30, 1902	41	128,529	41,987,497.45
	----	-----	-----
Increase in two years.....	1	11,324	\$ 4,970,793.07
Total resources June 30, 1904.....			\$51,085,603.83
Total resources June 30, 1902.....			45,396,813.79

An increase of			\$ 5,688,790.04

The taxes paid by these institutions for four years have been as follows:

Year ending June 30, 1901,.....	\$ 255,159.85
Year ending June 30, 1902.....	272,440.05
Year ending June 30, 1903.....	287,090.61
Year ending June 30, 1904.....	312,503.82

and interest or dividends have been paid or credited to the depositors during same time as follows:

1901,.....	\$1,224,210.47
1902,.....	1,257,183.66
1903,.....	1,323,339.45
1904,.....	1,441,248.46

These comparisons indicate a prosperity of the citizen as well as of the financial institutions referred to.

THE CLAIMS BETWEEN THE STATE OF VERMONT AND THE UNITED STATES.

The retiring message of my predecessor contains a clear and intelligent statement of these claims and the progress then made in their adjustment.

In brief, the claim of the State against the United States was more than \$275,000 and was for interest upon money borrowed by it to defray certain expenses in equipping its troops during the Rebellion, against which the United States government presented a claim to some \$543,780.25 for munitions of war furnished the State soon after the St. Albans raid.

I resume the history of these claims at the point down to which the same was brought by Governor Stickney.

In February, 1903, in pursuance of the efforts of the agents of the State, a warrant was drawn and forwarded to me, payable to the order of the Governor, for \$125,000 which I deposited in the State Treasury.

In February, 1904, Congress passed a further act, "To enable the Secretary of the Treasury to pay the State of Vermont money appropriated by the act of Congress of July first, nineteen hundred two, and to adjust mutual claims between the United States and the State of Vermont."

In August, 1904, a second warrant was drawn and forwarded to me, payable to the order of the Governor, for \$155,453.56 which I also deposited in the State Treasury, making a total of \$280,453.56 received by the State.

By this adjustment the State not only realized the said sum, but at the same time the War Department made an entry balancing on its books its ordnance account against the State and wiping out the balance of \$543,780.25, which had for so many years stood against the State; leaving the State, however, to account hereafter for the small amount of ordnance stores still on hand, which stores have been appraised by the War Department to be of the value of \$1,619.64

A full detail of the steps taken to arrive at this adjustment is given in the report of September, 1904, made by the agents of the State to the Governor, which report is on file in the Executive Department, and is subject to the call of the General Assembly. It is a matter of congratulation to the State that these long pending and embarrassing claims have been settled.

Under the provisions of the joint resolution of the General Assembly of Vermont, adopted November 22, 1898, and the two contracts made by my predecessors for the collection and settlement of said claims, the particulars of which were fully stated by Governor Stickney, I have approved the claim of the agents of the State for \$40,000 payable out of the amount thus collected.

DEAF AND DUMB, BLIND AND FEEBLE-MINDED CHILDREN.

By Section 854 of Vermont Statutes, the Governor by virtue of his office, is made commissioner of the deaf, dumb and blind, and of the idiotic and feeble-minded children of indigent parents, and by No. 30 of the Acts of 1898 the sum of \$11,000 is appropriated annually for the benefit of such children. Provision is made by law for their instruction at designated schools specially adapted for furnishing the same.

At the beginning of my term of office there were forty-one beneficiaries of the State of Vermont being supported and educated under the provision of this law. I have since designated eight children as state beneficiaries.

On November 7, 1903, I requested the Secretary of the Supervisors of the Insane to visit the several institutions, wherein these beneficiaries were being educated to examine into the physical health and the educational progress of each beneficiary. This he did and acting upon the recommendations by him made in his written report, I subsequently revoked the designation of twelve such beneficiaries. The number now being educated by the State is thirty-seven and their apportionment among the various schools is as follows:

American School, at Hartford	13
Clarke School for the Deaf	9
Perkins' Institute for the Blind,.....	8
Massachusetts School for Feeble-Minded,	7

	37

and in addition to the above there is one blind person residing within the State, who is furnished reading matter of an educational nature.

The rates for board and tuition at the various institutions are as follows:

American School, at Hartford	\$250	per annum
Clarke School for the Deaf	250	“
Perkins' Institute for the Blind,.....	300	“
Massachusetts School for Feeble-Minded,	300	“
Mystic Oral School, Mystic, Conn.,	225	“

And the total expense to the State during the bi-ennial term in this connection has been as follows:

Massachusetts School for Feeble-Minded,	\$5,516.35
Clarke School for the Deaf	3,600.00
American School, at Hartford for Deaf,.....	3,375.00
Mystic Oral School,	168.75
Perkins' Institute for the Blind,.....	5,000.00
Minnie C. Fisher	12.50
Special Visitor,.....	95.15

	\$17,767.75

as against \$17,198.29 expended by my predecessor for like purposes.

I have been requested to appoint five beneficiaries in addition to the number already designated, but by reason of the inadequacy of the appropriation, such designations have not been made and are referred to my successor for his action in respect thereto.

VERMONT INDUSTRIAL SCHOOL.

This institution at Vergennes has an ideal location.

During the bi-ennial term it has been under the immediate direction of Mr. and Mrs. Elwin L. Ingalls, Superintendent and Matron.

Its buildings are in excellent condition and the 214 acres of land which comprise the farm, are in a high state of cultivation.

The system of education seems to be practical and a good library is provided for the use of the inmates.

The number of children in this school on June 30, 1904, was 137, and the number of different pupils during the bi-ennial period has been 238. The average cost of reach child for the year ending June 30, 1903, was \$160.13; for the year ending June 30, 1904, was \$171.03.

A better water supply at this institution is an absolute necessity, and should not longer be deferred, if dangerous epidemics are to be averted.

HOUSE OF CORRECTION.

This institution at Rutland, during the bi-ennial term, has been under the charge of D.L. Morgan, who has been its Superintendent for many years.

As appears from its report, the entire net cost to the state of this institution for the bi-ennial period has been \$3,611.61, an average cost of \$10.90 a year for each convict. The whole number of inmates June 30, 1902, was 111; June 30, 1904, it was 206. The average number for the two years has been 165. The average cost of subsistence for all connected with the institution has been ten and nine tenths cents (10 9-10c) a day. The average dialing increase in the number of prisoners for the two years ending 1904 over the two preceding years has been nineteen.

During the two years an electric lighting plant has been installed; also a water system for the supply of the marble shop.

The following statement showing the net cost to the State for the last ten years, speaks well for the present management of this institution.

Net cost to State for biennial period ending June 30, 1896	\$7,879.95
Net cost to State for biennial period ending June 30, 1898	12,366.46
Net cost to State for biennial period ending June 30, 1900	13,571.50
Net cost to State for biennial period ending June 30, 1902	4,519.81
Net cost to State for biennial period ending June 30, 1904	3,611.61

STATE PRISON.

This institution at Windsor, under the management of Superintendent Oakes, who has held the position for many years, has been more than self-sustaining, as appears by the report of its officers, and has turned into the State Treasury \$1,069.10 in excess of the disbursements made by the State on its behalf during the bi-ennial period.

The average number of prisoners confined there for the two preceding years has been 146; the minimum number being 136, and the maximum number 159. At the end of the last fiscal year there were 154 convicts at the institution.

Under Number 152 of the Acts of 1902, an appropriation of \$12,000 was made for the purposes therein stated: \$8,318.17 of this appropriation has been expended for modern engines and boilers of most approved manufacture, but the hospital building, the erection of which was also provided for by the act has not been undertaken. The buildings and grounds of this institution are in excellent condition and the prison well managed.

The present contract for the labor of prisoners in the State Prison will terminate by its own limitation May 1, 1906. Under this contract the State is paid seventy-five (75) cents a day for each able-bodied man.

I call to your attention the reports of the various officers and State institutions, as furnishing the full particulars of the information which I have condensed in this message, and if there be found any error herein, it arises from the fact that many of these reports have not been placed in the hands of the Executive in time to be used in preparing this message.

HOSPITALS FOR THE INSANE.

The expense to the State for the support of the insane is the second largest item appearing in the Auditor's report.

The last bi-ennial period, however, shows a slight decrease compared with the preceding period, and yet, it seems to me that the expense to the State of maintaining its insane poor is so great that a thorough investigation thereof should be made.

The institution at Waterbury seems to be inadequate to take care of this class of patients.

For many years appropriations have been made for the benefit of the Brattleboro Retreat; those for 1900 and 1902 being each \$4,000.

The appropriating act of 1900, No. 132, provided that the State insane poor should be kept at the Brattleboro Retreat and the Vermont State Hospital, so far as practicable, in the proportion of at least 200 to 500; and No. 149 of the acts of 1902, in making appropriation for the benefit of the Retreat, provided among other things, in substance that all the moneys then and theretofore granted by the Legislature should be exclusively appropriated for the purpose for which the institution was established, and that if it should cease to exist, the real estate of the corporation should be held as security to the State for the amount granted, and might be sold under the direction of the Legislature, for the purpose of reimbursing the State, and further provided that said real estate should at no time be sold without legislative consent.

The location of the Retreat is an ideal one.

The total number of State patients at both these institutions on June 30, 1904, was 707, an increase of two over June 30, 1902.

The number of private patients at the State Asylum has increased during the same period from 24 to 33.

The Board of Visitors have from time to time inspected this and all other Institutions as required by law.

SUPREME COURT.

Hon. Wendell P. Stafford of St. Johnsbury, the Fifth Associate Judge of Supreme Court, on the 2nd day of June, 1904, tendered his resignation to take effect on the 6th day of June, he having been appointed to the Supreme Court of the District of Columbia by the President of the United States.

I immediately filled the vacancy thus created by appointing thereto Hon. Seneca Haselton of Burlington, then the Sixth Associate Judge, and the vacancy then occurring in that office I filled on the 7th day of Jun3, 1904, by appointment thereto of Hon. George M. Powers of Morrisville.

ATTORNEY GENERAL.

I recommend the creation of this office, as a step in the march of progress and in line with the policy adopted in most states.

We now pay annually hundreds, if not thousands, of dollars for services, a major portion of which a competent Attorney General might render.

DIGEST OF VERMONT REPORTS.

By the message of my predecessor, you are advised that under authority of No. 115 of the Acts of 1900, a committee was appointed to secure for the use of the State, four hundred copies of the Digest of the Vermont Reports, and further that all copy for the same was to be completed and sent to the press on or before the first day of Jun3, 1904. This copy has not been completed, and so far no tangible results seem to have followed upon the work of this committee. It would appear in the absence of express showing to the contrary, that time sufficient has elapsed so that the State should now expect a speedy completion of the task required by the provisions of the act.

The State has so far paid \$2,605.76 for the work of this committee.

BOARD OF RAILROAD COMMISSIONERS.

Hon. Fuller C. Smith, Hon. Henry S. Bingham and Hon. Horace W. Bailey were, with the advice and consent of the Senate, on the 12th day of December, 1902, appointed Railroad Commissioners for the term of six, four and two years respectively. Mr. Bailey resigned on the 31st day of October, 1903, to accept the office of United States Marshal for the District of Vermont, and on the same day I commissioned Hon. George S. Howard of Craftsbury to fill the vacancy thus created.

In my judgment the board has rendered valuable services to the State.

Its report made to your Honorable body is clear, intelligent and definite in its recommendations, and merits your thorough examination.

Their recommendations as to the supervision of the electric systems of the state are especially worthy of your earnest consideration.

Speaking generally, in my judgment, the functions of this commission should be advisory, rather than mandatory, in the interest both of the general public and of the railroads.

BOUNDARY LINE BETWEEN VERMONT AND NEW YORK.

Under the provisions of No. 163 of the Acts of 1902, entitled "An act to replace the boundary line monuments between Vermont and New York," approved December 4th, 1902, I appointed Ex-Governor W. Stickney as commissioner on behalf of the State of Vermont. He has made a written report to me of the progress of the work from which, among other things, it appears that in June, 1903, he arranged with the authorized representative of the State of New York for the replacing of these boundary line monuments between the two States.

Originally there were thirty-six monuments marking this line from the north-west corner of Massachusetts to Poultney river. Some of these were missing and others out of place, so that it was found necessary to re-survey the line.

During the months when labor out of doors could be successfully prosecuted, the work has been carried on, and one hundred and one new granite monuments nearly all six feet in height, embedded in concrete and extending below the frost line have been erected. These monuments have been placed at all town corners and at the highest elevations and lowest depressions along the line, and wherever the same crosses a public highway.

Some further work remains to be done and undoubtedly when it is fully completed the commissioner will make a final Report to my successor, that the same may be duly filed and recorded in the office of the Secretary of State, as required by the provisions of the Act.

TEMPERANCE LEGISLATION.

The general sentiment of the State seems to be that local option should be given further trial.

In many instances it has so far resulted in practical prohibition.

For the benefit of those towns in which the traffic is licensed, there are several amendments which the experience of two years has demonstrated should be made to the present law. It is important that no change therein should be made which tends to lessen the independence from politics and the stability of the licensing boards.

I would recommend that the vote on license or no license should not be taken in any town or municipality oftener than once in three or five years, and the other recommendations in my former message relating to this subject, I again press upon your attention.

PRIMARY ELECTION LAW.

I again urge the General Assembly to adopt an efficient primary election law.

PRESIDENT ARTHUR.

Under the provisions of the Joint Resolution No. 382, adopted by the General Assembly at its last session, I have caused to be erected a Memorial Tablet with a suitable inscription in the town of Fairfield, the birthplace of President Arthur.

Through the efforts of Governor Stickney the title to the tract was first secured to the State. Governor Stickney also contracted for the monument and supervised its erection.

The dedicatory exercises were held on the site of the monument August 20th, 1903. There was present a large concourse of citizens of the State. The monument was presented by Governor Stickney and accepted by me for the people of Vermont. The principal addresses were made by two of the Constitutional advisers of President Arthur while Chief Magistrate of the country: Hon. Robert T. Lincoln, and the Hon. William E. Chandler.

The Tablet is a plain granite block, hewn from Vermont's eternal hills, molded into modest and graceful proportions her own workmen, and will stand forever on the spot of his birth, typical of the simplicity, the sublimity, the solidity of the character of him whom it is intended to commemorate, and whose enduring virtues shall ever remain an inspiration to the coming generations of the sons and daughters of his native State.

The inscription on the Tablet is as follows:

ON THIS SPOT STOOD THE
COTTAGE WHERE WAS BORN
CHESTER A. ARTHUR,
TWENTY-FIRST PRESIDENT
OF THE UNITED STATES

ERECTED BY THE
STATE OF VERMONT

PORTRAIT OF ADMIRAL DEWEY

After the adjournment of the last session of the General Assembly, I placed myself in communication with Admiral Dewey, at Washington, and transmitted to him a copy of Joint Resolution No. 372 of that Session, and, assuring him of the earnest desire of the people of the State that his portrait might be placed in the Capitol at Montpelier, asked his wishes and suggestions in the matter.

Nothing could have been more cordial than his reply. After declaring how deeply he appreciated the compliment, and saying that he placed himself at my command as to the manner of carrying out the object of the Resolution, he bade me convey to the people of his native state his warm appreciation of the high honor conferred, and his profound thanks for the generous expressions of the value of his services to the country, and his record as a naval commander.

After negotiations, I secured of the artist, Mr. W.D. Murphy of New York, a portrait of the Admiral. The Admiral thinks it the best likeness ever taken of him. The portrait is life size and presents the admiral in full uniform, wearing the sword presented to him by the Nation upon his return from Manila – no prouder trophy was ever won or worn by a Naval Commander.

The portrait now hangs on the walls of this Capitol Building. Here let it remain forever. Let the youth of Vermont learn the priceless lesson it teaches and ever strive to imitate and emulate the virtues and valor of her distinguished son.

BRONZE BUST OF HIRAM A. HUSE.

In consideration of the many years of valuable services rendered the state by that staunch patriot and loyal Vermonter, Hiram A. Huse, the Executive was commissioned by Joint Resolution No. 371, approved December 12, 1902, in behalf of the people of the State to obtain a bust or portrait of Mr. Huse to be suitably inscribed and

placed in the State Library in memory of the man and his valuable services to the state as State Librarian for nearly thirty years.

After advising with the family and the near friends of Mr. Huse, I contracted with Charles Albert Lopez, a sculptor of New York, to make a bronze bust of Mr. Huse, together with a suitable pedestal. The bust, which is about twice life size, has been completed and has been placed in the State Library. The features are strong, very characteristic and true to nature.

Nothing could be more appropriate than this Memorial.

The inscription on the pedestal reads:

HIRAM AUGUSTUS HUSE,
BORN JANUARY 17, 1843,
DIED SEPTEMBER 23, 1902.

STATE LIBRARIAN 30 YEARS
A PROFOUND LAWYER
AND AN IDEAL CITIZEN.

“HIS LIFE WAS GENTLE, AND
THE ELEMENTS SO MIXED IN HIM,
THAT NATURE MIGHT STAND
UP AND SAY TO THE WORLD
‘THIS WAS A MAN.’ ”

MEDALLION PORTRAIT OF MAJOR GENERAL GEORGE J. STANNARD.

It is a matter of sincere regret that I have not been able to complete the commission of the General Assembly contained in Joint Resolution NO. 373, approved November 20, 1902.

The object of this Resolution, so long delayed by the State, should not longer be postponed. General Stannard was Vermont's greatest soldier in the Rebellion, and she will never fail to be proud of his services so eloquently and truly described in the Resolution itself.

I will most heartily second any efforts of my successor to carry out the provisions of this Resolution.

THE RECORDS OF THE CONVENTIONS OF 1776 AND 1777.

On April 16th, 1904, Joint resolution S.R. No. 64, 58th Congress, second session, was adopted by the two Houses and the same was approved by the President, April 18th, 1904.

The resolution was as follows:

“Joint resolution (S.R.64) authorizing the Librarian of the Library of Congress to deliver to the governor of the State of Vermont a record or records of certain conventions held in Vermont in the years 1776 and 1777 for the purpose of organizing a State.

“WHEREAS, There is in the Library of Congress a manuscript record or records of certain conventions in Vermont, held in the years 1776 and 1777, for the purpose of organizing a State and adopting a constitution:

“WHEREAS, Said record or records constitute a document of primary importance to the history of the State of Vermont and may therefore more properly be considered of State rather than of National interest, and its location in Vermont may best serve the interests of the State; and

“WHEREAS, Said record or records have been accurately photographed and reproduced in *fac simile*, without expense to the government, and will in this form be available for use in the Library of Congress: Therefore,

“*Resolved, etc.*, That the Librarian of said Library of Congress be, and he is hereby, authorized and directed to deliver said record or records to the governor of Vermont, the same to be deposited in the archives of said State.”

The Records, in accordance with the resolution on Congress were duly delivered to me, through the intervention of Senator Proctor, and the same have been deposited in the archives of the State; there to remain forever as a most important part of the history of the Beginnings of Vermont.

The story of the unearthing and recovery of these Records, and the authenticity and original character of the same, is told clearly and conclusively in the volume embracing the *fac simile* of said Records arranged and published by Senator Proctor in February of this year at Washington; many copies of which the Senator has generously distributed among the libraries and citizens of this State. The research, the ingenuity and the evident determination to arrive at the exact truth, and the inestimable value of the work itself to this State, are matters upon which the Senator and the State are to be heartily congratulated.

In 1896 it was the peculiar privilege and good fortune of Senator George F. Hoar of Massachusetts to cause to be brought from England and presented to his native State the celebrated and priceless Bradford manuscript which contains the original record of the life in Leyden of the founders of Plymouth, of the voyage across the sea, and of the first thirty years of the Colony in America. The manuscript contains the Compact made on board the Mayflower – the first written Constitution in history.

It is now the privilege of Senator Proctor to have rendered a similar service to his State.

Of both these achievements the language of Senator Hoar is most fittingly appropriate: –

“The American people in the midst of all their material activities, their desire for wealth and empire, are a sentimental people, easily and deeply stirred by anything that touches their finer feelings, especially anything that relates to their history.”

VERMONT REVOLUTIONARY ROLLS.

Under the provisions of the act to provide for the collating and publishing of the Rosters, Muster Rolls and other Colonial and Revolutionary Records, a very handsome volume of over eight hundred pages, with a copious and comprehensive index, has been edited and published under the supervision of Professor J. E. Goodrich of Burlington. The volume has been deposited in the archives of the State, and should not only be of great benefit, but of great value to every one interested in the early military history of Vermont.

SOME RECOMMENDATIONS.

Vermont has the making of an Empire. The slate, the marble, the granite, that underlie her hills and mountains hold the promise and potency of inexhaustible wealth.

Vermont is also a natural Park. It is capable of infinite improvement.

One method would be to form a State organization for solving the forestry problem in Vermont, following the example of European countries, and supplementing the work of the United States Bureau of Forestry. Let a commission be appointed by the governor of three or five eminent gentlemen who are deeply interested in this subject and who would serve without compensation, and whose duty it should be to adopt a comprehensive forestry policy for the State, and a plan for the protection and replanting of forests, for the study of their quality and composition, the conditions necessary for successful reproduction of the most valuable trees, the prevention of forest fires, the relation of the growth of forests to humidity and the rain fall, and to designate methods of which lumbering operations may be best carried on so as to leave the lands cut over in a condition which more readily admit of forest reproduction.

The aim of the commission should be both utilitarian and aesthetic.

According to the census the forest product of Vermont was in 1899, second in value – the hay and forage crop, only exceeding it. This timber crop should continue to be one of Vermont’s most valuable assets. The existing timber lands should be so utilized as to secure not only present profit, but insure development and continuance. Of the land in Vermont included in farms, more than one-half is unimproved. The waste and

abandoned tracts of the State should be planted and planted intelligently with such varieties of trees as will be most profitable to our children, as well as enhancing the wealth and beauty of the State.

Hand in hand with the preservation and rehabilitation of the forests, go the conservation and development of the water power of the State. Water by the law of nature must, of necessity, be common to all. No one can have more than a temporary, transient property in it. This wealth producing power the State should guard and protect and from it derive great benefit. It is inexhaustible, for nature replenishes it. Its value is incalculable, now that the transmission of the electric current over long distances is an accomplished fact. The distribution of electricity to points far distant from the place of its generation, opens up vast possibilities in the utilization of water power.

Massachusetts, with not quite one-sixth the area of New York, has, under its enlightened policy, developed 187,000 water horse power as against New York's 220,000 (excluding Niagara). And this she has done by utilizing the power by means of immense dams on the Connecticut at Holyoke and Turners Falls, and by a system of canals affording a succession of mill sites. The same policy has been followed on the tributaries of the Connecticut and on all the power producing streams of the State.

Vermont should obtain a similar return from her streams.

Let a commission be appointed, to act without compensation, which shall adopt a plan covering the entire State for the preservation and utilization of its water powers, for the construction of reservoirs and reserve ponds on the streams, for the regulation of the flow and use of the water and for its protection from waste.

In this connection I would call attention to the general abuse of the streams of the State, by turning into them the chemical dyes and waste material from manufactories and the sewage from the towns, all which could and should be taken care of by modern disposal plants. Witness: – St. Albans, St. Johnsbury, Vergennes, Enosburg Falls, Waterbury and other places, the condition of which and of the streams near by has had the earnest attention of the Board of Health.

The very elaborate and exhaustive report of this Board made to the Governor, furnishes most useful and valuable information upon this and kindred subjects.

In the spring of 1904, a petition signed by many representative citizens and tax payers of the City of Burlington and adjoining towns in Chittenden, Addison and Grand Isle counties, was presented to the Governor, alleging the pollution of the waters of Lake Champlain caused by the refuse from mills located on the streams emptying into the Lake and other contaminating discharges therein. I referred the whole matter of the pollution of Lake Champlain to the State Board of Health, furnishing them with a copy of the petition and directing them to make a thorough investigation and report the result.

At the same time, I placed myself in communication with the Hydrographic Bureau of the United States. Upon my representation the Bureau was induced to order an examination of the waters under the charge of Mr. M. O. Leighton, the chief of the Division of Hydro-Economics, Hydrographic Branch, of the United States Geological Survey. The investigation has been proceeding for several months past and so far as I am able to judge, the examination of Mr. Leighton has been most thorough, scientific and productive of most beneficial results. The report itself will be printed in the publications of the Department at Washington. Vermont is to be congratulated that the Hydrographic Bureau selected so able and efficient a chief as Mr. Leighton to conduct this important work. It is to be hoped that his services may be again secured to complete this examination during the coming season.

Mr. Leighton had ample use of the State Laboratory at Burlington and Dr. Stone of the Laboratory gave him every assistance in his power and earnestly seconded him in his work.

If, upon the completion of the investigations, it is found that the pollution of the Lake by the pulp mills and by the sewage from the towns is injurious and renders the Lake unfit or less fit, as a source for municipal water supply, strong and immediate action should be taken. Besides its beauty, Lake Champlain is of the highest value as a reservoir for the furnishing of water for domestic use. Its preservation from contamination is of the utmost importance.

The length of the Lake, great in proportion to its width, gives to the local conditions of bottom and shores, a more decided effect upon the quality and character of the waters in different parts of the lake, and makes such an investigation difficult and involved. It will be impossible to satisfactorily complete the examination this season. Whether or not it is to be continued next season depends largely upon the action of the State of Vermont.

Resolutions should be passed expressing your conviction of the importance and necessity for the continuance of this investigation, and recommending and urging in the strongest language your Representatives in Congress to use their best endeavors to have the work carried on in a thorough manner to its conclusion.

Section 11 of No. 115 of the Acts of 1902, relating to the pollution of the sources of water supply, which exempts Lakes Champlain and Memphremagog from its provisions, should be repealed.

GOOD ROADS.

This nation, under high pressure, during the past thirty years, has been building over one hundred and thirty thousand miles of stem railway; and during the past fifteen years twenty-five thousand miles of electric railway.

Is it not time that equal energy be expended during the next five or ten years on a general system of improved highways throughout the country? No man can calculate the resulting benefits, in the increase of farm values, in the enhancement of the wealth, the comfort, the health, the happiness of our people, lifting this nation to a higher place in the scale of the world's civilization.

I am not a believer in national aid to the states in this matter of road building. Every state in its own interest, should be allowed to work out its own road system. There is now quite a general movement in this direction throughout many of the states, and in our own State some permanent road building has been effected.

There is no magic in this matter of road building. It will require the expenditure of time and money. But in the future the labor and cost will be repaid ten fold in the benefits which will accrue. And it is easily perceivable that the benefits will be proportionately greater to the smaller towns, which are more inaccessible to other lines of communication.

I have not been able to work out for this message a complete or satisfactory scheme for permanent highways in this State. I can only give a skeleton.

Let a Commission of three or five prominent men of the State be appointed by the Governor, with the advice of the Senate, to serve without compensation during the time requisite to work out a road scheme; the Commissioner of Highways also being a member of the Commission. Let the Commission adopt a scheme for the construction of improved highways, of course utilizing the present as far as may be, providing for, say, two or three lines running north and south, on the west and east sides of the State, and six or seven lines east and west across the State, aggregating eight or nine hundred miles of highways altogether. With the materials for road building which this State so abundantly furnishes, this is feasible.

By improved highways I do not necessarily mean Macadam roads, for it is extremely doubtful whether such roads are the best, the most economical or the most permanent for our climate, even if they could be as cheaply constructed as roads of other materials. An important factor is to see to it that, as and when permanent roads are built, they are kept in repair.

If Vermont is to increase in wealth and population as her position entitles her to, then some scheme for the improvement of her roads must sooner or later be adopted. Can any one doubt the resulting inflow of visitors, as well as the increase in permanent residents?

Is Vermont to continue to stand still? Nearly a quarter of a century ago, the vote for Governor was greater than it has since been or ever was before. Is 1880 to be the permanent high-water mark? Is Vermont satisfied with a stationary census? Is the time to come when Vermont is to have but a single representative in the lower House of Congress?

Does any one believe that a constitutional convention would increase the wealth or population of Vermont? Does any one believe that an increase of representation in the larger towns would add a dollar to the State's wealth? Frequent changes in the fundamental law are an injury to any commonwealth. The provision of our Constitution, like that of the Federal Constitution, that makes it difficult of amendment, has received the highest encomiums of modern political philosophers as one of the wisest guarantees of good government. Such provisions insure solidity and security, which are the vital attributes of fundamental law. The Towns have always, and it is to be hoped will always furnish such legislation as is best and wisest for their respective communities. They are the governing republics of the State.

In scholarship, in literary effort, in her influence in national affairs, Vermont has always been in the front ranks. The time has never been when Vermont's representatives at Washington have not exerted primary and potential influence in the National Councils.

Hasten the day when she may also take her legitimate place among her sister States, in material wealth and in population.

JOHN G. McCULLOUGH.

Montpelier, October 6, 1904.

Farewell address
of
John A. Mead
As it appears in the
Journal
of the
Joint Assembly
1912

Thursday, October 3, 1912
Farewell Address

Gentlemen of the Senate and House of Representatives:

It has been the custom of my predecessors for many years at the close of each administration to present an account of the conduct of the executive department for the two preceding years to the Joint Assembly, also to suggest such changes in the laws of our commonwealth and such new legislation as would be deemed advisable. This duty is attended with many regrets that I could not have had that experience and wisdom which would have enabled me during my term of service to accomplish more for the happiness and uplift of our people, and also with pleasure when I realize that a higher standard has been attained in our educational and agricultural life, and a marked improvement in our highways.

In this my retiring message I wish to state that I have carefully considered the various subjects which I have treated, with those officials most conversant with the same, and have drawn largely from them for expert knowledge, oftentimes the result of long experience, and have quoted freely from suggestions made by said officials.

In my message of two years ago, I urged the General Assembly to carefully consider a few subjects of vital importance and not attempt to correct all the errors of the past legislatures or to enact all the wise legislation which the present and the future may require, and thus with a defined policy presented, I feel that most satisfactory results as to educational and agricultural life and the betterment of our roads has been attained and it is with pleasure that I shall refer briefly to what has been accomplished in these vital departments of our state life, hoping that you will continue the progressive work so well begun.

EDUCATION.

Not only has Vermont been blessed during the past two years with great material improvements such as permanent highways and public buildings; not only has the state made worthy advance socially and civically as is indicated by the deep interest of the people in the state's welfare and their sincere desire to work unitedly for the state's advancement; but probably in no respect has the state made greater progress than along educational lines.

This has been due chiefly to the strong and progressive measures passed by the General Assembly of 1910. Among these certain ones might be considered of a minor character, as they were simply modifications of existing laws and provided for an expansion of the free advanced instruction law; the raising of the school age to sixteen years, the strengthening of the child labor law, and the making of the school attendance laws more operative.

Also, in the minor enactments may be included the permissory acts allowing towns to pension teachers, providing for medical inspection of school children, and authorizing the state board of education to purchase the normal school property at Castleton and to lease the normal school building at Johnson.

In addition to the foregoing are four measures that most signally marked a new era educationally and stand as unassailable evidence to the progressive statesmanship of your last assembly.

1. The first was an appropriation to the Austine Institution of Brattleboro for the purpose of erecting a building for the education of the deaf, dumb and blind. Heretofore they have been educated outside the state, but hereafter they may be educated by the state at cost in the Austine Institution.

2. The second important measure was the change in the date of the school year from April 1 to July 1. This change was so reasonable that it provoked no discussion, and it is now a surprise that the state should have continued so long with its misfits, disjointed and overlapping census reports, official, fiscal and scholastic years. This is apparent when I state that the census year of Vermont was February 1, the school directors' report year

was February 15, the official year began March meeting day, the fiscal year began April 1, the superintendents' year began July 1 and the scholastic year began September 1. All school business is now centered upon a single date and can be transacted without the delays and confusion previously prevailing.

3. The third important school measure passed by the General Assembly of 1910, and one that introduced a new and necessary feature into our educational system, was the creation of a state school of agriculture at Randolph Center. When we reflect upon the importance of agriculture and the extent to which the people of the state are engaged in it, then the importance of this new institution is appreciated. The educational system of the state, especially in its secondary courses, had not in any noticeable degree aided the state in the development of its resources, in revealing the opportunities within its limits, or in conserving its population and possibilities. Therefore the state school of agriculture was established. That it will perform its purpose, there can be no doubt; and, that it meets a demand, the present large attendance testifies.

4. The fourth important measure marked a departure in the system of teacher training in New England and was introduced into the Vermont system for the purpose of meeting a condition that could not be met in any other way. The normal schools of the state never have, and never can supply the rural schools of the state. It is doubtful if they can supply the graded schools. Concerning the number who would probably graduate annually from the Vermont normal schools, there are no valid grounds for supposing that the proportion in Vermont will exceed the proportion of other New England states. On such a basis the Vermont normal schools will produce less than eighty teachers annually. This number falls far short of the three or four hundred needed annually, and the schools needing trained teachers the most, would probably receive the smallest percentage.

For years various attempts to elevate the standards of the normal schools or to secure through legislation better rural conditions, have been stoutly resisted by representatives of certain institutions, that ought to be leaders in education progress rather than hindrances. It is not consistent with justice or with good public policy to sacrifice state interest to local interest, or to jeopardize the common schools for the sake of one or two favored institutions. It is a most hopeful sign of the times that the people of the state begin to appreciate the urgency of the rural school problem. The state republican platform incorporated the following words:

“While the large central public schools of the state are doing splendid work, the small rural schools are not keeping pace. For the present these latter should be the especial care of the state. In so far as their standards can be improved by more liberal state aid, it should be extended.”

The state democratic platform declared as follows:

“We favor a more liberal extension of the benefits of our school system to the rural communities and the introduction of more efficient supervision of such schools.”

The chief educational problem today is the development of the country school and the rehabilitation of the countryside.

The country schools have been unfairly discriminated against in kind of buildings, in quality of equipment, in number of weeks, and in character of instruction. Justice demands that equality of educational advantages shall be afforded and that the country child be given the same school opportunities, so far as possible, as the city child.

The rural schools have always been the experiment station of teachers. If they tested out well, they were brought into the grades. This process will probably continue for years, but, if it is to continue, then in all justice and fairness to the country children, the state should send them the best teachers possible. Because the normal schools can never supply the rural schools with teachers, and because fairness demands that the previous discriminations cease, the teacher training courses have been established.

Twelve such courses were provided for during the past school year, skilled specialists were employed, and one hundred and fifty well trained teachers entered upon rural school teaching this season. This large accession of trained recruits to the teaching ranks of rural schools, adds a force of no trivial power and is an educational event of no mean magnitude.

OUR NORMAL SCHOOLS.

In accordance with the declared purpose of the normal school law of 1910, the standard for admission to the normal schools was fixed at graduation from four-year courses in high schools and academies. This is the standard adopted by all the New England states and by all the leading states in educational matters. There is no reason why Vermont should trail behind other states in standards, and maintain a weaker normal school system. It is not consonant with its present spirit or dignity, and any attempt to degrade her standards should be resented. Nothing lower than the common standards of neighboring states and nothing but the best available in education will suffice true Vermonters.

No state normal school in New England and probably no state normal school in the United States is located in so small a community as that in which either of the normal schools of Vermont is located. It is the smallness of population in the normal school communities of Vermont that has provoked the question concerning the maintenance of the present normal schools at Castleton and Johnson. Model schools are necessary for demonstrating methods and management, and practice schools are necessary to secure skill in teaching. On account of the practical impossibility of affording sufficient demonstration and practice work, because of insufficient children, the state board of education advocates the change of these two institutions into others of more profitable character.

Also, as the normal school graduation will probably never exceed eighty, unless there is a large increase in the state's population, the number will not greatly exceed the minimum a profitable normal school should produce annually. It was for this reason also that the state board of education endeavored to enter upon a peaceable compromise and to allow each town to have a state institution more worthy of the state. All the probable students could be more conveniently accommodated and better instructed in the department of pedagogy of Middlebury College and the University of Vermont than in the present normal schools. This could be done at an expense of \$10,000 annually, in contrast to the present expense of \$20,000 annually. If the state were rich, it might be prodigal; but, on account of its limited revenues, it should expend its moneys so as to receive the largest returns regardless of any local sentiment or personal pride. The state's interests are superior to any local interests. The welfare of 66,000 children should not be jeopardized by any community advantages, and the educational progress of the state should not be impeded by any low standards or local considerations. The entire state should be a unit for the best, and the potential measures adopted and recommended therefore should be put into operation for the benefit of the present, for the security of the future, and for the welfare of all.

I cannot urge you gentlemen too strongly to give this subject,—the education of your children—your thoughtful and earnest attention.

FIRE INSURANCE UPON STATE PROPERTY.

The legislature of 1910, by its act No. 8, authorized me, "to appoint a commissioner or commissioners to investigate the fire insurance placed by our state, with a view to obtaining lower rates and more uniform system of valuation and placing of insurance." The act also authorized me, "to make such changes in the placing of the fire insurance, as after investigation, was deemed best."

For this purpose I endeavored to find a citizen of our state, thoroughly familiar with this subject and who was not a solicitor of insurance but was thoroughly conversant with the adjusting of losses. I appointed Mr. L.S. Hayes of Bellow Falls as sole commissioner, he having had large experience in various lines of fire insurance, and being in my estimation, in a position to act independently and effectively for the best interests of the state.

The result of the careful investigation made was that the property of the state was found insured—some to its full value; some partially; and a portion not at all;—the aggregate being \$945,875.00. The rates and forms of policies varied in material respects, and in some cases a fire would have developed conditions embarrassing and unbusinesslike. The heads of the various state departments had acted each according to his individual judgment, which had varied widely, and naturally there was no uniformity as to the insurance placed.

Reading between the lines of the act under which the investigation was made, I deemed it to be the judgment and expectation of the legislature that the property of the state should be fully protected by fire insurance, and that it should be done economically and systematically. With the assistance of Mr. Hayes, every piece of property owned by the state, whether real or personal, was appraised and scheduled. Architect Hira R. Beckwith of Claremont, N.H., was employed to appraise all the buildings and the head of each department scheduled the personal property in his charge. These schedules showed that the total cash valuation of property owned by the state on October 7, 1911, was \$2,051,509.00, of which \$1,394,810.00 was buildings and \$656,699.00 was personal property. Upon this, insurance was procured to the amount of \$1,850,000.00, or about 90 percent of its value. The policies are uniform in their application, each covering a proportionate amount upon every piece of property and in blanket form, this property is widely scattered, being located in sixty-two different places, and thus insurance companies can carry large lines. The risk was offered to every fire insurance company authorized to do business in Vermont, and is carried by forty-four companies, each writing from \$6,250.00 to \$125,000.00.

The average rate conceded by the companies upon this unusually good line of business was \$1.53 per \$100 for five years, the premium aggregating materially less to the state than the same amount of protection would have cost at the rates upon the individual risks as formerly insured. This premium has been paid by the state treasurer and charged up to the different departments as nearly according to the relative hazard of each class of property as possible.

Although the policies being written in 1911 for five years made a large proportionate expense for insurance in that biennial term, arrangements have been made for the rewriting of a fifth of the amount in each of the succeeding four years, so that thereafter the expense will be distributed evenly in each year.

The insurance had previously been controlled by only a few agents. It seemed to be the most just and equitable division of benefits accruing, to divide it as equally as possible among the leading agencies; and, as now written, eighty-three Vermont agents have a proportionate amount to place.

Since the insurance was placed one fire has occurred, whereby the equipment of Co. E., V.N.G., at Bellows Falls, was destroyed March 26, 1912. The insurance upon this property previous to the revision made last year was only \$300, but under the new contract the full amount of the cash loss, \$3,099.82, was paid, thereby demonstrating the wisdom of the re-arrangement of the insurance and the benefits to be derived from the present indemnity contract.

I earnestly recommend that legislation be enacted that will thoroughly protect the property of our State in an economical and businesslike manner. I am advised that certain states protect and carry their own risks but this policy would have been most unfortunate had it been adopted in Vermont. A review of the state's losses for the past fifty years fully justifies this conclusion.

FIRE PROTECTION.

The consideration of the fire protection of state's property leads naturally to the subject of our general fire protection as governing in our commonwealth.

Losses by fire are entirely different from other disasters. Failures, panics, etc., simply cause the change of ownership. The property still exists in the hands of others, but losses by fire completely wipe out the property whether owned by the people or the commonwealth, and the loss eventually and invariably falls upon the people.

With this fact firmly in mind, I have been reviewing the statistics of fire losses and premiums paid for fire protection during the last ten to twelve years. In 1901 the losses by fire paid in Vermont were \$475,869.95. These have increased till you will note that loss by fire paid in 1910 was \$916,122.77, almost doubled in ten years and this does not include the uninsured property or that only partially insured.

You will note that losses by fire in 1910 were fully a million dollars and when we realize that we have a population of only about 360,000 we learn that our per capita loss is \$2.96, while the per capita loss in the United States was \$2.33. Thus our average of per capita loss is 25 per cent higher than for the average of our

nation—a fact worthy of your attention, and especially so if you realize that the per capita loss by fire of the five leading nations of Europe for the year 1910 was 33 cents.

OUR DEGENERATES.

This is a subject which has never received special attention by the legislature of our state. I have endeavored during the last two years to inform myself thoroughly upon the same, having corresponded with the secretaries of twenty or more of our most progressive states to learn what was being done with reference to this unfortunate class. I have obtained copies of their laws and have made a careful study of the same, and the more I have considered the subject, the more largely has its importance appealed to me. It is a subject of a delicate as well as an unpleasant nature.

The heads of our criminal institutions tell us that among the inmates there is always a considerable class that are termed “degenerates” or “defectives,” by which is meant a class of individuals in whose mental or nervous construction there is something lacking. Alienists, criminalologists and physicians tell us that individuals of this unfortunate class tend to marry those cursed with similar defects, and that this class is increasing out of all proportion to the normal growth of the population, and that most of the insane, the epileptics, the imbeciles, the idiots, the sexual perverts, together with many of the confirmed inebriates, prostitutes, tramps and criminals that fill our penitentiaries, jails, asylums and poor farms are the results of these intermarriages or the natural offspring of defective parents. In the cases of these unfortunates there is little or no hope of permanent recovery, and the great question that is now being considered by the lawmakers in many of our states is how best to restrain this defective class and how best to restrict the propagation of defective children.

Let us consider this matter upon these facts:

1. The fact of the great number of public charges recruited from the defective classes.
2. The fact that defects, physical and mental, are transmitted to the offspring.
3. The fact that if a defective marry a defective, as is very often the case, the offspring will inherit the taints of both parents. That this class is prolific, knowing no law of self-restraint, and consequently defectives are increasing in numbers and are of a more pronounced type. What can be done to protect society from these unfortunates and what to protect them from themselves?
 1. Restrictive legislation in regard to marriages.
 2. Segregation of defectives.
 3. A surgical operation known as vasectomy.

Restrictive legislation in regard to marriage.—Minnesota has a law providing as follows: That no woman under the age of forty-five years, or a man of any age, except he marry a woman over forty-five years of age, either of whom is epileptic, imbecile, feeble-minded or afflicted with insanity, shall intermarry or marry any other person in that state. Five or six other states have adopted restrictive statutes along similar lines. Of such legislation I heartily approve, but, while it is preventative in a certain class of cases, it does not and obviously cannot go far enough. While by preventing marriages among defectives, it restricts the propagation of defective children born in lawful wedlock, it does not restrict the propagation of children in those cases where the taint of degeneracy is coupled with that of illegitimacy.

Segregation of defectives.—Dr. R.W. Bruce Smith, of Toronto, writes on this subject, “What avails the continuous increase of hospitals, asylums, and similar institutions, if the number to occupy them grows faster than the accommodations?” and further on he says: “The only true course to be taken is to separate all the degenerates from society and keep them by themselves in carefully classified groups.” This method of dealing with the problem would necessarily entail a very great expense for the establishment and maintenance of these colonies—conditions would have to be safeguarded with the same care as an actual penitentiary, and would, in many cases, result in life-imprisonment of unfortunates who are in no way responsible for their plight, but who might, in a small way, be of some use in the world, and who should be given the opportunity to enjoy life and liberty so far as they are capable of enjoying anything.

The operation known as vasectomy. This operation is simple, taking less than five minutes to perform. In the case of defectives and persons convicted of certain crimes it is strongly endorsed by Dr. Rentoul of Liverpool, England, and by Dr. Ex. Goddard of the training school for feeble-minded at Vineland, N.J. The states of Connecticut, New Jersey, Indiana, Iowa, Minnesota and California, have laws upon this subject. Dr. H.C. Sharp, the physician of the Indiana reformatory, highly approves of this plan of restricting the propagation of defectives and abnormal criminals. He states that since 1899 he has performed this operation nearly two hundred and fifty times. He has had good opportunity to observe the past operative effects of this operation, and in this number of cases he has not observed a single unfavorable symptom. So far as any disturbance to the physical, mental or nervous system of the patient is concerned, his testimony, based upon observation, is that this operation is decidedly beneficial, rather than detrimental.

Let me, at this time, respectfully recommend to the legislature of 1912 that they at once take steps to safeguard and restrict the issuing of marriage licenses to persons convicted of rape, incest, open or gross lewdness, and cases where either of the parties are known to be suffering tuberculosis, syphilis, or epilepsy, and in cases where either party has been in confinement for habitual drunkenness, feeble-mindedness, or insanity.

And, I further recommend that a commission be appointed to investigate and report upon the advisability of the adoption of the operation of vasectomy as a prevention for the spread of hereditary taints and diseases.

STATE BENEFICIARIES.

At present, the state is supporting sixty-one children at various institutions. They are as follows:

Mass. School for Feeble-Minded.....	27	\$300.00	\$8,100.00
American School for Deaf	7	275.00	1,925.00
Perkins Inst. For Blind.....	7	300.00	2,100.00
Clarke School for Deaf	7	300.00	2,100.00
Mystic Oral School for Deaf.....	5	275.00	1,375.00
Penn. Training School.....	4	300.00	1,200.00
Conn. Inst. For Blind	1	300.00	300.00
Maine Inst. For Blind.....	2	300.00	600.00
Vineland School.....	1	300.00	300.00
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	61		\$18,000.00

Of these children only eight have been designated during my administration. Four feeble-minded have been sent to the Massachusetts School for Feeble-Minded Children and one to a similar school at Vineland, N.J. I have designated one child to the Clarke School and one blind adult to the Maine Institution for the Blind. From the above figures you will notice the fact that the number of feeble-minded children designated to date is about fifty per cent larger than all the other classes of defectives. While something can be done for these unfortunates, the feeble-minded, it usually takes years to effect even a partial relief, and in most cases a designation means that the children will spend the rest of their days in the institutions to which they have been assigned. I have felt, during the two years of my administration, that it was the intent of chapter 60 to give help primarily to those cases where there was a reasonable hope of benefit. Thus, in the case of these unfortunates, I have tried to designate only those whose application papers held out a hope of a permanent and distinct improvement. If I have been a little conservative in the designation of deaf and dumb beneficiaries, it has been from the fact that the Austine Institution in Brattleboro was in process of erection and that most of the state beneficiaries of this class would be transferred from their present schools to this home. It seemed to me wiser to let the child make its beginning in our own institution, rather than to designate the applicants to some other school, and then, after a few months, to transfer them, to new surroundings. I have had very few applications from those suffering from blindness, and as stated above, I have designated two from this class and the reports of their progress are most gratifying.

Experience has taught us that deaf, dumb and blind children, after a few years of proper education, become self-supporting and valuable citizens, while the feeble-minded are a charge upon the state too often for life.

With a limited appropriation at our disposal much more can be accomplished by caring for the deaf and blind, and thus a much larger number of beneficiaries can be educated by the state's appropriation.

PAROLES.

In the exercise of my prerogative as governor, I have paroled to date two hundred and forty-three prisoners. Of these one hundred and seventeen have been paroled from the state prison at Windsor, one hundred and fourteen from the house of correction at Rutland, and twenty-two from the different county jails. Since the establishment of a State Commission on Probation, the executive department has endeavored in every way to cooperate, and at present I am sending the secretary of this commission monthly reports giving the names of the prisoners paroled, the date of expiration of their maximum sentence, their last known residence and the name of the probation officer to whom they report. These paroled prisoners, as a rule, have reported very well. Of course in some cases the prisoners leave the state as soon as they receive their parole and are never heard of again. Another class of prisoners who fail to report are those in whose case the difference in the period of time between the minimum and maximum sentences is short. I note that in those cases in which the period of time between the minimum and maximum sentence is a year or longer, the paroled prisoners are very careful about reporting on time. I think this custom of paroling at the expiration of the minimum sentence where the prisoner's conduct has been good is a very excellent one, and I should respectfully recommend to the legislature of 1912 that they enact a law requiring the difference in time between the minimum and maximum sentences to be largely increased. I believe that such a law would still further increase the regularity of the reports from the probationers and have a favorably restraining influence for that much longer period.

JAIL REMOVALS.

By virtue of the authority given me by the state laws, I have ordered three hundred removals from the different county jails to the house of correction. They are divided as follows:

Addison	6
Bennington	3
Caledonia	12
Chittenden	170
Essex	1
Franklin	28
Lamoille	1
Orleans	12
Washington	7
Windham	27
Windsor	33

Unless there were certain urgent circumstances which made the change advisable, I have made no removal except in cases where the prisoner's sentence was over thirty days. Twice I have had to suspend the granting of these removals; once on account of an epidemic of diphtheria at the house of correction and again because of its crowded condition.

UNIFORM STATE LAWS.

I wish to call to your consideration a matter which I think should receive your very careful attention. I refer to the efforts of the various states of the union to promote uniformity of state laws. Under our form of government the states are independent in matters of local legislation. The inevitable result has been great conflict in the laws of the various states upon matters in which there ought to be uniformity. This resulted in so much embarrassment that in the year 1889 the American Bar Association appointed a special committee, which recommended to the association that a committee of one from each state should meet in convention from time to time and compare and consider the laws of the different states, especially those relating to marriage and divorce, descent and distribution of property, acknowledgement of deeds and execution and probate of wills.

The following year the legislature of New York passed an act authorizing the appointment by the Governor of three commissioners, to be known as "Commissioners for the Promotion of Uniformity of Legislation among

the States” and making it their duty to examine the subjects of marriage and divorce, insolvency, the form of notarial certificates, and other subjects, and to ascertain the best means to effect an assimilation and uniformity in the laws of the state and to consider whether it would be wise and practicable to invite the other states of the union to send representatives to a convention to draft uniform laws to be submitted for approval and adoption by the several states.

As a result there has been established the present National Conference of Commissioners on Uniform State Laws. The conference is made up of commissioners appointed by the governors of the different states. Usually there are three commissioners appointed from each state participating in the conference. A large number of states have special acts authorizing the appointment of such commissioners, who are usually appointed for a term of five years. Most of the states provide for the payment of the expenses of the commissioners. The expenses of the conference are met by the different states participating therein through an appropriation for that purpose by the legislature. The number of states, territories and federal districts which have appointed commissioners is as follows:

States.....	45
Territories.....	3
Federal districts.....	1
Possessions.....	2

Total	51

The annual meeting of the conference is held at the same place and just prior to the annual meeting of the American Bar Association, and in conjunction therewith.

Previous to last year this state had taken little interest in the subject of uniform state legislation. Being impressed with the desirability of having this state represented at the conference and deeming it to the great advantage of the state so to do, I appointed a commission to attend that conference by virtue of the general act under which the governor of this state has the authority to appoint such a commission.

The act by virtue of which I made this appointment necessarily limits the activity of the commissioners to the particular conference. It seems very desirable, if the state of Vermont is to take any part with the other states in this work, that commissioners should be appointed for a number of years so that they may be continuity in their work.

Our commission attended the conference in Boston and have made a full report upon the general subject of Uniformity of State Legislation, explaining the origin and history of the conference, the details of the work and what has been accomplished by the conferences, and have recommended to me the adoption of the following Uniform State Laws recommended by the conference of commissioners and approved by the American Bar Association.

The “Negotiable Instruments Law”; the “Uniform Divorce Act”; “An Act Relating to Marriage and Marriage Licenses.”

The “Negotiable Instruments Law” has been adopted by forty of the states, among them New York, Massachusetts and New Hampshire, three states with which we have very close relations. The “Uniform Divorce Act” has been adopted by three states.

The commissioners also report that they believe it would be wise to adopt the “Uniform Sales Act” now in force in ten states, and the “Uniform Bills of Lading Acts” now in force in eight states. Copies of the various acts referred to in their report are appended to said report. I quote the following from the report:

“Your commissioners believe that the attendance of Commissioners from this state at the various meetings of the National Conference, especially if these commissioners are appointed for sufficiently long terms of service to become familiar with the work of the conference, will result in benefit to the state. It will tend to produce more care in the drafting of laws, it will create a means by which the legislature of this state may be compared with that of other states. Uniformity of some of the more important branches of the law will be the

natural result. As the commerce of the nation becomes more and more inter-state and our business men are having increased business relations with people in other states, uniformity of the laws relating to commercial matters is of great advantage. Any work which tends to simplify and make uniform the laws of business, and thereby benefit the business interests, ought to be encouraged and promoted. We believe the adoption of our recommendations will promote that result.”

The commissioners also recommend the passage of a law creating a board of commissioners by the name of “Commissioners for the Promotion of Uniformity of Legislation in the United States,” said board to consist of three members to serve without compensation, but to be reimbursed for all of their expenses in connection with the discharge of the duties of their office, and providing for contribution by this state to the expenses of the National Conference of Commissioners on Uniform State Laws. A proposed draft of said law is appended to the report.

I respectfully submit to your attention and consideration the whole of said report and papers appended thereto.

I wish to express my approval of the recommendations made by the commissioners. Vermont should take an active part with the other states of the union in promoting a uniformity of state laws in inter-state matters.

OUR WHITE COAL.

Some two years ago I was a guest at a banquet given by the Massachusetts Real Estate Exchange and I was asked to suggest what would benefit most efficiently industrial life in New England, and in my response, I enumerated among other commodities, free coal, as our distance from the coal fields of Pennsylvania and Ohio made the cost of transportation for manufacturing purposes nearly prohibitive. We must have cheaper power to compete successfully with the factories of the great Middle West. I little realized at that moment that we had a white coal, so-called, running to waste at our doors, sufficient to furnish power for all our factories, all our mining purposes, and our electric lighting plants, and in addition sufficient to operate our steam and trolley railroads.

This white coal from hydro-electric development, free from smoke, soot, and cinders, attended with no fire risk, can be and is being developed today from our streams and rivers and furnished in certain localities for from 25 per cent to 33 1/3 per cent less per horsepower for all purposes than can be obtained from any other source. Our streams and rivers, including that being developed from the Connecticut River with power houses on the Vermont side, are today producing power sufficient to displace the use of a million tons of black coal annually, and this power can readily be distributed to every small and large town in that section of our state, and thus revive the hundreds of small factories which were formerly hives of industry in so many of our small villages.

Again, how different, financially, for our people and state, if this \$5,000,000, now paid annually to the coal-producers of Pennsylvania and Ohio should be produced and kept within our borders.

There has been developed on the Connecticut River at Vernon, six miles south of Brattleboro, what is probably the largest hydro-electric development in this country east of Niagara Falls. An immense concrete dam and power house on the Vermont shore with eight generators of more than three thousand horsepower capacity each, utilizes the flow of the Connecticut River, the dam creating a lake more than twenty-five miles long, and covering from four to five thousand acres. This development is, of course, partly in Vermont and partly in New Hampshire, as this is an inter-state river. Brattleboro thus far is the chief beneficiary of this development in Vermont, and nearly all the industries of Brattleboro are operated by this power, and the rapid growth of that town which is now taking place, is chiefly attributed to this development.

The same financial interests, but under another charter of organization, are making an enormous development of the power of the Deerfield River. This is also an inter-state river, having its rise in Stratton, Windham County, and flowing through several Windham and Bennington County towns, into Massachusetts. There are planned at least ten large hydro-electric developments on this stream; six of them are now in process of construction. The largest is a great storage dam and power plant at Somerset. This plant, now in process of construction, will flood two thousand acres of land to an average depth of forty feet, holding practically the

entire flood waters of the stream, which are to be so handled as to equalize the flow of the stream below. Twelve thousand horse-power will be generated at the Somerset plant.

Other plants in Vermont are proposed to be located at Wilmington, Whitingham, and Readsboro. An enormous expenditure of money will be made in the completion of the whole project. Between one and two million dollars will, it is said, be expended in the Somerset development alone, and the total developments on the stream in both Vermont and Massachusetts, will, it is said, cost about twelve million dollars. It is reasonable to expect that the whole Deerfield Valley will see a tremendous industrial growth within the next few years.

The Deerfield Valley project is conservation in the most approved way. The holding of the flood waters in storage for equalizing the flow of the stream in low water periods is essential to the best development of perhaps our greatest natural resource.

I have referred to the enormous development in Windham County, as it has progressed farther than in any other part of our state, but similar conditions, though less in magnitude, are found in other counties. The hydro-electric power in Rutland County, though feebly developed, is immense, and we have one corporation developing and using 5,000 horsepower annually, and double this efficiency could be obtained if necessity required. Rutland, Addison, Chittenden and Caledonia Counties afford promising opportunities for this development. The spirit of conservation should possess the people of our state and govern their endeavors, if we hope to keep abreast with the spirit of progress maintained by our neighbors. We should not fail to conserve and utilize the unlimited advantages so readily obtained from the development and use of our native white coal, found so abundantly upon nearly every hillside and in our valleys.

I would, therefore, earnestly recommend such legislation as will inure to further development of this natural wealth, realizing the immense benefits to be obtained if it is properly controlled and the rights of the state protected.

Also, to consider carefully some reasonable plan whereby possibly state aid could be given without risk for the development of these storage reservoirs, looking to the utilization thereby of the water powers on the streams further down. This is a subject worthy of your thoughtful consideration. Some action along this line would be a forward step and could be used with great force by our senators and representatives in Congress in obtaining national assistance.

It would make Vermont the most progressive of states, in the development and conservation of her natural resources.

HIGHWAYS.

Better highways for our state has always appealed to me as one of the most important subjects for legislation. It affects our religious, our agricultural, educational and social life, to a greater extent than any other condition, and if I am correctly advised our state has expended on her system of roads during the last two years about two million dollars, and the demand for good roads has been growing rapidly in Vermont for the past few years and resulted in the passage of the state aid law in 1906, appropriating \$50,000 which was available to those towns which would vote an equal amount, "dollar for dollar", under certain limitation. In 1908 the appropriation was increased to \$75,000, and again in 1910 to \$150,000. The number of towns voting and the amount of money for this purpose has increased year by year, until March, 1912, two hundred and twenty-seven (227) towns voted practically one hundred thousand dollars.

There has been a steady growth of sentiment in favor of the law as is evident by the annual increase in the number of towns available themselves of the act, and by the annual increase in the amounts voted, the largest increase being in the year 1912. No better evidence is necessary that the law meets with popular approval than this showing of the towns. Not a single year since its passage has there been any dropping off in the number of towns voting money, nor in the amount of money voted.

The past year 1911, and this year 1912, the biennial term just closing, show an advance in the quality of work done in that practically every improvement under state supervision has been carefully laid out by an

engineer with the idea of uniform construction. The gravel road was assumed to be the most economical for Vermont to build under present conditions when the law was enacted in 1906 and up to the present time no change has been made in this particular, save in large cities. In villages and towns where the traffic is excessive some of the best forms of macadam construction have been adopted, with the result that we have a small mileage of excellent macadam road built under state supervision in the past two years.

It is becoming more and more evident that a good earth road properly maintained is satisfactory for summer travel, and that in Vermont more attention will naturally be paid to roads of this kind in the future.

Our system of selected highways has been in the past two years somewhat increased by the addition of roads in different localities in the state that were not considered five years ago of sufficient public importance to warrant their being selected, but with the increased tourist travel it has seemed wise to your commissioner to open up some of the beauty spots of the state around our lakes and mountains, by the addition of some of the most attractive roads we have in the state, and it would seem that no better outlay of money could be made than to develop with special appropriations some of these roads that probably cannot be improved in any other way.

I earnestly recommend your thoughtful consideration of this important subject and sincerely trust that the good work being done may be continued.

TAXATION.

No subject with which you have to deal is of larger importance than a revision of our present system of taxation. At the last session a bill came to me for my signature, which I was obliged to withhold. The object of the measure had my entire approval, but the bill itself was crude and it seemed obvious would be impotent to accomplish its understood purpose. It had passed both legislative branches in the closing hours of the session and came to me at a time when my department was rushed to the limit of its capacity. Proper consideration was absolutely impossible, and two courses only were open to me, one to summon back legislators who had returned to their homes and hold the legislature until needed corrections could be made and the other to exercise my right to veto. Having in mind that the session had been unduly prolonged, and that to reform the measure would cause the state many thousand dollars expense, as well as prove a hardship to the members who had then left the capitol, I pursued the course which economy, and as it then and now seems to me the interests of our people, required.

The demand for a radical revision is insistent and has been for several sessions. The present law does not have general approval, but no tax system has ever been evolved by any state, ancient or modern, which has had universal approval and which will completely abolish the inequalities of taxation. The great trouble with us has been, that legislators held so many different and conflicting opinions about methods, there could be no common ground. Commissions have been authorized to study the tax system of other commonwealths and report to our General Assembly, but commissioners have disagreed mainly on unimportant questions and legislators in the infinite variety of "cure-alls" suggested have become confused and doubtful as to the expediency of proposed reforms.

A solution of the whole problem is not probable at any one session, but an immediate correction of some of the inequalities of the existing law, is imperatively demanded. Let me ask, that the first work of the Assembly now convened be directed to this problem. The constituencies you represent expect it and the state requires it. Let your aim be, to broaden opportunity, strike down inequalities, and lift the burdens from those least able to carry them. It is proper for you to inquire if corporate property pays its fair and just share; if large wealth may not be made to contribute its full and measured part; if financial institutions should enjoy the privileges that are denied to men; and if you shall find present laws unjust and unwise, it is your duty here to apply the remedy and to do it with unsparing hand. I counsel you, do no injustice to the rich or strong, but remember that governments exist to care for and protect the poor and weak. It is not in my province to direct what you do, but there is a command from all the people, irrespective of party, which you will gladly heed. The problems are not new; they are as old as the state; your predecessors have in the main wrought well, but the tax question remains unsolved.

EXEMPTION FROM TRUSTEE PROCESS.

The absolute exemption of all sums to the amount of ten dollars due for labor from attachment, has been long asked for by the wage-earners of Vermont. Exemptions have been lavishly granted by former legislatures to our citizens engaged in various pursuits, but this meritorious measure has repeatedly failed of enactment. The present will of the people is unmistakable. They have made their decision. It is for you to record it in the laws of the state.

LABOR LEGISLATION.

Vermont has been progressive in this respect but not sufficiently so. The state is now entering the period of its greatest industrial development. More and more will measures for the betterment of labor conditions press for enactment. A careful study of the recent legislation in other states will convince you that the hour is at hand, when we ought to enact many of the beneficent measures now being asked for here. "The laborer is worthy of his hire," and he is entitled to perform that labor under safe conditions and to be surrounded by every precaution and protection.

PREVENTION OF STRIKES.

There must continue to be differences between employer and employed. Every time such difference results in a "strike", there is loss not only immediate and substantial to those participating, but consequential to the state. Production has been reduced, consumption restricted, and the sum total of aggregate wealth lessened. To just what extent the state ought to intervene is a debatable question, but that its good offices might be invoked to adjust or at least to suggest honorable terms of settlement, will not be challenged. Many states and countries have boards of arbitration for this purpose. It will probably be going too far to say that the decision of such a board should be final and conclusive, but if one authorized by law and properly constituted could here investigate and recommend a basis of settlement, popular opinion, would, in most cases, bring adjustment without resort to coercive measures.

DIRECT PRIMARIES.

The day of the so-called "political boss" has closed. Vermont never knew him in the sense that he has existed in some of the great cities, and in other commonwealths, where as the "king-maker" on the day of convention or absolute dictator when party policies were to be defined, he was master of the state, but in some degree we accepted the leadership of certain citizens of commanding ability. The direct primary has successfully been invoked elsewhere to register the will of the people. In some cases the methods have been cumbersome; all of them expensive and occasionally impotent.

A simple, inexpensive method, one that will ensure the full, free choice of our citizenship, and one adapted to the peculiar conditions which exist here, is to be found in the recent enactments of the most progressive states.

CAMPAIGN EXPENSES.

The restriction of expenditures by candidates for office within such limits as would make it possible for the average citizen to aspire to any position in the government, and the publications of sworn statements, both before and after elections, are safeguards that should surround the ballot box and make it sacred to the people and the state. Recent disclosures have demonstrated that fabulous sums of money have been expended in the elections of some of the states. The high ideals, the lofty aims, the great purpose which characterizes the incomparable citizenship of our splendid commonwealth demand that public office shall be offered neither on the auction block or at private sale. Limit then the expenditures of candidates and nominees; require every expenditure and promise of place or pay to be published, and disfranchise forever those who disobey. Thus may the honor of our officials continue unsullied and the fair name of the state remain unsullied.

CONCLUSION.

During the last two years, and especially for the past few months, our state and in short, our nation, has been passing through a period of intense political unrest, greater than we have experienced at any time during the last half-century.

There has been a general uplift or demand, in fact, for a general advance along all lines which could result in a betterment of the social and physical conditions of our people.

This progressive spirit has been planted in the fertile soil of our commonwealth and is rapidly securing a strong hold with our people. We have felt it in the betterment of our school life—our agricultural conditions and our highways; in the state control of corporate life; in the purity of the ballot box, in our endeavors for uniform laws; in our efforts for the elimination of mental and moral degenerates; and in short, along every avenue which leads to the uplift of our citizens.

You should, with all your strength, maintain the advances already made, and further progressive legislation should be enacted at this session, ever keeping in mind our peculiar conditions; not similar, in fact, to those of any other state.

You have before you the special report of each official of your state government. These you should study carefully as they will furnish you more complete and accurate information as to each department of our state government than can be obtained from any other source.

I cannot close without referring to a weakness or failure which seems to possess every legislature; viz., rapid increase of state expenses, and more particularly during the sessions of the legislature. I was greatly surprised to note that the expenditures of the lieutenant governor and General Assembly from 1900 to 1910, inclusive, were as follows:

EXPENDITURES.

1900.....	\$ 61,979.83
1902.....	60,637.59
1904.....	70,498.40
1906.....	81,714.21
1908.....	134,326.98
1910.....	about 145,000.00

This increase of legislative expense of nearly 150 per cent is, in my judgment, wholly uncalled for, and an extravagance without an excuse. There are many avenues through which this money could have been expended which would have inured greatly to the good of our people. The spirit of progress toward better conditions is stimulating our people as never before, and is not here an opportunity for this legislature to set an example worthy of that ambition which should be the aim of every true Vermonter?

Do not deceive yourselves with the delusions that this money spent so lavishly does not come from the hard earnings of the common people. We boast of our revenues from corporate taxation. Don't forget that this money spent so freely comes from the great masses and when you are urged to vote large appropriations for some questionable purpose remember that you are indirectly emptying your own pockets. Let us strive to return to and maintain the economy of our fathers; only spending our state's money when it can be done for such purpose as will inure to the greatest good of our people.

Gentlemen: You are honored in being chosen as the representatives of the freemen of this state to guard carefully her present interest and to provide for her future with your best judgment, strengthened by your knowledge obtained from the experience of other legislatures.

You should ever realize the worthy examples of your ancestors who have assembled in these halls, and who have given our state a reputation for wise and helpful legislation unsurpassed by that of any other state. A galaxy of names is furnished which should serve as a stimulant to your highest endeavors. Your opportunity is ever present and your duty should call for your best efforts. With these thoughts ever in mind you should

realize the great blessings bestowed upon your state by a kind providence appreciating the worthy inheritance from your fathers, and may the results of your labors be of such nature that Vermont may continue to be regarded as one of the best governed states of our union.

JOHN A. MEAD

The governor having concluded his message, withdrew and the Joint Assembly dissolved.

GUY W. BAILEY,
Secretary of State, Clerk.

Farewell address
of
Ebenezer J. Ormsbee
As it appears in the
Journal
of the
Joint Assembly.

1888

Thursday, October 4, 1888

Farewell Address

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

There is seemingly no occasion for apology or explanation on the part of the retiring executive for presenting a valedictory message. Whatever may be my personal views as to this being the best or wisest course, in view of the constitutional requirement that the incoming Governor shall prepare and lay before the general assembly such businesses as may appear to him necessary, the practice has been so uniform for such a period of time and been looked upon, I believe, with naught but favor, and been so wisely performed by my illustrious predecessors that, in considering the subject, it has assumed the form of official duty. In performing this once questionable official act, it will be my purpose to confine myself to rendering an account of my stewardship as the servant of the state, rather than to enter to any considerable extent into the field of recommending or advising as to the work of the session beyond what may be properly denominated unfinished business, having reference to the acts and resolves of the last session; and in calling your attention to some matters of public interest or concern that have transpired during my term of office, I am pleased to say that the prospective business of this session will demand your most earnest and serious attention and consideration; questions of unusual public concern, to successfully solve which will require you to put behind you all narrow or selfish considerations, having only in mind the interest of the entire state, and looking well to the future as well as to the present.

STATE BENEFICIARIES.

By chapter 41 of the Revised Laws and act No. 39 of 1884, provision is made for instruction at the expense of the state of the deaf, dumb, blind and idiotic and feeble-minded children of indigent parents. The annual appropriation of \$11,000, made to carry out these provisions, has thus far proved ample to meet all demands made upon it. The entire expense of the state for the last two years has been \$13,798.94. No application to share in this humane provision has been denied where the applicant came within the law and the rules and regulations of the institutions patronized by the state. During my term of office I have visited all the institutions patronized except that for the feeble-minded children, and have seen the pupils of this state and made examination and inquiry as to their treatment, condition and progress, and as to the probability of further improvement to each pupil by longer remaining in the institution and have solved all doubts in this respect in favor of the beneficiary.

For reasons which seemed to me good and sufficient, I have directed the withdrawal of further aid in two cases, namely: Charles H. Pratt and Evelyn A. Tatreau, aged respectively 22 and 21. The first had been in the Perkins institution for the blind over ten years and the latter over eight years. The beneficiaries of the state now number twenty-eight. So far as I can judge, the pupils are kindly treated and contented, and the state well served by the various institutions. In the appendix may be found a list of all the beneficiaries with statement of further particulars in regard to them. That the state has adopted and follows a policy of thus providing for these classes of her unfortunates is much to her credit

SAVINGS BANKS.

Theoretically, at least, the savings banks are the depositories of widows, orphans and the wage earners; and while there is a growing belief that the original purpose and design of these institutions has been largely departed from, in so much as to make them depositories of the wealthy, at least to a considerable extent, it is doubtless the duty of the supervising power to continue to guard these institutions with the utmost care in the direction of the greatest possible safety. An examination of the report of the inspector of finance cannot fail to convince you, that the old-fashioned ways and modes of investment of funds by many if not all, of these institutions, have been departed from, and the old idea that all other questions should be made subordinate to safety, is being lost sight of in the pursuit of a high rate of interest, that large dividends may be declared. This

cause, while it naturally and unavoidably invites the funds of the wealthy, hazards the savings of the poor. The suggestions of the inspector as to the present management of these institutions in this regard and the remedy by him recommended, are well worth your attention and consideration. If the present policy is to be continued, it will be in order for you to devise and apply some means whereby this immense fund shall be made to bear its fair proportion of the public burden.

EDUCATION.

In view of the action of the last legislature bearing upon the subject of the “efficiency of the public schools of the state,” having reference to its further consideration by the present legislature, there is seeming appropriateness in its being called to your attention and commented upon by the retiring executive.

I approach the consideration and presentation of this subject with a degree of solicitude bordering upon anxiety, but this has its relief to some extent, at least, in the thought that my interest cannot be greater than yours, or my solicitude more intense.

To say that it will be your duty to consider and dispose of matters and questions of vital importance to the state in reference to this matter would be to repeat what I may assume to be known by all and it would seem to be but a similar act to assert that the common or public schools of the state, as to which in former times Vermonters were justly proud, are at the present time as a whole far from satisfactory, if not, in fact, deplorable in their lack of efficiency. This condition of things is not a late revelation or a new discovery. It has come to us through executive communications and reports of the superintendent of education in language too forcible to admit of any misunderstanding and supported by evidence as to which no question is made. And now we are told by our superintendent of education in his report, which will be before you and to which your considerate attention is earnestly requested, that in “the graded schools of the larger towns and in some of the ungraded districts and in most of the towns that have held to the town system, there has been improvement, and intelligent and systematic instruction is given. The teachers are competent and well qualified and some of these schools are not excelled by any in the country, as I believe. But in most of the other districts, those away from places of business and back on the hills, the schools are growing poorer. These are the schools where more than half the children of the state attend and they are not improving but retro-grading. If this is doubted by any the evidence is accessible. Let there be a personal examination of these schools, consider the qualifications of the teachers employed, notice the condition of the houses provided by these districts, the absence of proper outbuildings, lack of all care and sanitary arrangements, the dearth of all books of reference, charts, globes, and suitable blackboards, and I feel sure that we shall be forced to admit that the condition of many of these schools is unworthy the reputation and character of our state, and should be a constant reminder of the serious neglect of our duty to the children of the commonwealth.” These sentiments and statements by the chief educational officer of the state, and former ones from the same source, and emphasized repeatedly by and through executive communications constitute a serious indictment for Vermonters to plead to, and avoidance or denial do not seem to be available; therefore, it is in order that you should make conscientious, considerate and determined effort to find and apply an effectual remedy. This condition of things was recognized at the last session of the legislature and after much earnest though fruitless effort to find a cure for the trouble, that might be applied at once, act number 111 of 1886 was passed with substantial unanimity. By this act the Governor was “authorized and directed to appoint a committee of three competent and practical men whose duty it shall be to revise, redraft, and so far as may be deemed necessary, draw up a new bill, rejecting all or as many of the sections of the school law now in force as they may deem desirable, and substituting therefor such new sections as will best add to the efficiency and improve the public schools of the state, and report a bill to the general assembly at its next biennial session.” To be responsible for the selection of this committee to be charged with the performance of the duty proposed, was indeed onerous and well calculated to impress me with the gravity and seriousness of the duty imposed. If any failure or mistake has been made in the *personnel* of the committee, it was not for want of appreciation of the magnitude and importance of the work to be committed to it, or a want of appreciation of the grave responsibility resting upon me.

In compliance with the direction given by said act No. 111, I appointed as such committee, Hon. James M. Tyler of Brattleboro, Rev. Ezra Brainard, of Middlebury and Prof. S. W. Landon of Burlington, and before but little action had been taken by the committee, Mr. Tyler resigned on account of his appointment as one of the

judges of the supreme court, and I appointed to fill the vacancy, Hon. Loveland Munson of Manchester. This committee was seasonably appointed and entered upon a performance of their duty, and have given it much time, and, I believe, their best endeavors, seriously imbued with its gravity, magnitude and importance; and have, I feel assured, had but one object in view, and that being to present, as a result of their work, such a code of school laws as will, in their judgment, most improve the public schools of the state. How well they have succeeded the result of their work must attest, under your scrutiny and judgment. The committee have completed their work and it will be before you. The act under which this committee was appointed only requires the presentation of a new bill, but at my request the committee have supplemented the bill they offer, by a report in support and explanation thereof. If it should seem to you that by presenting this supplemental report the committee have transcended their authority, it will be plainly your duty to visit the consequences upon me. It seemed to me that it was due to the cause in hand, to you and to the committee, that you should be informed of the reason that governed their action and lead to their conclusions, with full explanation of their work; hence the request that a report accompany the bill.

Should the measures presented by the bill offered seem to you to be radical in the changes proposed, or extreme in any of its features or provisions, I beg to remind you that the trouble sought to be alleviated is also extreme, and that the disease sought to be cured involves the good name of the state, and the happiness and intelligence of the children of that commonwealth. I bespeak for this subject due appreciation of its importance, and candid and earnest thought and action. The bill submitted has, as a whole, my approval.

NORMAL SCHOOLS.

The present system of maintaining and supporting normal-school instruction will expire in August, 1890, if no action is had in reference thereto at the present session, In anticipation of this fact the last legislature took action in the matter and by joint resolution No. 124 directed the Governor to appoint four suitable persons, who with the state superintendent of education, should constitute a committee "to inquire into the system of normal-school instruction under the patronage of the state, and report to the Governor before the meeting of the legislature of 1888, as to the discontinuance of the present system after August, 1890, the desirability of establishing one state normal school owned and controlled by the state, and in connection therewith the practicability of normal-school instruction connected with the graded schools in each county in the state."

In compliance with said direction, I appointed as such committee, Hon. Jonathan Ross of St. Johnsbury, H. O. Wheeler, Esq. of Burlington, Hon. Albert N. Swain of Rockingham and Prof. Edward H. Dutcher of Brandon. Before the committee entered upon the performance of their duty, Mr. Swain resigned by reason of serious illness in his family, and I appointed Prof. H. M. Willard to fill the vacancy. This committee have, I am satisfied, performed their duty with entire disinterestedness and great thoroughness, and have given to the subject an amount of time, attention and service greatly out of proportion and in excess of the provision made for compensating them. The report of this committee will be before you. It merits, and doubtless will have, your best attention and consideration. What I have elsewhere said on the subject of education has direct force and application to this matter. Should it be your pleasure to legislate in the direction of greater efficiency in the public schools, you seemingly cannot omit to make provision in some form for normal-school instruction, for reasons too evident to demand illustration or argument. This report presents a duty that cannot be postponed or ignored, and covers a field, of public interest that pertains to but few subjects; and it is expected that you will perform it upon broad and unselfish grounds and principles, having in mind the conceded retrograde condition of public instruction, the important and seeming inseparable connection between the common school and normal-school instruction, if a high grade of the former is to be sought after and maintained; and also having in mind the fact that the responsibility of disposing of this matter is with you.

INTEMPERANCE.

In my inaugural message I took occasion to remark at some length on the subject of intemperance and to express decided views and suggest certain legislation. My views are the same now as then, and, were it within my province to advise as to the legislation on the subject, I should now repeat my former suggestion in that respect with, if possible, increased emphasis. I will only add that observation and information agree and establish in me the belief that there is scarcely a sister state where a better condition of things exists or where

the public sentiment is more healthy upon this all-important question of public concern At the same time I venture to assert without fear of denial that the illegal sale of intoxicating liquors and the use of such as a beverage, even here in our favored state, is a direct cause of more crime, trouble and sorrow, the blight of more homes and the extinguishment of more bright hopes of happiness, than all other causes combined. If I am correct in this you cannot fail to take a lively interest in the question, and by earnest and diligent endeavor give such aid in the premises as in your judgment it is possible to render by or through legislative action.

RAILROAD COMMISSION.

The matters and interests committed to the railroad commission are of great significance, and their importance is second to but few, if any, other subjects over which the state has to a certain extent supervision.

It is quite too early to pronounce or judge of the intrinsic value to the state of the commission. Much was expected of it, and so far as I can judge its work has been such as to give satisfaction. The report of the commission will be will have, I doubt not, your careful attention.

This report gives unmistakable evidence of an industrious and painstaking effort on the part of the commission to do, with great thoroughness, whatever they have conceived to be their duty under their appointment; and also like evidence that their action has at all times been impartial, independent and intelligent.

It is not my purpose to dwell at length upon this subject, yet I am moved to suggest that if the act of 1886, by which the commission was created, should be so amended as to make it more in accord with the provisions (such as are applicable to a state enactment) of the so-called inter-state commerce law of congress, including some or all of the provisions of the pending proposals of and so as to give further power, authority and direction to the commission to initiate and carry out enquiries, examinations and proceedings in its discretion or other wise, *upon its own motion*, as to matters which it may now investigate upon complaint or petition, the hands of the commission would be strengthened and its opportunities for correcting real abuses or grievances, and of demonstrating the want of actuality as to supposed or imaginary ones would be thereby greatly enlarged.

THE NATIONAL GUARD.

An examination of the reports of the adjutant and inspector-general, the quartermaster-general, and accompanying documents and statements, will put you in possession of all material facts bearing upon the strength, condition and needs of the militia, and to that source of information you are referred. You will find these reports exhaustive on the subject, and replete with evidence of enthusiastic interest, and admirable efficiency on the part of the officers of the command, and of a satisfactory and commendable condition of the command itself. I call your attention to the recommendations of the adjutant and inspector-general that the force be enlarged to a limited extent; the views and suggestions of this experienced and earnest servant of the state in consideration of his long, faithful and efficient service merit your considerate attention.

At the last session of the legislature provision was made—see act No. 113—for providing the guard “with the newest and most improved arms and equipments that the national government may have in use at the time of re-equipment,” and a partial appropriation was made to carry the provision into effect, providing that the balance of the expense could be met by a sale or exchange of military stores, arms or equipments then on hand and subject to be condemned. I am pleased to be able to say that through the means thus provided, and the commendable business tact and energetic effort of the quartermaster-general, the new and improved arms and equipments have been procured and are now in the hands of the militia, and in those regards every want is supplied. I feel warranted in saying that there has not been any retrogression in the condition or efficiency of the national guard during the now expiring administration; that in character and reliability it is equal to any emergency that way demand its aid and protection; and I trust it will continue to have the liberal support and merited encouragement of the state.

The commission created by joint resolution of 1866, No 119, for the purpose of investigating and inquiring as to the expediency of establishing permanent camping grounds has not completed its work I am, however, assured that its report will be presented to you at an early day.

GETTYSBURG MONUMENT.

By act No. 215 of the session laws of 1886 provision was made and direction given for the “purchase of lands of especial interest, construction of avenues and driveways, rebuilding and repair of earthworks, and otherwise caring for and beautifying the Gettysburg battlefield grounds by the officers of the Gettysburg battlefield memorial association,” and “for the purpose of purchasing and erecting suitable monuments on or near such grounds, to commemorate and perpetuate the conspicuous valor and heroism of Vermont soldiers on that decisive battlefield of the war of the rebellion.”

By the provisions of said act, this work of patriotism was committed to a commission, to consist of the Governor of this state and one member from each of the regiments and the companies of sharpshooters present and three members from the state at large, to be appointed by the Governor. The commission was duly appointed and early in the spring of 1887 it visited Gettysburg for an examination of the battlefield and the better consideration of the important matters committed to it. One of the immediate results of this visitation was to satisfy the commission that the work in hand was of greater magnitude than had been previously understood or estimated; also to give some of its members a more correct idea as to the decisive part taken in the battle by Vermont troops; furthermore to acquaint them all for the first time with the great memorial undertakings of other states upon the field, and moreover, to thoroughly impress them that the pride and honor of Vermont, and its duty to its soldier sons, living and dead, demanded thorough work at their hands—demanded that the monuments of the state there to be erected should correspond with the splendid and unsurpassed valor of her soldiers on that and other battlefields of the war and be made to reflect, in a measure at least, the patriotic pride and devotion of the Green Mountain state.

The selection of a suitable design for the principal or state monument proved to be a work of great difficulty and required much more time than had been anticipated. Moved by the above considerations on the one hand, and met by a limited and inadequate appropriation on the other, this part of the duty of the commission was arduous and embarrassing; but resolving that the work should go on to completion, notwithstanding these obstacles, and that when complete it should not be disappointing in any respect, or be dwarfed or belittled by its surroundings, the commission, with entire unanimity, made choice of a design, to carry out which involved an expense much beyond the appropriation and a personal obligation upon the members of the commission for any excess. Toward meeting the excess an appeal was made to individuals and a considerable sum was either paid or pledged by patriotic citizens, but not enough to carry the work to completion according to the plans. The commission, however, entered into a contract with the Carrick Brothers granite company of St Johnsburry, the lowest bidders, for the construction and erection of the state monument, according to said design, of Dummerston granite, to be erected by September 15, 1888, for \$9,000.

Owing to delays in quarrying the stone, for which the contractors were not at fault, and which the commission was powerless to prevent or remedy, the monument is not completed and the present indications are that it will not be until late this autumn.

A report of the commission and a copy of the design of the state monument will be laid before you in due time. There are many details in this report which will interest you, and to which I invite your attention. Should it be your pleasure to provide for the full expense of the commission it will require an appropriation of about \$3,000, over and above the private contributions already paid or pledged.

By an examination of the design you will see that it would be a much more perfect whole if surmounted by a figure or a statue, and there has been a very general expression from many sources that this work might be crowned by a statue of the late Gen. George J. Stannard. This would indeed, be a most fitting and grateful finish to this work of art and memorial of the state to her soldier sons.

The work of the commission in reference to the four other monuments which it decided to erect upon the field, is going forward. To complete the work, including the statue suggested, will require in the aggregate about \$8,000 I earnestly recommend that you take such measures as will accord with the proverbial patriotism of our people, and enable the commission to finish this work as well and completely as our soldiers did theirs.

In concluding this subject I desire to call your attention as to whether further legislation may not be necessary to make the unexpended part of the appropriation available, and also as to whether the power of the commission should not be extended or renewed.

THE SOLDIERS' HOME.

The soldiers' home, located at Bennington, may, I assume, be considered as a state institution, for the support and maintenance of which the good faith and patriotism of the state is unflinchingly pledged, so long as a "deserving soldier or sailor" remains to claim its shelter and enjoy its comforts. Assuming this, I will omit saying what I might otherwise present by way of an appeal. to your patriotism, and enlarging upon and amplifying as to the obligations of the state to the surviving and needy defenders of the nation when its very existence was in deadly peril and its flag assailed and sought to be destroyed by the hand of treason. This assumption leads me unhesitatingly to another, and that is, that you will only want to know as to the needs of the home to make cheerful and prompt provisions for meeting them. For this information I point you to the report of the trustees of the home, which will be before you, and from it you can satisfy yourselves as to all facts and details pertaining to this more than commendable undertaking. To repeat them here cannot be necessary.

Among other things set forth in the report is the fact that there is no provision of law requiring the trustees to make report to the Governor or general assembly as is required by other like or similar boards. Bearing upon this subject, the trustees at a late meeting, passed the following resolution:

Resolved, That in the opinion of the trustees of the soldiers' home of Vermont, a bill should be proposed and introduced in the legislature of this state which shall make it the duty of the trustees to make an annual report to the Governor of the state of the moneys received and expended in support of the home, of its financial condition, and of the number of veterans received and discharged.

It seems hardly necessary to even suggest that this opinion of the trustees should be regarded and acted upon at this session, and that such further legislation be had as to this matter as the merits of the home may demand.

I trust that I may be pardoned if I say that in my judgment the trustees of this institution, more than any other of our public servants, are the custodians of the good faith and patriotism of the state, and that their hands should be strengthened and their treasury never allowed to be empty so long as one of these beneficiaries is in need of its aid.

MONUMENTS TO VERMONT SOLDIERS AT WINCHESTER AND CEDAR CREEK, VIRGINIA.

I desire to call your attention to joint resolution No. 126 of 1886, wherein due and merited recognition was made of the liberal and patriotic action of Col. Herbert E. Hill in erecting upon the battlefields of Opequan and Cedar Creek, Virginia, substantial monuments in memory of those who fell in the charge of the eighth regiment Vermont volunteers, September 19, 1864, and to commemorate the desperate struggle at Cedar Creek on October 19, 1864.

Col. Hill was a member of the eighth regiment and a brave participant in deeds of splendid valor commemorated by these monuments, and although a resident of Massachusetts, shown an unswerving devotion to Vermont and takes in the achievements of Vermont troops. He is in feeble health and informs me by letter of September 28, 1888, in reference to the above matters, that "it gives me pleasure to present through you, as chief executive, to the state of Vermont, these monuments and the plot on which the stand, and I respectfully ask that the state accept this gift, trusting that these shafts will long remain to symbolize the valor of Vermont soldiers in the late civil war, as they historically mark the pathway of desperate fighting."

The lateness of the receipt of Col Hill's letter makes it impossible for this matter to be presented to you in other than this hasty and imperfect, and to me, unsatisfactory manner. I solicit your due attention to this interesting subject and trust that you will give it such attention as its interesting and patriotic character demands., and give such further legislative expression of gratitude Hill as to you may seem appropriate.

THE CRIMINAL AND CONVICT INSANE.

In view of the fact that the state is without an asylum for the insane, and the somewhat peculiar if not anomalous relation existing between the state and the asylum at Brattleboro, its crowded condition, and the desire of the management to be relieved from receiving the convict and criminal insane of the state, and other

considerations bearing upon the subject, the legislature of 1886 adopted joint resolution No. 121, by which the Governor was "requested to appoint a commission of three suitable persons to investigate as to the advisability and location of a separate building for the care of the criminal and convict insane, and all matters germane to the subject, and report to the next legislature."

In compliance with this request I appointed as such committee ex-Gov. Roswell Farnham, Henry F. Janes, M. D. and Hon. Charles P. Hogan, and their report upon the subject committed to them will be before you for your consideration and action.

The report of this committee, taken in connection with that the trustees of the asylum at Brattleboro and the supervisors of the insane, leaves no room to doubt that a *necessity* exists for the state to make early provision for the care and keeping of these unfortunates. Should the recommendation of the committee find such favor with you as to meet with responsive action, I suggest that you consider whether it is not practicable to provide a department under the same management where a portion of the incurables and idiotic insane may be cared for to such an extent as to relieve the asylum at Brattleboro of its over-crowded condition. It is not my purpose to comment upon the important subject of our insane in general, further than to point to the self-evident fact that the overcrowded condition of the asylum at Brattleboro should in some way have relief at your hands. A respectable regard by the state for the rights of that institution, and for the comfort and due and proper treatment and care of the inmates, unquestionably demand and require remedial action by this legislature. The reports above referred to will be before you and should have your careful and consideration attention.

PENAL AND REFORMATORY INSTTTUTIONS.

The reports of the directors and superintendent of the state prison, and the trustees and superintendent of the reform school will be before you; and to these you will naturally look for the purpose of ascertaining the condition and needs of these state institutions. I am not aware that there is occasion for special attention or mention as to these institutions beyond inviting your attention to the reports of their several heads, and to congratulate the state upon their wise management and generally safe and satisfactory condition.

PARDONS.

During my term of office I have granted three pardons, all from the house of correction and twelve conditional discharges, six from the state prison, and six from the house of correction; a list of which may be found in the appendix, with a statement of such facts as seemed to me to be of public interest.

The applications for pardon and the exercise of executive clemency by way of granting conditional discharges have been quite numerous, and each has been carefully examined into. Should it be a matter of surprise that the pardoning power has been exercised so sparingly, my only answer would be that as a general rule of action I have been actuated by the idea that sympathy should yield and be held in subordination whenever there is a substantial risk to life or property, or whenever there is danger that the wholesome influence of punishment for crime as an example to others inclined to evil would fail to have its proper effect, and more particularly so when the subject is a confirmed or professional criminal. There is a class of cases, exceptional or otherwise, where the right to grant conditional discharges may be exercised with great good to the individual and comparative safety to the citizen. I desire to improve this opportunity to speak approvingly of this provision of the criminal law.

LEGISLATION BY JOINT RESOLUTION.

Several of the joint resolutions of last session were not sent to me for my signature, although in more than one such instance provision was made for compensation to individuals for services to be rendered. Such resolutions when lacking executive approval want the force of law necessary to justify the payment of money from the treasury. This subject is brought to your attention in the hope that greater caution may prevail as to this mode of legislative action. It was well remarked by one of my predecessors in commenting upon this subject, "every legislative act ought to have the safeguards of the readings and usual reference."

EXECUTIVE APPOINTMENTS.

Full information upon this subject is contained in the Appendix.

THE LATE JACOB COLLAMER.

By joint resolution No. 122 of the session of 1886, I was authorized to provide a suitable pedestal for the statue of the late Jacob Collamer in the national capital, for the reasons stated in the resolution. This pleasant duty has been so performed that the pride of the state will be no further hazarded or the feelings of the observer disturbed by seeming lack of attention or want of respect for the memory of the illustrious statesman.

JUDGES OF THE SUPREME COURT.

In September, 1887, the Hon. William H. Walker resigned his position as sixth assistant judge of the supreme court and I appointed the Honorable James M. Tyler to fill the vacancy. A request was made to me from a highly respectable source that the vacancy be allowed to remain until the present session of the legislature. In view of the duty imposed by the constitution in reference to filling vacancies, it is at least questionable whether any discretion is given to the executive. I had no doubt as to the matter independent of the constitutional question. I had before me the fact that upon several occasions of recent date the state, through its general assembly, had declined to diminish the number of its judges, so that the expressed wish of the state in that regard seemed to be in accord with the constitutional provisions that "the Governor shall supply every vacancy in any office occasioned by death or other wise until the office can be filled, etc."

THE CLAIM BETWEEN THE STATE OF VERMONT AND THE UNITED STATES.

The adjustment of all claims between the state of Vermont and the United States was made the subject of an executive message to the general assembly at the last session, and the legislature voiced its wish in the matter by the passage of act No. 217 of 1886. The message and act referred to will furnish full information to those desiring it, and there does not seem to be any present occasion for enlarging upon this matter further than to say that no substantial progress has been made toward an adjustment. As yet no officer or person has been authorized by act of congress to act in the matter in behalf of the United States, and it has been deemed by the auditor of accounts and myself to be our plain duty to wait such action by congress before submitting the claims of the state. Although again requested to submit the claims to the auditing officer of the treasury department of the United States our interpretation of said act No. 217 was such, and our judgment in the premises such that we have declined to comply with the request. A seriousness and anxiety as to the alleged claim of the United States against the state prevailed to some extent when the presentation of it was first known, but this was seemingly allayed by the prompt and just action of the general assembly in the passage of said act No. 217. I believe that the interest of the state demands that this matter should be adjusted, but it seems best that the matter be deferred on the part of the state until congress on its part shall have made provision for adjusting the matter upon "just and equitable principles." The correspondence and communications as to the matter will be passed over to my successor, who will doubtless call attention to the subject should he consider further legislation desirable. There is no cause for alarm or uneasiness as to this matter.

AGRICULTURE.

The experience and intelligence of this presence in all that pertains to this subject forbids me from assuming to give light or instruction, and it seems superfluous to say that its overshadowing importance is such that whatever its advancement or encouragement demands at your hands should be promptly accorded and provided for. This interest or subject is practically the material foundation of the state itself; and all other interests, industries and callings so largely depend upon it that its care, protection and advance should have the first place in your deliberations and if this all-absorbing and important interest is suffering from, or is trammelled by any substantial hindrances or grievances within the reach of proper legislation to cure or remove, your line of duty cannot be doubtful, and your steps should not be measured save by a due and proper regard for the rights and protection of every other interest and industry within the state, and by an avoidance of the ills liable to flow from so-called class legislation.

As an exponent of, and one of the means whereby this interest may be fostered and advanced by the state, stands the

STATE BOARD OF AGRICULTURE.

I am pleased to believe that the board of agriculture is in and of itself a success; and that its work for the last two years at least, has been fully up to expectations; that its meetings have been of unusual interest and of great advantage to the interests it has had in charge, and I commend it to you for encouragement as favor able consideration. Standing along by the side of the board of agriculture, and as a co-worker in devising means and measures and applying them, for the advancement of the farming interests of the state, is

THE EXPERIMENT STATION.

To this aid and instrument in forwarding the agricultural interests, I call your earnest and patient attention. I submit that the station may be well considered and treated as an important agency in the field of material prosperity to our people; that under the management of its present excellent and especially well adapted director it is meeting a long existing want ; that its further and continued beneficial service and advantages will be up to the full measure or degree of the fostering care and material encouragement it shall have at the hands of the state.

CATTLE COMMISSION.

In the month of March, 1887, such a condition of things existed, and was brought to my attention, as to the existence of and loss from contagious cattle disease,—notably in Bennington county—that I created a board of cattle commissioners, namely: John B. Mead of Randolph, Edgar N. Bissell of Shoreham, and Luman A. Drew of Burlington. Later Mr. Bissell resigned, and a further vacancy occurred by the lamented death of Mr. Mead. I appointed Mr. Fred H. Farrington of Brandon, to fill a vacancy.

Events transpiring subsequent to the appointment of the commission demonstrated that there was great need of its existence.

The commission rendered efficient and valuable service, as their report fully attests. This report will be subject to your call. There being no evident occasion for further service of the commission, I have terminated it.

THE UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

The relation of the university of Vermont and the state agricultural college to the state is not measured by the fact of its existence here, and entitled to its general care and protection. Its name may be said to indicate its true relation. In my inaugural message, I was moved to comment somewhat at length upon this subject, and there is a seething want of occasion and perhaps of propriety in again going over this enticing and interesting field. The report of the trustees will be before you; and if I judge correctly in that regard, you will find it of unusual interest, and exhaustive of the subject. It merits, and I solicit for it, your earnest consideration.

STATE BOARD OF HEALTH.

The importance of the duties devolving upon the state board of health must be apparent to all. That it has rendered much valuable service to the state during its existence is perhaps best evidenced by the able and exhaustive reports of the board by its secretary, and I refer to it as not only the best source of information as to what has been accomplished, but as containing much invaluable information and instruction. The suggestions and recommendations of the board merit your careful attention and considerate action.

IN CONCLUSION.

GENTLEMEN:

As the concluding act of my office, let me extend to you and through you to the people at large, my congratulations upon the peace, harmony and general contentment that prevails throughout the state. Let me venture to remark briefly as to legislation generally. Frequent alterations of the general laws are not desirable. It is not enough that a proposed act will do no harm. To justify its passage there should be wrong to be righted, clearly observable, or an unmistakable and substantial gain or benefit in view. And the value to the people of your service here as their chosen representatives and servants will depend more upon the quality than upon the number of your enactments. And while it is inevitable that much seeming delay must occur before the substantial business of the session can have progress, there is much of the routine and minor work that may be

disposed of early, thereby securing to the performance of your later and more important duties, less confusion and greater opportunity for deliberate action.

EBENEZER J. ORMSBEE.

EXECUTIVE CHAMBER,
Montpelier, October 4, 1888

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Farewell address
of
Carroll S. Page
As it appears in the
Journal
of the
Joint Assembly
1892

Thursday, October 6, 1892
Farewell Address

Gentlemen of the Senate and House of Representatives:--

The constitution of our State has wisely made it the duty of the Governor to prepare and lay before you such matters as seem to him to demand your consideration.

Whether the retiring Governor should so far trespass upon the prerogatives of the Governor-elect is to attempt to mark out your course of action, is a debatable question. The administration of public affairs for the next biennial period is his administration; its success or failure, its popularity or unpopularity depends in no small degree upon his advice and his recommendations.

Prior to 1876 retiring messages in Vermont were not common, but, inaugurated by Governor Fairbanks and continued by Governor Proctor and his worthy successors, the custom has come to be honored to such an extent that I do not feel that I may properly depart from it. But in what I have to say, I shall confine myself to a few of the more important matters suggested by events transpiring during the two years of my administration.

The Governor-elect has, during the past month, made the examination of our several State institutions his special work, and will make such suggestions with reference thereto as he deems advisable, and I deem it only an act of courtesy to him to omit any recommendations concerning these institutions. You will have before you the reports of the heads of the several departments, which, with such special recommendations as the incoming Governor may offer, will serve to guide you in such legislative action as you will be called upon to take.

It is, however, but just to the officials with whom I have been associated during the past two years, to say in passing, that our relations have always been the pleasantest, and I recall no single instance of remissness or dereliction in duty. If anything has occurred in any department which in any way reflects discredit upon the State, it has not come to my notice.

An examination of the various official reports will show, I believe, that with hardly an exception the different institutions of the State have been conducted upon a basis of reduced expenditure, and that, too, without in the slightest degree impairing the efficiency of the service.

EDUCATION.

The school law of 1890 was the result of a compromise between widely differing factions which, during the last moments of the session, brought forth a piece of patchwork so ambiguous that I felt compelled to call upon the Supreme Court to say what the legislature did and did not design to enact. You will doubtless be called upon to rectify such of its provisions as two years' experience has demonstrated to be unwise, unless as some of the best educators of our State insist should be done, you conclude to start from the bottom and build a new system based upon the idea, fast being adopted by our sister states, that the only true plan is that predicated upon town rather than district supervision.

The general trend of thought in all advanced educational work seems to favor the town system of schools, and I believe that the time is not far distant when it will be adopted in Vermont. Although involving a greater outlay, it certainly means better teachers and better schools.

I especially urge that this is the most important of all topics which will come before you for consideration. Early in the session it should be placed in the hands of a committee made up of the ablest and strongest of your respective bodies, to the end that hasty legislation thereon be avoided, and the best possible results reached. With a foreign element pouring in upon us at the rate of 500,000 annually, the safety of our institutions will be endangered unless that element can be assimilated. Patriotic men everywhere are looking upon this great subject with alarm. This heterogeneous mass can only be made homogeneous by education, and unless we are willing to make great sacrifices in order that the second generation may, by education, become

imbued with the spirit of republican institutions, the time is not far distant when we shall be compelled either to maintain a standing army to suppress anarchy, or to close our doors to the emigrants of the world.

You will have before you the report of the superintendent of education. It contains the results of the experience, not only of the superintendent himself, but also of the county supervisors of the State.

DEAF AND DUMB, BLIND AND FEEBLE MINDED.

Under the laws of our State the Governor is made commissioner of the deaf and dumb, the blind and the feeble-minded. The appropriation for these beneficiaries is \$11,000 annually and, although every application in behalf of deserving children has been granted, the total annual expense comes within \$6,000.

The expenses for beneficiaries of this class for the last biennial period have been as follows:

AMERICAN ASYLUM FOR THE DEAF AND DUMB,
HARTFORD, CONN.

School year 1890-'91, 8 pupils,	\$1,419.60	
School year 1891-'92, 9 pupils,	<u>1,400.00</u>	
		\$ 2,819.60

CLARK INSTITUTION FOR DEAF MUTES,
NORTHAMPTON, MASS.

School year 1890-'91, 5 pupils,	\$ 875.00	
School year 1891-'92, 7 pupils,	<u>1,225.00</u>	
		\$ 2,100.00

PERKINS INSTITUTE FOR THE BLIND,
SOUTH BOSTON, MASS.

School year 1890-'91, 9 pupils,	\$2,625.00	
School year 1891-'92, 8 pupils,	<u>2,400.00</u>	
		\$ 5025.00

MASSACHUSETTS SCHOOL FOR THE FEEBLE-MIONDED,
BOSTON, MASS.

School year 1890-'91, 4 pupils,	\$957.99	
School year 1891-'92, 3 pupils,	<u>900.00</u>	
		\$ 1,857.99
Total expenses of all beneficiaries during the terms indicated		\$11,802.59

REFUNDING OF DIRECT TAX.

One of the most important acts of the fifty-first Congress was the passage of a law refunding the direct tax collected of the state to supply the pressing necessities of the national government in the War of the Rebellion.

Under this act Vermont was entitled to \$179,407.80, and on the 26th day of August, 1891, the legislature, having been convened for that purpose, complied with the requirements of the act of Congress by passing an act authorizing the acceptance of this amount in full settlement of Vermont's claim. The sum was paid to the State in due course, and has been used as provided by law in paying current State expenses.

The adjustment of this matter involved the prior consideration of a large claim which stands against the State for arms furnished to Vermont at the time of what is known as the St. Albans raid. That matter is still unadjusted, but there would seem to be little doubt that in due time justice will be done our State, and this charge wiped out on the books of the department. Vermont has already placed herself in an honorable position with reference to this claim by providing for a commission to act in conjunction with a commission to be

appointed by the national Congress to adjust the whole matter. I should come short of my duty were I to omit to accord a large measure of credit for the favorable outcome of this matter to Hon. E. Henry Powell, who, as State Auditor, gave to its adjustment a large amount of patient labor.

WEEKLY PAYMENTS.

In my inaugural message I urged the passage of a law compelling corporations and individuals employing help in large numbers to pay their employees weekly. I again urge upon your attention the advisability of the enactment of such a statute.

I know how earnest are the protestations of several of the large corporations of our State against such a law, but having in my own business for more than twenty-five years followed the practice of paying my employees weekly and in money, I have become thoroughly convinced of the wisdom of this policy, and believe that those who oppose the enactment of a statute looking to this end, stand in their own light in so doing. But, however this may be, your duty is to legislate for the greatest good of the greatest number, so far as you can do so and be just to the minority.

Wrongs and injustice often creep in under the system of monthly or indefinite payments or payments in merchandise. Remember that it is your duty, as well as constitutional right, to correct these wrongs.

STANDARD OR UNIFORM INSURANCE POLICY.

There is no tax which our people are called upon to bear which is more burdensome than that of insurance against fire. The practice of some of our sister states—notably Massachusetts, New York and Pennsylvania—now is to require all insurance companies to write a uniform policy prescribed by law.

There is no contract at once so common and so important as the contract of insurance. It is held by nine-tenths of our people, and in the contingency of a fire has a value measured oftentimes only by the face of the policy. Its universality and great importance make it of the first moment that the terms employed be as simple, and the conditions incorporated therein be as few, as possible, consistent with the scope of the contract. The ordinary policy with its manifold conditions is quite too complex for the comprehension of the average policy holder. This complexity is somewhat enhanced by the fact that hardly any two of the fifty-one companies doing business in Vermont use the same form of policy. Were a uniform policy prescribed by law, the policy holder, though ignorant of the legal effect of his contract, could rest in the full assurance that he held a policy devoid of technicalities and fair in its conditions.

I therefore recommend that a statute be enacted requiring the insurance commissioners, acting with a committee appointed by you, to prepare a uniform or standard form of policy to be used by all companies writing stock insurance in Vermont.

PROHIBITORY LAW.

At each succeeding session of our legislature the charge is made that the prohibitory law is a failure, and that its repeal should be the first labor of the session. That this session will prove an exception in this regard is hardly to be expected. The shibboleth of these would-be reformers is "Prohibition does not prohibit." During the past month I have devoted considerable time to an investigation as to the truth or falsity of this claim. My information has been gathered from the prosecuting attorneys from the different counties, from the Superintendent of the House of Correction, and from other official sources, and the facts ascertained go to show conclusively that the law is today being more faithfully enforced than ever before. The number of commitments to the House of Correction for the past two years has been 360, compared with 271 for the biennial term preceding; while the fines and costs collected have been \$4,702.10 as compared with \$2,474.37 for the same period.

The manner in which the prohibitory law is being enforced in Vermont is fast making the liquor traffic unprofitable, and when the element of profit is eliminated from the business, the prohibition problem is practically solved. I believe that with five years more of as honest enforcement as the law has had for the past two, the illegal traffic in intoxicating liquors will be practically stopped in our smaller towns and greatly

diminished in the larger. Public sentiment is moving in the right direction, and I am confident that you will take no backward step in whatever you may do with reference to the prohibitory law.

THE AUSTRALIAN BALLOT LAW.

Our first trial of the Australian ballot law has resulted in some differences of opinion as to its adaptability to Vermont. The claim is made that no necessity therefore exists in our State, and very likely you will be called to pass upon propositions for its amendment and perhaps for its repeal.

It is not improbable that the experience of our recent election may suggest some slight amendments to the law, but the general principles thereof should not, in my judgment, be disturbed. He serves his party best who serves his country best, and the broad-minded citizen, however strong a partisan he may be, will welcome any system that compels political parties to bring forward their best, knowing that if they do otherwise a discriminating voter will place his seal of condemnation upon its unpatriotic action.

I believe there should be some changes made which will enable the electors to cast their votes without as much assistance as was necessary at our recent election. Without any change a second trial would undoubtedly show a very marked improvement over the first, not only because of the confidence which the elector will feel in himself after having passed through his first experience, but because of the extensive discussions in the columns of every newspaper in the State and everywhere among the masses, concerning this radical departure from the old method. These discussions will tend to educate the people so well during the next two years that scarcely any citizen of fair intelligence, who can read and write, will need assistance at the election of 1894. But to make assistance unnecessary, even for the uneducated, I believe we should adopt the original feature of the Australian system by placing after each name to be voted for an emblem, which shall after each Republican nominee could be placed the national flag next to the square in which the voter makes the cross. The intelligent Republican would understand before entering the booth that by voting for the flag he voted for the nominees of his party. In like manner an eagle might designate the nominees of the Democratic party, and a fountain those of the Prohibition party. With these precautions taken and the number of booths doubled so that the elector could deliberately and in his own time study the ballot, I believe the work of the election officers would be practically nothing.

Vermont justly boasts of the purity of her ballot, the absolute certainty that every citizen within her borders may, without fear of intimidation, cast one vote and have that vote honestly counted. What shall be said then if having put our hands to the plough we turn back? Should we not, as a people who believe that the right of suffrage is the chief, the most sacred safeguard of our liberties, willingly submit to any slight inconvenience which the law may occasion?

Vermont cannot afford to return to the old ways; our State pride forbids; our love of justice forbids; and I believe the law will become more and more popular, as its ways are better understood, with every lover of fair play and an un-intimidated, un-bought ballot. May we ever be willing to keep it pure though the sacrifice be an hundred times greater than that demanded by our present law.

I shall ever take pride in the fact that during my administration Vermont placed herself squarely abreast with that better element in American politics, which is today everywhere demanding, a freer, purer ballot, north and south, and when that is assured I believe, in the language of the sainted Lincoln, that this nation, under God, shall have a new birth of freedom, and that government of the people, and for the people, shall not perish from the earth.

IMPROVEMENT IN HIGHWAYS.

There is and should be a healthy public sentiment in opposition to creating new offices of any kind to be supported out of the public treasury, and I dislike very much to urge upon you any course conflicting with this sentiment, but I believe the time has arrived when the question of improved roads should receive a measure of attention not hitherto accorded to it. Our sister states have deemed the subject of highways of sufficient importance to warrant the expense of a state engineer, whose duty it is to counsel with and advise the road commissioners of the different towns upon this important topic. I think I am justified in saying that the needless waste of the people's money in the department of highways is larger by far than in any other branch of public

expense, and warrants a careful investigation at your hands. Whether you will think it wise to appoint a supervising engineer or simply to appoint a commission to investigate the subject and report at the next session of the legislature, your own good judgment will dictate. But whatever course you may deem it wise to pursue, I earnestly advise that you take some decisive action at this session, looking toward an improved condition of our roads.

It is evident that the prosperity of our State is retarded by the lax and unsatisfactory system which now prevails in a large majority of the towns. Nearly all of our sister commonwealths are moving in this matter, while it is asserted by many that Vermont is positively on the retrograde. This is not sound economy or wise policy. It is penny wise and pound foolish for Vermont, which is today entering, as I believe, upon a new era of prosperity, to turn a deaf ear to the increasing demands of comfort and commerce by neglecting to provide for a better system of highways. I hope you will adopt a broadminded and liberal policy in dealing with this most important subject.

REVISED ROSTER.

By authority of an act approved November 26, 1888, there has been prepared, under the supervision of the adjutant and inspector general, a revised roster of all the troops furnished by Vermont in the war of the rebellion. It has been an expensive and laborious work, but it has corrected a multitude of errors, and had the results been none other than the correction of former reports relative to deserters from Vermont regiments, the volume would be worth its entire cost. In the valuable reports of Adjutant General Washburn, made during the pendency of the conflict, missing soldiers were often entered upon the roll as deserters while subsequent evidence discloses the fact that they had been taken prisoners and had met that fate which so many northern soldiers suffered in the prison pens of Andersonville and Salisbury. In other cases the simple error of entering the word deserter upon the wrong line in the muster roll had placed that heinous offence to the charge of the soldier, who would have laid down his life a hundred times rather than have been guilty of the alleged crime.

You will have the volume before you for inspection. It is a credit to Adjutant General Peck; it is a credit to our State; its publication has been an act of simple justice to the soldier, and in coming it will be regarded as invaluable to all those who desire that a correct record be preserved of those noble men to whose patriotism we owe the maintenance of our Federal Union.

CORPORATION TAX LAW.

By a reference to the report of the State Treasurer, which you will have before you, it will be observed that the total receipts from corporations under this law for the year ending December 31, 1891, were \$311,684.37, as compared with \$268,153.84 for the year ending December 31, 1889. I make the comparison between the years 1889 and 1891 because the year 1891 is the first year with which comparisons can be made under the new law, from the fact that the results given for the year ending December 31, 1890, were made up of a part of a year under the old and a part of a year under the new law. For the same reason the year ending December 31, 1889, is the last year with which we can make comparison under the old law. Comparing these two years we find that the revenue derived under the new law is more than 16 per cent larger than under the old. The tax derived from savings banks and trust companies for the same years, considered alone, shows an increase of more than 40 per cent. But I have been able to obtain still later results, which indicate that the year ending December 31, 1892, will show even a still larger per cent of gain than the year ending December 31, 1891, so that as a whole the showing is very gratifying and satisfactory.

The only litigation arising under the law is with the Western Union Telegraph Company, which claims that the portion relating to telegraph companies is unconstitutional, and they therefore resist payment of the tax assessed thereunder.

THE CELEBRATION OF VERMONT'S CENTENNIAL.

On the 19th of August last, in compliance with the provisions of an act of the General Assembly of 1890, our State celebrated the centennial anniversary of its admission into the Union. The celebration was held at Bennington in conjunction with the ceremonies attending the dedication of the Bennington battle monument.

It gives me great pleasure to be able to report to you that the entire proceedings were a success in every respect. The day was all that could be asked. The President of the United States, with several members of his cabinet, the Governors of New Hampshire and Massachusetts, with a large number of other State officials and distinguished citizens, graced the occasion with their presence. Civil and military organizations, in numbers larger than were ever before congregated in our State, combined to make the procession one of the largest and grandest and the ceremonies the most imposing of any ever witnessed in Vermont.

RESIGNATION OF SENATOR EDMUNDS.

On the 6th day of April, 1891, it being the twenty-fifth anniversary of his appointment to the office, Hon. George F. Edmunds tendered his resignation as United States Senator.

It is not saying too much to assert that when, after a quarter of a century of honorable service, he came to lay aside the senatorial mantle to assume the duties of private citizenship, he was universally and justly accorded the high distinction of being the greatest constitutional lawyer of his generation. This proud distinction is not the honor of Mr. Edmunds alone, but of Vermont as well. His fame is her fame—his distinction her distinction. With Mr. Edmunds as the acknowledged authority on all constitutional questions, and his venerable colleague, Senator Morrill, no less prominent in the domain of finance, Vermont, though one of the smaller of the States both in area and population, has been enabled to take and maintain during a long period of years, a prominent position in the councils of the nation.

On the 26th day of November, 1891, I appointed Hon. Redfield Proctor to temporarily fill the vacancy caused by Senator Edmunds' resignation. It becomes your high and responsible duty to elect some one, not only to fill out Senator Edmunds' unexpired term, but to represent Vermont in the Senate for the full term of six years from the fourth day of March next.

OBITUARY.

Since the session of 1890, our State has been called upon to mourn the death of two of Vermont's ex-Governors, Hon. John Gregory Smith, who was her chief executive from 1863 to 1865; and Hon. Paul Dillingham, who was Lieutenant-Governor during the same period, and Governor for the two years immediately following. Their deaths remove the entire line of distinguished men who presided over the destinies of our State prior to 1870, with the single exception of the venerable Governor Holbrook, who though 80 years of age, still enjoys comparatively good health at his home in Brattleboro.

Governor Paul Dillingham was for many years one of the leading attorneys of our State. Fifty years ago last month Vermont elected him to the National Congress as one of her honored representatives, a position he held until 1848. He took a deep interest in our country's welfare from 1861 to 1865, giving two sons to her service, one of whom, Major Edwin Dillingham, offered up his life on the altar of his country at Winchester, Va., on the 19th day of September, 1864.

Governor Dillingham died at the ripe age of 92 years. Up to within a short time prior to his death, he was in the possession of the full vigor of his faculties, continuing in partnership with his distinguished son, ex-Governor William P. Dillingham, until 1886.

Governor Smith was identified with the material interest of our State more prominently perhaps than any other man in her history. For more than forty years he was the executive head of the leading railroad system of Vermont; and during that time it is not too much to say that he always gave to the State the best railroad service consistent with a due regard to the rights of his stockholders. He believed that the welfare of his road was best subserved by the development of Vermont's material interests and acted accordingly.

As Vermont's War Governor he displayed executive ability of a high order, and his name will ever be remembered with fervent affection by the veterans of 1861, who had reason to know and value his painstaking labors to the end that every comfort which an appreciative State could bestow were promptly provided.

The death of Hon. Luther O. Greene, which occurred on the 18th day of September, 1891, deprived the State of its able inspector of finance. He was a conscientious and painstaking public servant, and while he was utterly devoid of ostentation or display, there was manifest in all his official acts a thoroughness which entitles his

administration to rank among the best. On the 23d day of October I appointed Hon. Fred G. Field of Springfield, his successor.

Since the last session of our legislature, Mrs. Horace Fairbanks has presented the State a fine portrait in oil of her late husband, who was Vermont's honored Governor from 1876 to 1878. In the long line of Vermont's distinguished sons, whose acts of large-hearted philanthropy and benevolence have enshrined them in the affection of her people, none holds a larger place than Horace Fairbanks. I have in behalf of Vermont thanked Mrs. Fairbanks for this worthy addition to the collection of portraits which adorn the walls of the executive chamber.

HASTY LEGISLATION.

During the last afternoon and evening of the session of 1890, I was called to pass upon 44 bills, covering nine-tenths of the important legislation of the session, including the Australian ballot law, the new school law, and the act making appropriations for State expenses for the two years then ensuing. The last named act included the corporation tax law. When considered with reference to their bearing upon the prosperity and welfare of the State, the school law and the bill for the support of government were of greater importance than all the other legislation of the session combined, and these two bills reached me between two and four o'clock in the morning, with the probability of an adjournment within thirty minutes thereafter.

The constitution imposes upon the governor the duty of an examination of all enactments of the General Assembly. Procrastination of this kind is not only detrimental to the best interests of the State, but is virtually depriving the governor of his constitutional prerogative. He should be allowed a reasonable time to consider all important bills. It may be stated, with reference to the school law, that the assistance of the Supreme Court had to be invoked to interpret it, while the Australian ballot law had to be supplemented by enactments of the special session.

I appeal to you as sensible men, sworn to the faithful discharge of your duty, to insist upon prompt action upon all the more important bills of the session. When committees, to whom bills are referred for consideration, fail to do their duty in promptly considering them, call upon them in terms that they cannot misunderstand to give an account of their stewardship. By pursuing any other course you will return home with the responsibility resting upon your shoulders of having passed laws so crude and so unsatisfactory as to render you justly amenable to the charge of unfaithfulness and of an unbusinesslike procrastination, which, if carried into your personal and private affairs, would mean certain bankruptcy.

Too much legislation is to be deprecated. Special legislation is generally unwise. Attend to the important work of the session with business-like promptitude and go home.

CONCLUSION.

I cannot close my official relations to the State without congratulating you upon the large measure of material prosperity enjoyed by almost every interest within our borders during the past two years. Our farmers have been blessed with exceptionally good crops, while prices for products of the farm have, as a whole, been fairly satisfactory. The artisan and laborer have found more than an average demand for their services, and at good wages. With the exception of a disturbance in the granite industry during the past summer every important industrial enterprise in our State, as far as I have been able to learn, has been exceptionally prosperous.

Our mills and workshops engaged in the manufacture of lumber, scales, organs, pulp, knit goods and woolens have generally been running on full time, while the output of marble is said to have been larger than ever before in the history of our State.

That best of all barometers of thrift, the savings banks, shows an increase in deposits during the past year of more than \$3,000,000. This growth is something hitherto entirely unprecedented in the history of our State. It is more than the entire increase for the twenty-five years prior to 1871, and more than one-third the increase for the last decade.

Statistics gathered by the board of agriculture show the encouraging fact that within the past year new manufacturing enterprises, with invested capital exceeding \$730,000, and employing 2,197 men, have been established in our State.

The development of the horse industry has been very gratifying, and is bringing large sums of money into our State. Vermont maple sugar is today the standard, and small as we are in area, our little State produces more in pounds than any other in the Union. As a pleasure and health-giving resort, Vermont is coming to be more and more appreciated. Our matchless scenery, pure air and pure water, combine to make our State a desirable home during the summer months for the wealthy residents of the large cities, and as a result there is a growing demand for village homes and small farms which promises to turn backward the tide of decadence in real estate values which has afflicted us for a quarter of a century.

All these and many other evidences of general thrift which might be recounted should impress you profoundly with the responsibility resting upon you to so legislate as to encourage and promote every material interest upon which the further growth and prosperity of our State depends, and as you address yourselves to your duties as legislators, may it be with hearts fervent with thanksgiving to a kind Providence which has not only given us the material welfare we enjoy, but has blessed us with a government which is known and recognized throughout the earth as being the purest, the freest and the best model of self-government on the face of the globe.

The Governor having concluded the reading of his communication, withdrew, and the joint assembly dissolved.

CHAUNCEY W. BROWNELL.
Secretary of State, Clerk.

Farewell address
of
Samuel E. Pingree
As it appears in the
Journal
of the
Joint Assembly
1886

Thursday, October 7, 1886
Farewell Address

Gentlemen of the General Assembly:

The last two years have been most auspicious in the history of our state. Without the burden of any public debt to provide for, our people have been able to meet their obligations for the current support of the government, in the manner prescribed by law, without distress or substantial inconvenience.

Indeed, I believe no commonwealth can be named whose citizens feel lighter the touch of taxation than ours.

The products of the soil have been abundant to an unwonted degree, and the field and pastures which had been damaged for years by recurring drouths, have been restored by the frequent rains of the last two seasons.

The great industry of agriculture upon which the prosperity of the state so pre-eminently rests presents promise of fairer returns to the husbandman than for some years before your last assembling.

The quarries of marble and slate and granite yield more abundantly than before to the wealth of the state, while skilled and unskilled labor alike command fair remuneration.

Although in many of the states of the Union tumult, disorder and riot have at times prevailed, paralyzing great business industries for a season and destroying property and life, no such calamities have invaded our borders or disturbed the peace and happiness of our people.

Amid such general prosperity and cause of thankfulness to God for his favoring care over our state, I am pleased to follow the commendable example of our last executives and submit to you a brief message upon the conditions and needs of her varied interests and institutions, and a history of my performance of the executive trusts.

EXECUTIVE APPOINTMENTS.

The list and dates of these appointments, both statutory, and non-statutory, will be found in the appendix.

STATE BENEFICIARIES.

Until the act (No. 39) of the last session there was no law whereby any of the unfortunate wards of the state could be instructed at the public expense within the state.

By that act the designation of beneficiaries for home instruction was authorized for the blind upon the same terms as provided by existing law for their education at the Perkins Institution for the Blind at Boston, Mass.

Under this law but one application and designation has been made.

Every application for state aid for these unfortunate youth has received attention, and in every case, the required bond being given and conditions of admission complied with, the designation has been made.

It has been the humane policy of the state to have ample provisions for the education of its deaf mutes, blind and feeble-minded, for some sixty-five years past.

There is, and, I believe, generally has been, a large margin of unused appropriation in each class, while I doubt not every proper applicant has been admitted to the benefits of the law to the fullest reasonable limit.

I have visited the Clarke Institution for Deaf Mutes at Northampton, and the Perkins Institution for the Blind at South Boston, Massachusetts, during my official term, have met our beneficiaries and their teachers there and learned of their progress in instruction; and it is cause of gratification and pride that our state so fully admits and provides for the claims of every one of its children to share in the common blessings of education, despite the loss or impairment of certain senses.

The statistical and financial report under this head is as follows, viz:

American Asylum for the Deaf and Dumb, Hartford, Conn.

Year ending September, 1885. Number of pupils, 13.	
Expense	\$2,308.45
Year ending September, 1886. Number of pupils, 14.	
Expense	<u>2,475.14</u>
Total	\$4,783.59

Clarke Institution for Deaf Mutes, Northampton, Mass.

Year ending September, 1885. Number of pupils, 4.	
Expense	\$807.89
Year ending September, 1886. Number of pupils, 5.	
Expense	<u>.843.29</u>
Total	\$1,651.18

Perkins Institution for the Blind, Boston, Mass.

Year ending October, 1885. Number of pupils, 7.	
Expense	\$2,108.85
Year ending October, 1886. Number of pupils, 7.	
Expense	<u>2,104.40</u>
Total	\$4,213.25

Massachusetts School for the Feeble-minded, Boston, Mass.

Year ending October, 1885. Number of pupils, 1.	
Expense	<u>\$3.00</u> [sic]
Year ending October, 1886. Number of pupils, 2.	
Expense	<u>.510.71</u>
Total	<u>\$810.71</u> [sic]

Blind instructed within this state pursuant to act No. 39, laws of 1884.

Miss Seba Briggs, Rutland, 1884-6	\$600
Grand total expense of all beneficiaries, 1884-6	\$12,058.73

EDUCATION.

From the careful statistical work presented in the report of the superintendent of education I here reproduce for more general notice the following showing of the whole number of enrolled scholars in the public schools of the state with the average daily attendance since and including 1877.

1877.....	69,708	Average daily attendance.....	45,318
1878.....	71,366	“ “ “	48,638
1879.....	74,269	“ “ “	49,214
1880.....	73,952	“ “ “	48,606
1881.....	72,730	“ “ “	49,700
1882.....	73,068	“ “ “	47,772
1883.....	72,155	“ “ “	46,112
1884.....	72,774	“ “ “	47,607
1885.....	71,659	“ “ “	49,031
1886.....	71,667	“ “ “	46,625

It will be noted that while probably twenty per cent of the children of school age are not enrolled in the public schools, but from sixty-three to sixty-five per cent of those enrolled are constant attendants upon school.

Our revenue for common school purposes for the year 1885-6 was \$621,370.29. It is not this large sum of money annually devoted to this object that gives it its chief importance.

Our great concern is or should be to see that it is well expended and for the best good of all our youth. That such is not the case now all statistics clearly demonstrate and all men admit. There is every natural reason why the standard common school education among the young of this state should be far above that of most of our sister states of the North and West. The homogenousness of our people invites it. The annual expenditure warrants it. It is the birth-right of every child to share evenly with his fellows in this outlay.

The public is pledged to the care of the morals and the mind of every child alike at its birth.

There is no trust which the general law executes so inequitably and inadequately as that relating to the education of the young.

The law of the last general assembly submitting the question of the adoption of the town system of schools to a vote of the people at the annual town meetings in 1885 and 1886 was acted on by most of the towns, while several did not vote upon it. Sixteen towns, only, voted to adopt the town system; all others which voted on the question voted against it; seventeen towns had previously adopted the same, and the town of Norton organized with it, so that we have thirty-four towns in the state, in which this system is in operation.

The general inaction of the voters of the state upon this vital school question refers it back to the representative wisdom of the general assembly. The proportion of the voters who gave their voice on this question stands related to their vote for Governor very closely as 1 to 3.

That something should be accomplished at this session to improve our methods in the bestowal of these moneys and in the more equable diffusion of education among our children through the schools seems almost a necessity. What it should be your wisdom will rightly determine.

BOARD OF AGRICULTURE.

The work of this board has been devoted mainly to the holding of institutes throughout the counties of the state in connection with the various industrial, dairymen's and other agricultural associations, and in lecturing upon, and discussing with the practical farmers of the state all subjects of agricultural interest.

These meetings have grown in interest from year to year. In the winter of 1885-6 sixty-four meetings were held—generally of two days each. Over nine hundred addresses have been given and much general discussion has followed.

Professor Cook of the state agricultural college—joining the board at the expense of the college to lecture upon fertilizers and agricultural chemistry—has been of great service to this interest.

It has been my privilege to attend a few of these meetings and I have been impressed with the zeal, practical learning and advanced views of the gentlemen of the board upon the specialties assigned them for discussion, as well as with the interest enkindled by their presence among the many farmers who join them in their valuable work.

A larger edition of the report of the board should be provided for and a more general distribution had. The question treated of in this report having special reference to the products and soils of our latitude and longitude, their discussion here gives the reports a local value not to be found in general treatise on kindred subjects.

The law relating to the analyses of fertilizers or the provisions for defraying the expense of the same is inadequate to the end sought to be attained. The results of analyses do not get to the knowledge of the farmers of the state in season for their spring purchase of fertilizers. This delay has been the cause of much complaint. The sum appropriated to defray the expense of these analyses should be reasonable and the constituent parts and percentages of each should be officially announced through the press by a day fixed by law before the approach of spring.

Cognate to this subject I call your attention to the law relating to the infectious diseases of cattle. In the winter of 1884-5 a destructive cattle disease broke out in a herd in Cambridge, carrying off a dozen or more of the herd in a few days. I was applied to by the local authorities to appoint and send thither at once a board of cattle commissioners in the interest of the public safety. Satisfied that adequate authority was vested by law in the selectmen to make and enforce regulations to prevent the spread of infectious or contagious diseases among cattle even to the extent of ordering and enforcing quarantine, I declined to organize a board of cattle commissioners but as an equally hopeful and less expensive precaution I requested the secretary of the board of agriculture, Dr. Cutting, to go to Cambridge and make careful examination of the nature and habits of the disease and recommend or take such measures as the public safety might demand to prevent its spreading; which he did.

There seemed to be no such exigency as would call for a commission under the law and none was appointed.

Dr. Cutting's report is one of so general interest to dairymen and stock raisers that I have directed it to be printed and it will be duly transmitted to you in the report of the board of agriculture.

Reports of other cattle diseases have come to hand, but, upon reference to the existing law, the local boards have proved equal to their suppression.

FORESTRY.

A joint resolution of the general assembly of 1882 directed the appointment of a commission "to inquire into the subject of the forests of Vermont, as to their extent and condition, and what if any, measures should be taken in respect to their protection."

The commission, consisting of Redfield Proctor, Frederick Billings and Edward J. Phelps, reported at the last session, recommending legislative action in several important particulars.

An act was passed at that session to encourage the planting of shade trees upon public squares and highways, authorizing one per cent of the grand list of towns to be voted for premiums to the owners of lands who should plant their public margins with trees. I am not aware that this statute has been availed of by any town.

This is the extent of direct legislation in the history of our state upon this important subject.

Noting as I have for several years past the progressive trending of the most enterprising states of our country in the East and West, in their economic and systematic encouragement of tree planting as an important branch of agriculture, to enhance the value and beauty of the farm, the village and the town, I invited the general observance of an Arbor Day on May 1st, 1885, recommending the same, not as a legal holiday, but as a day for the general, spontaneous and voluntary contributions of the people, municipal and religious corporations, societies for town and village improvement, agricultural associations and schools towards the adornment of the streets, the roadsides, parks, public buildings, homes and waste places.

The systematic observance of the day was gratifying beyond expectation. Thousand of shade trees were set in many towns while few, if any, responded with regrets. The proclamation was renewed this year and the results, as in the other states, indicate that the sentiment of the people calls for the establishment of another legal holiday in our calendar, discretionary with the executive or absolutely by law.

HIGHWAY LAW.

The law of the last session placing the repairing of highways and bridges under the direction of the selectmen, or street commissioners, or such officers or agents as the towns respectively may direct, has proved a most satisfactory law in its operation.

The last clause of the first section, however, has been the cause of much confusion in many towns, the same presenting an apparent inconsistency with the spirit and purpose of the entire act, which evidently was intended to do away the highway district system, abolish the labor tax practice and place the highways under town control with a money tax only to maintain them.

Not a few towns have elected highway surveyors with a view to proceed under the old law, while this act expressly repeals the sections directing the duties and methods of such officials.

The law seems right and politic in principle and most salutary in its operation.

I have received so many communications from town officials and others, asking the meaning of the clause referred to, that I deem it my duty to invite your attention to it.

ELECTION LAWS, ETC.

Under the act of the last session for the compilation of the election and naturalization laws, I appointed George W. Wales, Esq., commissioner in November, 1884, and in January, 1885, his report and work were completed and the compilation duly distributed.

I commend it to your consideration and to the use of the boards of selectmen, civil authority, and to the public as a compilation of painstaking completeness, and especially under the new check-list laws, as invaluable.

THE NEW ORLEANS EXPOSITION.

The report of the commissioner is not yet published.

“Forthwith upon the passage of the act” appropriating \$5,000 for the purpose of defraying the expense of exhibiting the resources of the state, etc., at this exposition, I appointed John B. Mead of Randolph, commissioner, and William P. Fairbanks of St. Johnsbury and Alvin B. Franklin of Newfane as my associates of the executive committee, in accordance with the act.

This committee allotted and directed the proportionate part of the appropriation under the act, less the expenses and services of the commissioner, which should be devoted to properly exhibiting the resources of the state between the various mineral, agricultural and manufacturing interests,—directing, also, that the same substantial ratio be observed in the application of such funds as might be passed to the commissioner from the management at New Orleans for the benefit of the state.

The general summary of the commissioner’s report (not yet published) with statement of receipts and disbursements will be found in appendix.

I have, in common with the other members of the executive committee, watched the operations of this World’s Exposition at New Orleans through its financial difficulties and its inadequate management, until the final transfer of its property and good will to a new corporation. And while, in a financial sense, it has proved a failure, yet as an interstate and international exhibition of the agricultural, manufacturing and mining productions of the day it has been productive of much substantial benefit to these interests throughout our country. The tact and energy of Commissioner Mead, through the financial crisis of the management of the exposition, in protecting the interests of the state and in securing in a large degree the performance of the obligations in its favor, have satisfied the committee that the trust of such unexpected delicacy was placed in the right hands.

I believe much interest and substantial benefit to the people of the state will come through the publication of the commissioner’s report, and I suggest in the interest of the public that the legislature direct the publication and manner of distribution of the same.

ORLEANS COUNTY SHIRE.

Pursuant to the act of last session for changing the shire of Orleans county, I appointed Dudley C. Denison of Royalton, Lyman W. Redington of Rutland, and George F. Davis of Cavendish, a committee to examine and select the best location on the line of the Connecticut and Passumpsic Rivers Railroad for the court house and other county buildings for said county.

These gentlemen forthwith entered upon the duties of their commission and made report, selecting the village of Newport as the best location for said buildings and fixing the location there.

I thereupon certified to the judges of Orleans county court of said location, who proceeded to purchase grounds and erect said buildings. All were completed and accepted within the period contemplated by the act, and the courts of that county have since been held at Newport.

These buildings are commodious and substantial and were built with remarkable economy,--the whole cost of the grounds, court house and hail being but \$22,000, of which \$16,000 was paid by a tax on the county, pursuant to the act, and the balance by private parties.

FINANCES.

The biennial reports of the auditor of accounts, state treasurer and inspector of finance are before your. These officers have an intimate and particular knowledge of their respective departments, and their reports exhibit in detail the present status, as well as the itemized statement of the important financial trust affairs of the state.

The suggestions and recommendations contained in these reports, coming as they do from officers well equipped with a knowledge of the subjects whereof they speak, are intended for and entitled to your candid consideration.

From the report of the auditor we find the sum of the orders issued from his office for the biennial term to be \$639,102.91—the details of which are clearly set forth in his report already in your hands.

The report of the treasurer presents an itemized exhibit of the financial affairs of the government for each of the last two fiscal years. From this report we find that at the close of the fiscal year, July 31st last, the state liabilities were as follows, to wit:--

Due Towns, U.S. Surplus Fund	\$13,397.62
Due Soldiers, Unpaid Balances.....	8,557.46
Due Agricultural College Fund (represented by State Bonds, falling due June 1 st , 1890, interest payable Semi-annually).....	135,500.00
Balance due of Appropriation for State Library Building	22,706.55
Balance due for Construction of North Hero and Alburgh Bridge Under Appropriation of 1884.....	<u>19,062.50</u>
Total	\$199,224.13

And the resources are:--

Cash on hand and in Banks.....	\$160,974.97
Estimated Amount Tax from Corporation for 1886	200,000.00
Estimated Proceeds from sale of balance of Huntington Fund Securities	<u>15,000.00</u>
Total	\$375,973.97

The following named items in this statement of state liabilities, which are not regarded as subject to present (though to possibly future) call, and for which no present provisions need be made, are the

U.S. Surplus Fund.....	\$13,397.62
Unpaid Balances due Soldiers	8,557.46
Agricultural College Fund	135,500.00

Which sums being deducted from the general amount
of liabilities leaves the same subject to be paid
presently.....

Showing an excess of available resources for the present year over liabilities of.....334,205.92

A more satisfactory exhibit of a state's financial standing can hardly be desired.

From the report of the inspector of finance it appears that the whole number of depositors in the savings banks and trust companies of the state June 30th last was 49,453, in increase during the year then ending of 2,675, being 3,616 more than there were two years ago.

There stood credited to the depositors at the same date \$14,253,963.47—showing an increase in the amount of deposits during the past year of \$554,731.84.

The average amount to the credit of each depositor shows a decrease of \$4.63 as compared with 1885.

The recent act taxing depositors in excess of \$1,500 has from its passage caused a steady reduction in the number of heavy depositors and yet the actual number of depositors has steadily increased.

This increase in the first three years after the passage of the act was 4,195.

The principle that savings banks were organized for the purpose of protecting those having small savings to deposit rather than to furnish a depository for persons of wealth finds encouragement in the act referred to.

The suggestions of the present inspector of finance looking towards a healthier conservatism in the management of these institutions deserve, and doubtless will receive, the thoughtful attention of the legislature.

The tables supplementing the detailed reports of the various banks, showing a summary of the different classes of assets and liabilities and comparing their present condition with that in former years, will be found of interest to those concerned in the savings banks and trust companies of the state.

I commend them to your attention as a valuable summarizing of their historical financial condition for the periods which they cover.

The report of the commissioner of state taxes has not at this writing come to my hands and I therefore leave the same to be treated of by my successor.

I desire to state, however, that it appears from the treasurer's report that the corporations which are subject to taxation under the corporation tax law have paid into the state treasury \$403,628.58 during the last biennial period.

RAILROAD COMMISSIONER.

The report of the railroad commissioner is before you, embracing such detailed reports as have been made by the railroad corporations therein named.

From this report as well as from reports of his predecessor, it becomes manifest to me, that under the existing laws bearing upon this matter the commission is not clothed with authority adequate to attain the purposes for which this office was created.

To the suggestions and recommendations made by the commissioner for further legal provisions to the end that this office may be of practical use to the public, your attention is invited.

THE NATIONAL GUARDS.

The organized military strength of the state remains unchanged in its composition except that Company E of the regiment has been mustered out by reason of expiration of term of service and the vacancy has been supplied by the organization and mustering in of a company at Barre.

I have attended the general musters of the troops at St. Albans and Burlington, and also the officer's drill at Rutland. To the official communications and correspondence of this department, as well as to a proper knowledge of its condition and value as a reliance in the day of possible need, I have given careful attention throughout my official term, and have on several occasions in the last ten years witnessed and proudly noted the bearing of our state guards as they have been on duty in competition with the troops of other states. In soldierly qualities of both officers and men I believe they stand first, or among the first, everywhere.

As an evidence of the zeal of these men in this service of the state, it is well to note that at the general muster six companies had every man on duty, and 97.45 per cent of the whole command were out.

They have no lack of good equipment except in arms. The rifle as well as the guns of the battery are out of date, and are such as have generally been discarded and replaced by arms of modern pattern in other states.

I believe that the regulation arm could be placed in their hands by properly directed effort on your part without large expense to the state.

The reports of the adjutant and inspector-general and the quartermaster-general with accompanying reports, have already been transmitted.

THE UNIVERSITY OF VERMONT AND STATE AGRICULTURAL COLLEGE.

This institution has attained a degree of prosperity and good equipment in the last few years beyond that of any former period of its history.

Though originally intended as an institution of learning under the patronage and fostering care of the state, yet unlike other universities it has been left to rely mainly upon its own persistent efforts and the liberal generosity of its alumni and friends for the founding of scholarships, the erection of its commodious and tasteful buildings and the furnishing of its choice library collections.

The new library building erected at a cost of \$115,000—the gift of Hon. Frederick Billings, an alumnus of the college—has been completed and opened, together with its invaluable library collection, also the gift of Mr. Billings to the university of his state.

Since the last session of the general assembly, the president of the college, who is *ex officio* a member of the board of agriculture, and Professor Cook, the state chemist, have been of much service to the farming interest of the state, under the auspices of the board.

In connection with the agricultural colleges of many states experiment stations have been ordered by the legislative authority. Some measures in this important auxiliary to scientific crop-raising may be invited at this session.

INSANE.

By invitation I met the honorable board of supervisor of the insane at the asylum at their October visit in 1885.

Pursuant to the amendatory acts of 1882 and 1884, several most economical and salutary regulations have been introduced by the board with the co-operation of the officers of the institution relating to the state and town beneficiaries in this asylum and elsewhere in the state.

I believe this class of our unfortunates enjoy as complete and humane care and supervision at the hands of the state or the asylum as any that can be found in similar institutions in our neighboring states.

The number of inmates in the asylum

August 1 st , 1884, was	437
August 1 st , 1886	450
Admitted during the biennial term.....	184
Discharged during the biennial term.....	171
Wholly supported by the state.....	132
Supported by towns (with \$1.25 per week each, by state).....	189
Private patients.....	129

Of those now in the asylum ninety per cent are regarded probably incurables.

The report of the board of supervisors will be duly transmitted to the general assembly. It is a document of grave and unusual interest to the people of the state. I especially commend its painstaking and elaborate historical review and suggestions to the legislature and the citizens of the state. The efforts of the board to

correct certain evils of long standing, and which have grown up under imperfect laws, have been a success, though no perfunctory task.

PENAL AND REFORMATORY INSTITUTIONS.

The reports of the directors and superintendents for the state prison and house of correction and of the trustees of the reform school show that these institutions have been conducted in a manner as satisfactory as any similar institutions in the country.

The expenditures in their maintenance have been only ordinary and the ends for which they are severally instituted have been fairly well attained.

The retirement of Mr. and Mr. Fairbank from their long and invaluable services in the government of the reform school creates a vacancy that will be difficult to supply. Their stewardship there has been characterized throughout by a humane and parental care and oversight which has tended to promote the highest degree of reformatory influence over the youth in their charge. The best wishes of our people will follow them to their new theater of beneficent work.

I have visited each of these institutions at least twice, generally with the directors and trustees.

The following data are presented as indicating the relative number of inmates in these institutions from and including 1882:

	1882	1884	1886
State Prison	90	89	88
House of Correction.....	45	61	72
Reform School	86	84	83

The net ordinary expenses of these institutions for the same period are as follows:

	1882	1884	1886
State Prison	\$21,632.65	\$17,461.90	\$11,908.50
House of Correction.....	19,193.15	16,791.09	19,510.24
Reform School	25,764.42	22,589.64	24,201.36

All public institutions should be kept in the condition the best of their kind, at all times, in the interest of state credit and economy. This cannot be attained without occasional resort to specific appropriations.

The needs of this come to us most reliably through the reports of the directors, trustees and superintendents of these institutions, though they are sometimes obvious to any observer.

The worn out wooden stairs and walks around the cells of the main prison at Windsor should be replaced. In the interests of safety from fire, of permanence and cleanliness, they should be replaced by iron stairs and walks. This would seem in the end to be economical as well.

BENNINGTON BATTLE MONUMENT.

It is now ten years since the subject of erecting a battle monument at Bennington became a matter of general interest throughout the state.

In 1876 the association for the purpose was chartered and organized. Liberal appropriation toward the enterprise was made by the legislatures of Vermont, New Hampshire and Massachusetts and soon after by congress.

The appropriation of \$7,500 by the State of Massachusetts had lapsed by general law before the last session of the legislature of that state, and the fact being brought to the attention of that body at their last session by Governor Robinson, with appropriate suggestion, the appropriation was promptly renewed and increased to \$10,000.

The general plan of a monument has been settled upon by the association since your last session, but the erection of the same has not yet been contracted, and so the conditions of the law, providing that no moneys appropriated by the state shall be used in the erection of the monument until the Governor is satisfied that sufficient funds have been raised from various sources to complete it, have not been complied with with sufficient definiteness to warrant the turning over of the funds at hand for this purpose to the association, nor to cover into the treasury or to release to the use of the association the moneys appropriated by the general government and by the States of New Hampshire and Massachusetts.

The amount of available funds for this object is now something over \$82,000.00.

I have attended two meetings of the association at Bennington, have had much correspondence upon the subject of the plan of the monument, and I find that the impression has grown with many that haste is being made too slowly in this patriotic enterprise.

I think, after so many years of discussion with no ground broken, the general assembly well might interpose and by appropriate legislation encourage progress.

The funds are ready and will not largely increase. Let the structure rise, grand and imposing as it will be, at such a cost, a few feet more, or a few feet less, than three hundred feet, and let us do the best we can with what funds we have. Three generations have come and gone since the battle. The fourth ought to assure the rearing of the monument.

STATE MILITARY HISTORY.

Pursuant to the act of 1882 for that purpose the commissioners therein named contracted for the printing and publication of the history of the part taken by the soldiers and sailors of the state in the late war by the state military historian.

The first volume has already been issued and distributed as directed.

It is expected that the other volume will be passing through the press during this session and soon be ready for a like distribution.

PARDONS, ETC.

In the matter of pardons, conditional discharges and remittances of fines, which is left by our constitution in the discretion of the executive with the right by statute to the counsel and advice of a part of the supreme court judges, a responsibility of extreme delicacy is imposed.

The afflictions of parents, wives, children and friends bring appeals to the sympathies of all men.

The organic law of the state clearly contemplates that the convict, upon presenting a petition having merits, has a right to be heard under such well-defined and fixed principles as shall commend the executive action in each case to all right-minded men alike.

In the execution of this law the action of our courts, so just and humane in their administration of criminal justice, is assumed to season justice with mercy to the limit of the general good.

The general assembly of 1880 enacted a law for the granting of conditional discharges and providing for the manner of the same.

The purposes of this act were to enlarge the reformatory influences of the criminal and penal laws. Under it, with the use of careful discrimination in designating its beneficiaries, the purpose of the law cannot fail of most salutary results.

The report of pardons and conditional discharges from the state prison, house of correction and reform school in the last two years, will be found in the appendix with the general reasons for executive action in each case.

The petitions denied are more numerous.

STATE LIBRARY.

Under the act of the last session appropriating \$36,000 for the purpose of erecting upon the lands of the state “a building for the use of the state library, the supreme court and the collections and library of the Vermont Historical Society, and other state public uses,” the commissioners appointed thereby (with the exception of the Honorable Frederick Billings, who, being unable to serve, the Hon. Justin S. Morrill was appointed to fill the vacancy) duly entered upon the duties assigned them, selected the site, determined upon the plan and have erected said building in accordance with said act.

The growing need of such a public building has been kept before the legislature for many sessions,—being urged through executive messages and reports of committees—until all were disposed to concede its necessity.

Its location, independent of, and yet conveniently connected with, this capitol was determined upon by the commission mainly with a view to its ready accessibility to the members of the general assembly.

The detailed report of the commission addressed to the general assembly is not completed at this writing, but will be laid before you probably before this message is read.

THE SMALL POX EPIDEMIC.

September 20th, 1885, reliable information of the alarming ravages of the small pox epidemic in the Province of Quebec had come to my knowledge and the evidence was complete that its effects would soon extend into and through the state unless immediate precautionary measures were taken to prevent its spread southward.

Finding no specific safeguards of legislation in our statutes adequate to the emergency, I applied to the President under the Revised Statutes of the United States and the secretary of the treasury at once directed a suitable number of medical inspectors of the navy to proceed to the northern border of the state to advise and assist the local boards of health—the selectmen—so that the spread of the epidemic into and through the state might be prevented and suppressed. All requisite quarantine measures were at once adopted.

How efficient the services of these medical officers and their local assistants proved to be is indicated by our comparative immunity from the devastation of the disease.

After the crisis was thought to be over, the quarantine raised and the consequent relaxation of vigilance, renewed application came from the border towns in February following, setting forth that the disease had re-appeared in several of the towns of the Province bordering on our northern frontier, whereupon the authorities at Washington, being advised by telegram, the medical examiner of the government was on duty again on the line in twelve hours, and such measures were taken as secured our people from further danger from the pestilence.

The promptness of the response of the honorable secretary of the treasury, in this time of alarm, the efficiency of the action of the medical officers of the federal government and their local assistants in the performance of their delicate duty in the personal inspection of all the railway travelers across and along the line of the Province as well as the zeal of the railroad officers and the town authorities, entitle them to the thanks and commendation of all.

DEATH OF GENERAL GRANT.

July 23rd, 1885, the death of General Grant—twice President of the United States—the defender of the Union—the victorious leader of our armies in the great civil conflict—and General on the retired list—was heralded to an expectant world.

It seemed fitting that the people of every state should recognize the official tribute of respect recommended in the President’s proclamation, and by states do special honor to the memory of the nation’s departed chieftain.

In accordance with the designation of the President, Saturday, the 8th day of August, 1885, was set apart by state proclamation for services befitting the deep solemnity of the occasion.

With a portion of my staff I attended the funeral at Riverside, where all the states of the Union were similarly represented.

CONCLUSION.

In concluding my relations with the executive office, I ought, by way of invoking charity for my official short-comings, to say to you, gentlemen of the joint assembly, and through you to my fellow citizens, that my relations with the civil government of the state in any official capacity have been limited to this department.

This inexperience in the practical duties of public affairs has necessarily devolved on me an embarrassment in the administration of the varied and complex duties of the high trust which has rarely been experienced by the men so generally tried in public station who have preceded me.

I profoundly appreciate the forbearance, the courtesies and the many offers and deeds of assistance which have been extended to me in the discharge of my official duties.

The past is replete with its proofs of the upright purposes, the earnest efforts and the general success in results which have characterized and crowned the deliberations and acts of all the departments of our government.

May the Divine guidance direct you in the labors of this session,—and the Governor who will constitute with you the legal representatives of the people—in such a manner that the permanent and material interests of our commonwealth and the happiness of her people may be advanced at your hands.

EXECUTIVE CHAMBER,
MONTPELIER, Vt., October 7, 1886 }

SAMUEL E. PINGREE.

Farewell address
of
Fletcher D. Proctor
As it appears in the
Journal
of the
Joint Assembly
1908

Thursday, October 8, 1908
Farewell Address

Gentlemen of the Senate and House of Representatives:

I avail myself of this opportunity to render to you an account of the conduct of the Executive Departments of the State Government during the last two years and to submit some recommendations which my official connection with them suggests.

FINANCES.

The finances of the State are in a satisfactory condition. For the biennial term ending June 30, 1908, the total receipts for general purposes were \$2,094,228.37, leaving a surplus for the two years of \$113,128.62.

All bills are closely paid and there is in the treasury available for general purposes the sum of \$183,758.49. The state has no debt except the Agricultural College Fund Registered Loan of 1910, amounting to \$135,500, and the Huntington Fund, \$211,131.46, which was made a ledger liability by Act No. 54 of the Laws of 1906.

STATE HOSPITAL FOR THE INSANE.

An appropriation of \$10,000 by the Legislature of 1906 has been used in making several minor changes and improvements in connection with the buildings, machinery and equipment of this institution. For the details of this expenditure your attention is called to the reports of the Superintendent and of the Board of Trustees. These improvements will be helpful in economy of administration and do much towards the comfort and welfare of the inmates of the hospital. The entire plant is in excellent condition and the expenses of the institution have been kept well within its appropriation.

Special effort has been made by the Supervisors of the Insane to prevent the care of insane persons not properly state charges being imposed upon the state. On June 30, 1906, the number of patients being cared for at the expense of the state at the State Hospital and the Brattleboro Retreat was 742. On June 30, 1908, it was 728. During the same period the number of private patients being cared for at those two institutions increased from 174 to 211.

There has been during the past few years an increase in the number of so-called insane criminals and criminally insane. Some are acquitted of crime on the ground of insanity and sent to the State Hospital for the Insane, and some become insane after they are committed to our penal institutions and are transferred there. There are now more than fifty of this class at Waterbury and the number is steadily increasing. Very few recover sufficiently to be returned with safety to the penal institutions or to be discharged. Many of them are a source of danger to each other and to those having them in charge, and in case of escape, especially dangerous to the public. The State Hospital at Waterbury was not built or equipped to safely care for this class of dangerous insane. In order that they can be properly and safely cared for and the danger of escape eliminated, it is necessary that provision should be made for making one or more of the present wards more secure or for the construction of a new ward.

PENAL INSTITUTIONS.

The sum of \$30,000 was appropriated by the last Legislature to enable the Board of Penal Institutions, with the approval of the Governor, to make necessary changes and repairs at the State Prison at Windsor. This amount has been expended and all necessary improvements made. All the buildings and equipment at this institution are now in excellent condition and no further appropriations for changes and improvements are likely to be required for many years.

The sum of \$25,000 was likewise appropriated for the purpose of repairing and improving the buildings of the Industrial School at Vergennes. One of the first difficulties that confronted the Board in connection with this institution was the want of suitable water for domestic purposes. The water provided by the city of Vergennes has been condemned by the State Board of Health as unfit for use; and the Industrial School has no suitable water supply of its own. It was decided, therefore, not to make any extensive repairs or changes until a suitable and sufficient water supply was procured. A few minor changes were made in the buildings, such as

providing necessary school rooms, repairing roofs and ceilings, and equipping the buildings with fire escapes; and an effort was made to procure a water supply for the institution by the means of artesian wells. There is every indication that a sufficient supply has thus been secured, but it did not seem best to undertake any general alterations until the amount and quality of the water has been fully tested and determined. Of this appropriation there has been expended only \$7,000.

The Board of Penal Institutions was very fortunate in securing the services of Mr. J.N. Barss as Superintendent of the Industrial School. Mr. Barss has inaugurated a policy of less restraint, placing those committed to his institution to a large extent under an honor system. The results so far obtained are most gratifying. Industrial training has also been introduced, which not only gives the boys and girls practical training and knowledge, but much improves the tone and spirit of the institution.

The last legislature placed the management of the three penal and reformatory institutions under one board, and it has resulted in their better and more economical administration. All three institutions have kept within the appropriations made for them by the last legislature, and in the case of the State Prison and the Industrial School a previous shortage has been provided for out of the regular appropriations. No deficiency or special appropriation for any of these institutions, nor any increase in the regular appropriation for their maintenance, will be necessary.

FURTHER CONSOLIDATION OF THE BOARDS GOVERNING STATE INSTITUTIONS.

It has been urged that further good results would be secured if the penal institutions and the State Hospital for the Insane were under a single management. Such a course would not, in my opinion, at this time be wise. Although the compensation does not begin to pay them for the time and service rendered, it is at present possible to secure some of the best business men of the state for these positions, because of their willingness to contribute some service to the public good. With two boards their members can perform the duties required without seriously interfering with their regular profession or business. If, however, the time and service required were doubled or materially increased the same class of men could not be secured. It would be necessary to either fill these positions with men not so well qualified or to materially increase their compensation; and I do not believe that any practical increase in compensation would secure men whose services would be as valuable to the state as are obtained under the present system. Most of the states subdivide this work more than Vermont. After a careful examination and study of this question, I am strongly of the opinion that it would be a mistake to unite the management of our penal institutions and the State Hospital for the Insane.

BOARD OF VISITORS TO STATE INSTITUTIONS.

Section 6017 of the Public Statutes provides that a board of visitors consisting of the Governor, Lieutenant Governor and Speaker of the House of Representatives, and a woman to be appointed by the governor, shall annually and as often as they deem proper visit the State Prison, House of Correction, Industrial School, State Hospital for the Insane, the Brattleboro Retreat and any private retreat or hospital for the insane within the State.

On the 10th day of May, 1907, I appointed Mrs. Perley F. Hazen, of St. Johnsbury, a member of this board. Mrs. Hazen has taken a great interest in the work of the board and her advice and counsel have been of great value.

During the biennial term 1906-1908 the board has visited the different institutions as follows:

State Hospital for the Insane, Waterbury	4
Brattleboro Retreat, Brattleboro.....	3
State Prison, Windsor.....	3
House of Correction, Rutland	3
Industrial School, Vergennes	3
Private Institutions	<u>2</u>

It has examined into their condition and management, has heard all grievances called to its attention, and has consulted and advised with the Board of Penal Institutions and trustees and officers of each institution.

BENEFICIARIES.

The Governor is by virtue of his office Commissioner of the deaf, dumb, blind, idiotic, feeble-minded or epileptic children of indigent parents. A sum not exceeding \$20,000 is annually available for the care and education of these unfortunate children. At the present time there are 62 of these children being cared for at the expense of the state. They are divided among the following institutions:

- 11 at American School for the Deaf, Hartford, Conn.
- 8 at Clarke School for the Deaf, Northampton, Mass.
- 1 at Mystic Oral School for the Deaf, Mystic, Conn.
- 8 at Perkins Institute for the Blind, Boston, Mass.
- 32 at Mass. School for the Feeble-Minded, Waverly, Mass.
- 2 at Penn. Training School for Feeble-Minded Children, Elwyn, Penn.

Previous to 1906 there was no special provision for the care and instruction of epileptic children. Under the provisions of Act No. 55 of the Laws of 1906 I made a contract with the Pennsylvania Training School for Feeble-Minded Children at Elwyn, Penn., to take and care for such children as the Governor might designate. Two epileptic children have already been sent to this institution.

The annual charge at each of the institutions where the Vermont beneficiaries are cared for is \$300 annually for each child, except at the American School for the Deaf, at which the charge is \$275 annually.

I have during my term of office visited all of these institutions except the Pennsylvania Training School for the Feeble-Minded. Many of them I have visited several times, and I believe without exception that they all give the best of care, and, as far as I can judge, excellent instruction.

The total amount expended by the state for this purpose during the fiscal year ending June 30, 1907, was \$13,251.70, and the total amount expended during the fiscal year ending June 30, 1908, was \$15,906.14.

Under examination I found that a few children were being cared for and educated at the expense of the state in these institutions that were not properly state beneficiaries. In all these cases the children have either been removed or are now cared for at the expense of their parents or guardians.

There are many feeble-minded children who could be much better cared for in institutions designed and equipped for their care and education than in the public schools. Unfortunate children of this class are in many cases a serious drawback to our public schools, and they get but little good in them. The time will come when a much larger number of these children will be cared for in institutions especially provided for them. Vermont will doubtless have at some future time an institution of her own for this purpose. If these different classes of unfortunates could be cared for to advantage in the same institution it would probably be best for Vermont to consider the erection of such an institution at this time; but as this is not practicable, and as such children can be well cared for at reasonable expense outside the state this is doubtless the best plan at present. All children for whom application has been made who seemed entitled to this assistance have been designated to the proper institution.

COMMISSIONER OF PUBLIC PRINTING.

The creation by the Legislature of 1906 of the office of Commissioner of Public Printing charged with the duty of procuring all state printing and stationery supplies was a positive step in the line of economy and good business management. The establishment of this department was at first naturally attended with more or less friction. The differences have, however, largely disappeared, and to all who are to any extent familiar with the conditions as they formerly existed and as they exist to-day the great improvement in results is apparent. For example, a saving of from 15 to 20 per cent. over two years ago, amounting to between \$3,000 and \$4,000, has been effected in the printing of public documents, reports, etc., to and for the legislature.

Among the duties of the Commissioner are the letting of contracts for the printing of the state officers' reports and the oversight of their execution. Many of these reports have usually been much delayed, some of

them so much so that they have been of but little practical value. To be of real value to the legislature they should be available the very first of the session. Heretofore some of them have not been delivered until after the adjournment of the legislature. These reports this year are either already delivered or ready for delivery at this time. This improvement has largely been brought about through the efforts of the Commissioner.

The present Commissioner has displayed great tact and energy in the organization of the department and is entitled to great credit for the better service and economies already obtained. This department should be continued, and such legislation as may be needed to strengthen and facilitate its work should be enacted.

RAILROAD COMMISSION AND GRADE CROSSINGS.

No recent legislation of the State has been productive of greater good or is more heartily approved by the people of Vermont than that creating and defining the duties of the Railroad Commission and providing for the gradual abolishment of grade crossings. The greater authority and responsibility given to the Railroad Commission has worked beneficially both to the public and to the railroads.

When the rights of the people and of the railroad corporations are properly guarded so as to prevent injustice to either, it is better for both that such a commission should have positive power and the ability to enforce such orders as the public good may require. The greater the power given to such a commission the more carefully of course the rights of both the public and the corporations should be guarded, and the greater the care exercised in the selection of the personnel of the commission. The people of the state have a right to expect fair and equitable treatment in rates of transportation, both freight and passenger. They have a right to expect safe and business-like operation of trains, and comfortable and clean station accommodations. We must at the same time recognize that the operation of railroads in Vermont is attended with much difficulty and large expense and with limited earning opportunities. Both the railroads and the public must recognize all of these conditions and duties. Such was the intent of the so-called Railroad Legislation of 1906, and such I believe has been the spirit of the Railroad Commission during the past two years.

The grade crossing law was certainly a positive step along progressive lines. On January 1, 1907, there were 924 railroad highway grade crossings in the state, which shows the need of this life saving legislation. Under its operation the Commission has during the past two years already abolished or provided for the abolishment of 40 of these crossings. The distribution of the burden of expense was, I believe, fair. The administration of the law has been attended with but very little friction. The public and the railroads accept it as right, and have undertaken its execution in a most commendable manner.

The commission recommend a few minor changes to harmonize the Railroad Commission and Grade Crossing laws and to facilitate their administration. These, as far as I can judge, should receive favorable action on your part. I do, however, strongly urge against any radical change in our railroad legislation. It is fair by the railroad corporations and much better for the people of the state that changes along these lines should not come too frequently, and certainly not until conditions make it evident that they are most desirable and necessary.

VENTILATION OF THE HOUSE AND SENATE ASSEMBLY ROOMS.

A joint resolution was adopted by the last legislature directing the State Board of Health to consider the ventilation of the House and Senate assembly rooms, and if the means of ventilation now existing were found to be insufficient, the Sergeant-at-Arms was empowered, under the recommendation of said Board and the direction of the Governor, to make any necessary alterations and additions in pursuance of the purposes of the resolution.

The State Board of Health carefully examined the State House, taking into account the present inadequate system of ventilation and what would be necessary not only to improve the ventilation in the House and Senate assembly rooms, but to provide much needed ventilation of the offices and committee rooms. Expert engineers were employed to make plans and furnish specifications covering a system of ventilation which in their opinion would meet the requirements. It was agreed that any system of ventilation should embrace the entire building and that there should be a new and improved plumbing system installed in connection with such a ventilating system. Then too, any system of ventilation now put in ought to provide for a possible enlargement of the State House, which is likely to be necessary in the near future.

The resolution providing for this improvement was so limited in its scope that it seemed to all having authority thereunder that it would be much better to defer any action until the matter could be more fully considered by this legislature and fuller authority given for the work. In the meantime the Sergeant-at-Arms has made some minor changes which it is hoped will materially improve the ventilation of the House of Representatives. I commend to your attention the report of the State Board of Health relative to this subject, made to me under date of May 18, 1908.

SAND BAR BRIDGE.

By the passage of Act No. 253 of 1906, entitled "An Act to free the Sand Bar Bridge from tolls and establish a culvert," the State assumed, in my opinion, a greater burden than the legislature at the time realized, and it is necessarily a continuing one. This bridge has been owned and maintained as a toll bridge by the Sand Bar Bridge Company under a charter originally granted in 1841. The opening of the Rutland Railroad through Grand Isle County greatly reduced the travel across this bridge and correspondingly reduced the tolls received. As the tolls decreased, the Company had less to expend, and the bridge has gradually deteriorated so as to require a considerable expenditure to put it in a safe and proper condition.

The maintenance of the bridge is of great advantage to the people of Grand Isle County, and, under present conditions, there is no other course for the state to pursue than to properly maintain it. The provisions of the act whereby the state assumed this bridge have been complied with, the culvert constructed, and the repair and maintenance of the bridge assumed by the State Highway Commissioner. Besides the \$3,000 appropriated for a new culvert, the State Highway Commissioner has already expended \$1,306.49 to make the bridge safe and passable for the present. It will be true economy to spend at once such further sum upon the bridge as will be necessary to place it beyond danger of greater loss through the action of the wind and water and at the same time make it a safe thoroughfare.

Your attention is particularly called to the report of the State Highway Commissioner covering this matter.

HIGHWAYS.

Act No. 111 of the Laws of 1906, "To improve the public roads and to establish a state highway commission," was certainly a step in the right direction, and has very generally met with the approval of the people of the state. It enlarged the authority of the State Highway Commissioner, placing him upon a salary which contemplated that he should give his entire time to this important work, provided for the appointment of county supervisors, and made an annual appropriation of \$50,000 towards the construction of permanent highways in towns making a special appropriation of from one to three hundred dollars annually for that purpose. It has secured a better supervision of the expenditure of the state highway tax and tended to prevent its diversion to the repair of the ordinary highways. Sections of highway to be permanently improved have been selected with a view to their eventually forming continuous or trunk lines throughout the state. In towns that have had a competent road commissioner very satisfactory results have been obtained. The state has now many sections of excellent and relatively permanent highway, but, what is infinitely more important, the people of the state are realizing what can and should be done to further advance this work, so vital to all the people of the state and to its material growth and prosperity.

Under the act per diem and expenses of the county supervisors and the expenses of such road engineer or expert as may be employed are paid out of the \$50,000 appropriated by the act. As the towns vote their appropriation at the town meeting the Commissioner ought to be able to fully apportion the state appropriation early in the season. He cannot, as the law now stands, do that, as it is impossible to determine until late in the season what will be necessary to meet the expenses of the county supervisors and expert assistants. These expenses should be paid out of the general fund of the state, and the entire appropriation for the permanent improvement of highways be allotted to the towns before the work of the season is undertaken. These expenses during the past two years have been about \$6,000 annually, and if paid out of the general treasury of the state the amount available for the allotment to the towns would be increased to that extent.

To further encourage and more rapidly advance the construction of permanent highways there should be an increase in the state's appropriation for this purpose. The present condition of the finances of the state fully

warrants making a substantial increase in the appropriation devoted to this work. If the appropriation is increased, section 8 of the act should be so amended as to properly conform to the increased appropriation.

Act No. 110 of the Laws of 1906 required the selectmen of a town to cause all trees and brush, with certain exceptions, within the limit of the highway to be cut and removed in the months of August and September. The removal of trees and brush is often necessary from the standpoint of safety because of the increased use of our highways by automobiles. Their removal is in some cases helpful to dry sections of road that would otherwise be excessively wet, while on the other hand, some sandy and naturally dry roads are helped by a reasonable amount of shade. Oftentimes proper trimming would accomplish all that is necessary either from the standpoint of safety or for the improvement of the road. The law has been so administered in some sections of the state as to work genuine harm to our highways and materially mar their beauty. It should either be repealed or very carefully safeguarded.

In general, the highways of the state will improve as the towns realize their opportunity and their responsibility. Under our system of government we cannot as a rule improve in these matters faster than the people see the need and insist upon the improvement. The work must to quite an extent be educational. This all important problem, however, of the construction and maintenance of permanent highways some of the towns are not meeting as they should. They do not realize sufficiently that it has to quite an extent become a state question; that the state is making very liberal appropriations, and that she must insist upon rigid compliance with all the provisions conditional upon the town's receiving any share of the state's appropriation. Through the untiring efforts of the State Highway Commissioner, the standard has been raised, and I urge upon you the importance of giving him all authority necessary to further raise the standard and make that higher standard universal.

STATE HATCHERY AT ROXBURY.

The State Hatchery at Roxbury has not during the past few years been entirely successful. A large number of brook trout fry have died, thus reducing the output of the hatchery and making the showing much less favorable. Mr. Thomas, the Fish and Game Commissioner, has used every effort to discover the cause of the trouble, securing from the Bureau of Fisheries at Washington expert examination and opinion; but no satisfactory reason for the loss has as yet been found. If the State Hatchery is to be continued, the unfavorable conditions must be discovered and remedied, and a sufficient appropriation should be made for its necessary repair and improvement. I think, however, it would be better to discontinue it. The National Government through its highly equipped Bureau of Fisheries is successfully carrying on the work of fish propagation throughout the country and is conducting some of its work in this state. It has skilled employees, equipment and experience necessary to accomplish the best results. We have not been, and I do not think can be, equally successful. A thorough enforcement of our laws for the protection of trout in our streams and such re-stocking as can be done with fry furnished by the National Government without expense to the state ought to sufficiently replenish our streams.

TUBERCULOSIS COMMISSION.

The principle duty of the Tuberculosis Commission, created by Act No. 142 of the Laws of 1904, and continued by Act No. 167 of the Laws of 1906, has been to conduct a campaign of education throughout the state regarding the best methods of preventing and curing tuberculosis. The Commission has done excellent work, has held public meetings, and through them and otherwise has aroused considerable interest. It is expected that the Vermont Sanatorium at Pittsford, besides its service to individual patients, will accomplish much along educational lines; but there is need for further work such as has been done by the Tuberculosis Commission. It is very difficult to secure competent men who can give the time necessary to make the work effective, and in my opinion the time has come when this work can be more satisfactorily done by the State Board of Health, and in connection with public meetings held throughout the state for other purposes, such as agricultural and educational meetings. The preparation and distribution of literature can also be done under its direction. I recommend, therefore, that the Tuberculosis Commission be discontinued and that its duties be committed to the State Board of Health.

COMMISSION ON SYSTEM OF STATE AUDIT.

Act No. 20 of the Laws of 1906 provided for the appointment by the Governor of two persons, who with the Auditor of Accounts, were constituted a commission to examine into and install a system of bookkeeping and accounting in the office of the Auditor of Accounts. The state was most fortunate in securing the services of Joseph A. DeBoer of Montpelier, and Olin Merrill of Enosburg Falls, to perform this service with the Auditor.

This commission made a very careful examination of the conditions in the Auditor's office, considered the best systems in vogue in other states and institutions, and gave much thought to practical conditions and requirements as they exist in Vermont. Their report is in every respect very complete and should be carefully read by every member of the legislature. Their recommendations in every instance as far as our statutes permit, have been put in force and are now in full working order in the Auditor's office. A few changes in our statutes as recommended by the report, are necessary to make the system complete and in full accord with the recommendations of the commission, and they should be enacted.

I especially call your attention to the recommendation of the commission that an adequate appropriation be made for sufficient clerical service in the Auditor's office, and that the Auditor of Accounts and every one connected with his office should devote their entire time to the work. With the necessary increase in the state's business and the attendant increase in the number of departments in our state government, the Auditor of Accounts is a most important official. In my opinion good business requires that he should devote his entire time to this work, and that the salary should be sufficient to secure and retain the services of a thoroughly qualified man.

BOARD OF AGRICULTURE.

The State Board of Agriculture now consists of the Governor, the President of the University of Vermont and State Agricultural College, ex-officio, and three members appointed biennially by the Governor. Their principal duty consists in holding public agricultural meetings throughout the state, though considerable clerical and general office work devolves upon the Secretary. One competent man can do all the work now performed by the Board better than five. There should be a Commissioner of Agriculture appointed by the Governor. He should be a man of executive ability, competent to do such office work as is required and to arrange for the public meetings, securing such local or outside speakers as might be most efficient to make them a source of real practical help to the farmers of the state. The tendency in other states has been to reduce the number on boards of agriculture, and wherever that has been done it seems to have resulted in greater efficiency and better service. While the saving in expense may not be large, I believe results would be better and the administration of this department more business-like.

CATTLE COMMISSION.

During the biennial term ending June 30, 1908, the state expended on account of tuberculosis in cattle \$98,825.74. Of this amount \$79,626.35 was paid to the owners of cattle slaughtered by the order of the Cattle Commissioner. As far as I have been able to ascertain no other state expends as large an amount for this purpose. Many states limit the appropriation and in the case of most state the amount has been very much less than that expended by Vermont. Our statute does not limit the amount that may be expended and the Cattle Commissioner has no discretion in the matter. It is his duty to respond to all calls that may be made to test cattle within the state.

This work should be continued, but the state is not at present receiving benefit commensurate with the large expenditure she is making for this purpose. Under the law the state pays 75 per cent. of the appraised value of cattle condemned, \$50.00 being the limit at which any animal condemned to be slaughtered can be appraised. The owner of condemned cattle should bear a larger proportion of the loss, and greater care should be taken to safeguard the interests of the state in the appraisal of cattle. Then, too, the present system of testing cattle only when requested to do so by the owner is not the right one. It may reduce the number of tuberculosis cattle in Vermont, but the disease can never be eliminated until testing is compulsory. The untested herds are a continuing source of contamination and to a great extent nullify the large expenditure made by the state. The cattle commissioner should, at least, be given discretion to require suspected herds to be tested.

SAN JOSE SCALE.

Section No. 283 of the Public Statutes provides that "The Governor may use such means as in his judgment are necessary to exterminate the San Jose Scale and the Gypsy and Brown Tail Moth wherever and whenever they may appear in the State."

I secured the services of Professor William Stuart, Horticulturist at the Agricultural Experiment Station, University of Vermont, who has made careful examination wherever any suspicion of the existence of these pests has been reported. Professor Stuart has found only two localities in the state where any serious trouble existed. The first was an orchard in Charlotte, where the San Jose Scale existed to quite an extent. Mr., Emerson, the owner of this orchard, voluntarily destroyed at his own expense such trees as were to any extent infested with the scale, and also provided for the careful spraying of other trees. A few months ago a report came to Professor Stuart that a young orchard belonging to the Kurn Hattin Homes at Westminster was affected with the San Jose Scale. An examination of the orchard showed it was quite seriously affected. The authorities at this institution promptly destroyed all infested trees at their own expense. Upon a later examination Professor Stuart found another orchard belonging to this institution in a very bad condition as a result of this scale. This orchard has not been destroyed, but it is expected that the authorities will take the same course with reference to it as they did with the orchard where the difficulty was first discovered. A few weeks since some of the San Jose Scale were found in a few trees of mountain ash in the town of Charlotte. These trees were immediately destroyed by the owner. This covers all of the San Jose Scale that Professor Stuart has been able to discover.

Reports have come to us of the existence of the San Jose Scale and the Gypsy and Brown Tail Moth in other places, but investigation by Professor Stuart has failed to work very careful attention, investigating either by correspondence or personal visit all suspicious cases. The entire expense of this work to the state for the biennial term has been only \$46.00. In the opinion of the Attorney General the law does not provide for the reimbursement of owners for the destruction of their orchards.

Fruit growing is decidedly on the increase in Vermont, in some sections of the state being the principal agricultural income. The number and size of orchards are increasing; care and study are producing better results; and it is a growing source of income to our people. The state should encourage the extension of fruit growing within her borders, and to this end it is of the utmost importance that provision should be continued for guarding against these pests.

From time to time new pests to trees are appearing, and I recommend that section 283 of the Public Statutes be so enlarged as to cover any destructive pests to fruit or shade and ornamental trees. I believe also that the duty in this regard now put upon the Governor ought in the first instance to be entrusted to the Forestry Commissioner or Board of Agriculture, with authority in the Governor to limit or control the amount of expenditures therefore according to the emergency.

FORESTRY.

Approximately 60 per cent. of the area of our state is forest or wild land, and this vast area ought to be made more productive and of greater value to its owners and the people. Large tracts of former pastures or even tilled fields are now gradually being reclaimed by nature and are growing up to young trees. While this has been a source of regret and apprehension in the past, and has led to much discussion as to what should be done with our so-called abandoned farms, we are beginning to realize that it may all be turned to a source of profit to the owners and to the state. If this land were reclaimed and brought back to a state of cultivation, it could not compete agriculturally with the vast areas of more productive agricultural land. With the increasing demand for timber, with our greater knowledge of forest planting, cultivation and management, these waste but natural forest lands wisely managed will become a source of continuing profit to the owners and a substantial asset and great source of prosperity to the state. Under present industrial and agricultural conditions it is an inevitable law of nature that the territory in Vermont devoted to forest growth should increase.

Besides the question of making the land of greater value to the owners, there is also involved the preservation of our water supplies. If we neglect our forests and cut them without judgment our water powers will be seriously impaired, not only the larger ones so necessary at manufacturing centers, but also the great

number of small powers scattered throughout the state which are or ought to be of great value to their respective communities. If we strip our hills and mountain sides and do not take proper care to replace their forest growth the danger of floods in the springtime will be greatly increased, causing damage to small mill properties and seriously destroying bridges and injuring highways. In the end the domestic water supplies of our villages and cities will also be seriously affected.

Thus both directly and indirectly proper forest encouragement and management is necessary to the best interests of all of the people of the state. It is no longer a theory or simply an aesthetic question, but a very practical one. Vermont has already begun to recognize her duty in this regard. In 1904 the legislature provided that the Governor should designate one of the members of the Board of Agriculture to act as Forestry Commissioner and that the first selectmen of each town should take measures to control and extinguish forest fires. It also exempted from taxation for ten years uncultivated lands planted with timber or forest trees under certain conditions. The legislature of 1906 appropriated \$500 annually for five years for the purpose of aiding in the establishment and maintenance of a nursery for the propagation of forest seedlings of useful varieties at the Vermont Agricultural Experiment Station. The Commission on Taxation in their report recommend changes in the taxation of timber lands for the purpose of encouraging their cultivation and preservation.

All this has been in the right direction, but it does not go far enough. Vermont should have a distinct forest policy of her own. That this may be successfully inaugurated and carried on we should have a State Forester educated and trained along the most advanced and approved lines, who shall give his entire time to the study of forest conditions as they exist in Vermont, with a view to their practical and permanent improvement. This policy has been adopted by many of the states, and it is most successfully pursued by the National Government in the territories and national preserves under its jurisdiction. Such a forester should carry on a publicity and educational work, freely advise with individual owners, w supervise our forest fire laws, which ought to be strengthened and made more efficient, eventually take charge of the state nurseries for forest seedlings, and in a general way formulate and conduct a policy so vital to the true prosperity of the state. While this will entail some expense, I believe the state can undertake no work nor assume any equivalent expense that would yield to her people greater returns than an advanced forestry policy wisely and progressively conducted.

COMMISSION ON TAXATION.

A joint resolution of the Legislature of 1906 provided that a commission composed of six persons especially well versed in matters relating to taxation should be appointed by the Governor to thoroughly investigate the subject of taxation. This commission, composed of Orion M. Barber of Bennington, John H. Senter of Montpelier, George W. Pierce of Brattleboro, Leighton P. Slack of St. Johnsbury, Ernest Hitchcock of Pittsford, and A. Allyn Olmstead of South Newbury, has performed this duty in a most painstaking manner, and its full and comprehensive report has already been very generally distributed as required by the resolution. The information and statistics which the commission has gathered will be invaluable to you and the people of the state in the consideration of the subject of taxation. Upon so mooted and controverted a question it is not surprising that the members of the commission have not been able to agree in their recommendations with respect to changes in the principle of our taxation laws; but they point out some flagrant administrative evils and unanimously recommend their correction. Whatever you may do with respect to changes in the principle of our taxation system, the unanimous recommendations of the Commission for the correction of administrative evils I commend to your favorable consideration.

I endorse their recommendation that listers be elected by ballot for a term of three years so that there will always be two experienced men on the board; that taxes be required to be paid in the first instance to the town treasurer without discount with a penalty for delay, and that a State Taxation Commission with extensive powers be created; but I advise that it be thoroughly considered whether its work could not be committed to the Commissioner of State Taxes without additional commissioners.

SAVINGS BANKS AND TRUST COMPANIES.

The number of our savings banks and trust companies and the amount of their deposits have materially increased during the past few years. On June 30, 1908, there were 49 institutions and their total deposits amounted to \$60,458,653.41. This was an increase in deposits of \$8,368,954.33, or 16 per cent. during the last

two years. These institutions care for the savings of the great mass of our people. 146,888, or nearly one-half of all the inhabitants of the state, men, women, and children, were on June 30, 1908, depositors in them, with an average deposit of \$349.91 each. The responsibility of the state to her people for the wellbeing of these institutions and the safeguarding of their deposits is one of its most important duties.

Savings banks and trust companies should be inspected most carefully and at frequent intervals, and should constantly be under skilled supervision. It is not only the neglects and errors which the Commissioner may be able to find and correct, but the knowledge that these institutions are under constant watchfulness will do much to keep their trustees and officers alert to the best performance of their duties. The time has come when the Bank Commissioner should be required to give his entire time to the duties of his office, and the salary should be made sufficient to secure the entire time of a competent, skilled man in every way qualified for the work. The present policy of apportioning the salary and expense of the Bank Commissioner among the savings banks and trust companies should be continued. The increased expense to them would not be large and they could not use the money more advantageously for their depositors.

The laws regulating the investments which may legally be made by our savings banks and trust companies should be revised. They have been enacted at different times, often to permit some particular investment, and are inconsistent. They permit, for example, investment in counties, towns and cities in Wisconsin or Minnesota only under certain conditions, but in Michigan or Iowa without limitation; they permit investment in the stocks of any national bank in St. Paul or Minneapolis without restriction, but in much latitude and variety of investment as the laws of neighboring states, for example, Massachusetts and New York. I suggest that the laws regulating investments by savings institutions be carefully revised to conform better to present conditions, in some cases being limited and restricted and in others probably enlarged.

BOARD OF LIBRARY COMMISSIONERS.

This board, which consists of five members, is doing a very important work. It gives advice upon request to the trustees and librarians of public libraries and in connection with the establishment of new libraries. It has held public meetings where library questions are discussed, and also has entire charge of the traveling libraries. These traveling libraries, which reach the smaller villages and communities, are a source of real help and pleasure to their people and often prompt the establishment of small local libraries. The commission is doing much to awaken a general interest in all library matters.

There is in the state an opportunity and need for the extension of this work. The members of the commission serve without compensation and render the state a valuable and unselfish service. The appropriation for its use has at no time been large. At present the amount which the Board may expend annually for necessary expenses in connection with the discharge of its duties, including the transportation of the traveling libraries, is limited by law to \$1,400, and the amount which it can expend annually for the purchase of books for these libraries is limited to \$500. The Commission's report should have your most careful attention, and the appropriation available for its work ought to be increased.

COURT OF CLAIMS.

The Court of Claims was created by an Act of the General Assembly in 1902, to hear and determine claims presented against the state, the payment of which is not otherwise provided for by law, and claims referred to it by the Auditor of Accounts or the General Assembly. Previous to the creation of this court such claims were heard by the Committee on Claims of the General Assembly, being practically their sole work, and their recommendations were reported to the General Assembly for its action. The Auditor of Accounts usually sat with the committees for the consideration of these claims, giving them such advice, legal or otherwise, as they might desire.

The creation of this court in some instances gave this class of claims a fuller judicial consideration and afforded claimants an opportunity to present their claims at other times than during the session of the General Assembly.

These are advantages, but they do not warrant the expense incurred, and can practically be secured otherwise. For the biennial term ending June 30, 1906 the total amount of claims considered by this court was

\$8,496.36, the amount allowed, \$3,381.78, and the expense of the court was \$1,539.65. For the biennial term ending June 30, 1908, the amount of claims considered was \$6,323.27, the amount allowed, \$3,495.45, and the expense of the court, \$1,362.74.

While the work of the Court of Claims has in all respects been well conducted, in my opinion there is no good warrant for its continuance, and it should therefore be abolished. The Auditor of Accounts should be charged with the duty to hear such claims, He should be given powers with respect thereto similar to those now possessed by this Court, without however, rendering final judgment, but reporting his findings of law and fact to the General Assembly. He is well qualified to perform this duty and could do so without additional expense to the state. The average of such claims is small, and a hearing before the Auditor could be managed with less inconvenience to claimants than under the present system. The payment of claims would not be delayed, for at present judgments of the Court of Claims cannot be paid until appropriated for by the next legislature. Any reference to this Court by the General Assembly or Executive, now authorized by sections 471 and 472 of the Public Statutes, could be made to the Auditor of Accounts or the Attorney General or both, according to the nature of the case.

EDUCATION.

The policy of skilled supervision through the voluntary formation of supervisory districts, begun two years ago, has been most successful, and has already accomplished for the public schools of Vermont all that its most sanguine advocates predicted. During the first year of its operation twenty districts were formed, and now there are twenty-six districts in the state under the immediate charge of skilled educators. These districts embrace 43 per cent. of the towns, cities and incorporated districts of Vermont, 53 per cent. of all the schools in the state, and 58 per cent. of the children in school. It was wise to provide that the formation of these districts be voluntary, and that policy should continue for the present, at least for the next biennial term, but finally school supervision should be made compulsory throughout the state.

Under the present law no district can be formed with less than thirty schools. This should be changed so that a district can be formed containing not less than twenty-five schools. Where schools are much scattered and it is necessary to travel long distances to visit them twenty-five schools are all one person can satisfactorily supervise.

The office of county examiner should be abolished and provision made for the examination of all teachers by the supervisors. The supervisors are so generally scattered over the state that a plan can easily be worked out for them to do this work.

One of the greatest needs of our education system to-day is the establishment of a high grade normal and industrial school. While our normal schools have been conscientiously and in general ably conducted, many conditions exist to prevent their doing the character of work now needed in Vermont. Their buildings and equipments are in many respects not up to date. Some of them are so situated that it is impossible to secure a sufficient number of pupils for a practice and training school. The best work cannot be done for normal students without an opportunity for training in sufficiently large practice schools. We cannot bring our educational system into the high point of efficiency at which we are aiming unless we provide more well trained teachers. To provide these teachers we much have normal schools that are thoroughly up to date in every way equipped to do high standard work.

None of the present plants are owned by the state, and the state cannot do with them as she could and should do with property of her own. This whole question is fully and ably set forth in the report of the special commission appointed to examine into the condition of the normal schools. This report is the result of a careful and impartial examination and should have your very careful consideration.

While the building and equipment of a normal school means expenditure of considerable money, it must come sooner or later, and as Vermont is to-day earnestly striving to advance the standard of her public schools she should at once provide for the location, building and equipment of a state normal and industrial school. Nothing can so immediately and surely awaken and sustain the educational interests of the state as such an institution.

PERMANENT SCHOOL FUND.

In the report of the trustees of this fund is a full statement of its present condition and investment and of all legislation for the creation of the fund. The Permanent School Fund is an important factor in our advanced public school policy and it should gradually be increased. Vermont has wisely and justly inaugurated a policy providing for the equalization of educational opportunity and educational burden. If we are as a state to advance educationally this policy must continue. There can be no better guaranty for the continuance of that policy than a growing permanent school fund.

Section 1078 of the Public Statutes provides for the payment to the trustees of the Permanent School Fund of such surplus as there may be in the State Treasury at the end of any fiscal year until an amount equal to that part of the Huntington Fund heretofore converted into cash by the State Treasurer shall have been so transferred. There was such a surplus June 30, 1908, but the Attorney General is of the opinion that there should be additional legislation before it can be paid to the trustees and by them invested as a part of the permanent fund. Such legislation as may be necessary for that purpose should be enacted.

TEMPERANCE.

Under the present law whereby one-half of the license fees granted in a town go to the town itself there is a tendency on the part of some towns, especially the smaller ones, to vote for license for the sake of the revenue accruing therefrom. It is not in the interest of temperance and is wrong in principle and practice to permit pecuniary interest to influence the voting of any town on this question. In some smaller towns where no one could afford to pay the license fee, if dependent for his income upon the inhabitants of the town, licenses have been granted because the close proximity of a larger town or city voting no license makes a license profitable. This condition works a great wrong to such neighboring towns or cities.

I recommend that the local option law be so amended that all income from the granting of licenses shall be paid directly into the treasury of the state. Then towns and cities can vote upon the question of license strictly upon its merits and uninfluenced by any financial consideration. The whole license fee might fairly go to the state for the duty and expense of enforcing the local option law, and the indirect expense of the liquor traffic largely falls upon it. The municipal and other court expenses and the expense of maintaining jails and other penal and reformatory institutions are borne by the state. When a town or city votes license the result is a larger number of criminal causes, and only a small proportion of the expense occasioned by this increase in criminal causes is borne by the town or city.

I also recommend that some reasonable restriction be put upon placing a licensed saloon on or near the borders of town voting no license.

The appointment of license commissioners was intrusted to the assistant judges of the county courts with the hope that a better class of men would thus be selected for commissioners and that their selection would be less influenced by those directly interested in the sale of intoxicating liquors. This method is doubtless better than to have the commissioners elected by the towns or appointed by the selectmen as the original law provided. There is, however, in counties where a considerable number of towns are likely to vote license a tendency to introduce into the selection of assistant judges the question of their probable action in the appointment of license commissioners. This does not tend to prove the selection of assistant judges and the appointment of license commissioners is usually so controverted a question that however wisely made it does not tend to strengthen the judicial position of such judges. The confidence of the people in those who have any judicial function to perform must not be impaired in any way. I recommend the appointment of a State License Board consisting of three members, to be appointed by the Governor, in which shall be vested all the power and authority which the local license commissioners now have.

SPECIAL CORPORATION LEGISLATION.

The granting to special charters to private corporations, to villages and to savings banks and trust companies unnecessarily takes the time of the legislature and does not produce uniform results. For the reasons stated in my inaugural message to the last legislature, I again recommend that the law for organization of private corporations be thoroughly revised, and when so revised that applicants for charters, except in extraordinary

cases, be required to avail themselves of its provisions, and that a well considered law for the organization of savings banks and trust companies and for the voluntary incorporation of villages be enacted.

TRUSTEE PROCESS.

I also renew my recommendation that the statutes be so amended that wages or compensation due the principal debtor for work and labor performed by him in person should be exempt to the amount of \$10 and that wages only in excess of that amount should be liable to the trustee process.

STAFF.

Section 5025 of the Public Statutes provides that the Governor shall appoint a surgeon general, with the rank of brigadier general, and an inspector of rifle practice and four aides-de-camp, each with the rank of colonel. While this provision does not entail large expense upon the state, I believe that it is unnecessary, unbusiness-like and unmilitary. Any staff duty which the Governor may require should come from a detail of officers of the National Guard. This service is in the line of their duty, it is in proper recognition of their services as officer in the National Guard, and fills every requirement which the Governor may have.

JUDGE-ADVOCATE-GENERAL.

I also think that with our limited militia system the office of judge-advocate-general is unnecessary, and should be abolished. Any legal advice required in the military department could be and most likely would in any event be sought from the Attorney General.

EXECUTIVE DEPARTMENT.

The number of different department in the state government and the extent of the state's business have materially increased during the past few years, and with it has necessarily come a large increase in the responsibility and detail work which must center in the Executive Department.

It is important that the executive correspondence should be well and promptly conducted and that a complete and accurate record of all official business transacted should be kept and preserved in accordance with the best business methods for future official use. In some instances the Secretary of Civil and Military Affairs has not had the same residence as the Governor; the salary has been such that he has been obliged to have other permanent occupation, and of necessity the Governor has been compelled to do much work himself that should properly be done by a secretary. The highest interests of the state cannot best be served by such conditions. Unless the Governor is so situated that he can call to the performance of executive work assistance not provided and paid for by the state he must either neglect much of the routine work of his office or else undertake it himself at the expense of more important matters, and in either case, the state's business must suffer. It is not in my opinion a question of more salary for the Governor, but a question of providing him with proper executive assistance.

A sufficient salary should be provided for the Secretary of Civil and Military Affairs so that the Governor could command practically the entire services of a man competent to conduct much of the detail correspondence of his office and keep and preserve its records in proper condition for his successors.

CONCLUSION.

While our country has during the past year been passing through a period of financial unrest and business depression, in which Vermont was a part of this great nation must to some extent share, our general condition is encouraging. There has been on the part of the people of the state a genuine awakening, a demand for actual advance along lines essential to the real upbuilding of a commonwealth. It is not simply that our recent legislatures have enacted laws looking to advance in matters pertaining to education, highways, public health, railroads, and other conditions vital to the welfare of the state and its people, but the people of the state with great accord endorse this action and demand further progress along these and other important lines.

You should with great firmness hold fast to the advances already made, and further legislation along these lines should be progressive but always carefully considered and practically suited to our conditions. In the reports of the state officers now before you they render an account of their stewardship. These reports should

all have your careful attention. In no better way can you prepare yourselves to intelligently undertake the work of the session. You should avoid as much as possible increasing the number of state officers and commissions. All state officers should receive reasonable compensation and should be held to strict business methods and accountability. The greatest danger lies in special legislation and in special appropriations for causes not essential. Your legislation should be of a character to make special legislation unnecessary and all demands for special appropriations should be most closely scrutinized. It is not likely that the state's income will materially increase during the next few years. Some of the corporation taxes will be less because of the temporarily depressed business conditions. This must be carefully taken into account in considering appropriations, and such income as may be available should be used along the lines of those great essentials which alone can make for the prosperity and permanent betterment of the state.

To be chosen by the freemen of Vermont to here represent them is indeed an honor. Vermont's truest and wisest sons have preceded you in these halls. Remember that you represent a constituency unexcelled for good sense, high ideals and sturdy patriotism. Your opportunity and your duty are alike great. To meet them as your constituents have a right to expect, you must bring to the performance of every duty your best thought, your utmost effort. This assured, and Vermont will continue to move forward and be the better because of your services here.

FLETCHER D. PROCTOR.

Montpelier, October 8, 1908.

Farewell address

of

Mortimer R. Proctor

As it appears in the

Journal

of the

Joint Assembly

1947

Thursday, January 9, 1947

Farewell Address

Members of the General Assembly:

It is customary for the Governor upon retiring from office to render an account of his stewardship. This I now propose to do and in as brief a manner as possible.

My administration has spanned the transition from war to peace. When I took office the war both in Europe and Asia was still raging at its height, bringing the State a multitude of problems to be solved in furtherance of our participation. Triumph over both Germany and Japan came in the first year of my administration—more quickly than had been anticipated. With peace came the not less arduous and intricate problems of reconversion and adjustment. These engaged the earnest attention of myself and your government.

In addition to our efforts with problems directly related to the war and the period of reconstruction, we have continually and diligently endeavored to Build a Better Vermont.

We have adopted measures to improve our economic situation, to provide higher standards in education, to modernize our care of the unfortunate, to better health conditions, and to provide greater opportunity and security. In short, we have focused on further vitalizing Vermont so that Vermonters may share in the forward march of civilization.

Let us now review what has been done to further these ends.

Veterans

The veterans of World War II have been one of my foremost considerations. Approximately 40,000 Vermonters entered the service. Of these 33,000 have returned. Their courage and fighting ability have never been surpassed by any troops under any flag at any time. We salute them for their magnificent record on battlefields throughout the world.

It is highly gratifying to know that only approximately 500 of these veterans are receiving Unemployment Compensation—the lowest among the northeastern states. They are carrying on the Vermont tradition of self-reliance and belief in work.

We established a Veterans' Board with a veteran as full-time Director to attend to their every need. Fifteen measures were passed by the Legislature furthering their welfare. Under the supervision of the Board, 2,845 veterans are taking on-the-job training. Under the supervision of the Department of Education, 3,025 are taking educational training. Some 2,230 establishments have been approved for on-the-job training.

Thirty one thousand two hundred sixty-nine claims for state pay have been paid by the State amounting to \$3,571,190.68. All figures are for mid-December.

A veteran was appointed as full-time Housing Expediter to contact Federal agencies, building material firms and contractors—in short, to do everything humanly possible to aid the veterans in the critical housing shortage.

By an appropriation of \$200,000, toward new dormitories at the University of Vermont, we have contributed toward placing Vermont in the forefront in the matter of enabling veterans to attend college. I feel sure no state will have a smaller number of qualified veterans unable to enter college this year.

We have aided them in obtaining surplus material.

They have been given preference in State jobs.

The State can be justly proud not only of the service records of its veterans but for its foresight in providing for them upon their return.

Education

Education is one of the foremost responsibilities of state and local governments. In efforts to build a better Vermont, we have made some significant changes in this department.

Among the states, in 1940, we ranked about 30th in educational achievement. This might be compared with Vermont's ranking of 30th in per capita income. The amount spent for education by the State has been considerably increased since 1940. While these figures by no means constitute a barometer for future effort, they do indicate that we are in line with our means.

In our planning, we have been actuated by the firm conviction that Vermonters should have the best education that we can afford to give them. Certain phases of this work needed immediate attention.

Believing that much of the responsibility for administration should remain in local governments, we increased the state aid to towns by \$400,000, making a new total of about \$1,250,000. This increases the amount of education per pupil for which the state equalizes the cost to all towns from \$20 to \$25.

The need for an increase in teachers' salaries was desperate. We raised the minimum to \$1000. This figure should be further increased.

In Vermont we have long believed in self reliance and work. We believe in helping others to help themselves. With this in mind we approached the problem of vocational training. We found that only 11 per cent of those attending high school have vocational training facilities available. In this respect we are much behind the times. To improve this situation we have devised an entirely new plan for vocational training which is contained in a pamphlet entitled "Toward a Better Living in Vermont." This plan, if carried out, will provide for many new courses in vocational work and will enable all of our high school students to have vocational facilities available. I strongly commend this plan for your consideration.

The question of consolidating rural schools has become important in our present day planning. Whenever the voters of a town decide in favor of consolidation, the state should aid with new buildings needed.

Agriculture

Agriculture is of vital importance to Vermont. It is important to every county and to most of our towns. We are the most highly developed state agriculturally next to Wisconsin. We are first in cattle and dairy products per capita. In Vermont, 3,900,000 of our 5,900,000 acres are classified in farms.

One of the most important approaches to the further development of agriculture in Vermont is through our College of Agriculture. This institution should lead in formation of new ideas, new methods, products, etc. Through lack of facilities and personnel it has not been as effective as it should be.

To strengthen the College, we initiated a \$500,000 building program. Due to increased building costs, this sum is now insufficient and further funds should be provided. The tuition was \$350.00, the highest in the country. We lowered this to \$150.00 for Vermont students.

Because experiments had revealed the possibilities of developing maple trees with high sugar content sap, a maple research farm was established at Underhill through my efforts. This farm is devoted exclusively to maple experimental work for the purpose of promoting the production of this distinctive Vermont natural product.

Another accomplishment in the interest of agriculture is of great importance. We have set up a blue print, or plan, for the future development of agriculture. About a year ago, I requested a group of Vermont agricultural experts to develop a comprehensive plan covering the Dairy Industry, Poultry Industry, Animal Health, Marketing, Land Use and Rural Utilities. Each of these subjects covers a field vitally important to agriculture. The Committees have done an excellent job—thorough and constructive. Their reports with recommendations make intensely interesting and informing reading. A printed summary of the report is now out. The report in full will be in your hands soon, and I commend it for your consideration. I wish to congratulate the Committees heartily for their outstanding achievement. While we have made good progress in agriculture in past years, this Vermont Agricultural Plan points out the objectives to be attained over short and long-range periods. By having the objectives concisely stated, greater continuity and momentum for further progress will be insured. The plan

provides a united front for agricultural progress in Vermont. Elsewhere, I have discussed the extension of rural electric lines and the lowering of electric rates.

Public Welfare

Some of the most extensive and far-reaching improvements of this Administration have been made in the Public Welfare Department, where we found some of the most serious state needs to exist.

First of all, a study of the situation clearly indicated that there was far too much over-all administrative responsibility placed upon one man—the Commissioner of Public Welfare. Some states have now made a separate division of the state institutions, whereas we combine them with the other welfare work. To effect an improvement here we created an Advisory Board of Public Welfare which has aided in forming policies and in sharing the responsibilities. We also created a Director of Institutions who assumed the responsibility of directing certain phases of this work.

One of the great needs of this state is enlarged institutional facilities. We have initiated and set in motion a one-and-a-half million dollar building program for this purpose. This will include a medical hospital building and nurses home at Waterbury, new dormitories, a classroom and auditorium at Brandon; a remodeling of the Moloney property in Rutland; removal of the fire hazards at both the Waterbury hospital and the Weeks School. This program should be enlarged.

Believing that the needs of such a large and complex department will be more readily met if there is a carefully thought-out program for meeting the needs, I requested the 1945 Legislature to provide an over-all survey. The Public Welfare Board, with assistance from outside authorities, has made a very thorough study of all needs of the Department and formulated a most excellent report with recommendations. This may well be a blue print for further development of this Department, including the institutions.

Through the years the Weeks School has been subjected to quite frequent investigations. There have been two in recent weeks. Following these, the Public Welfare Advisory Board made a thorough, complete study of the School and reported on December 30. I strongly urge each of you to read that report. It states the facts. It is frank, unbiased, and complete. It indicates the weaknesses and makes recommendations. Like any other organization, the School has its defects. They are gradually being corrected. Until the older, more obstreperous boys are placed in a separate institution, as recommended by the Board in their recent survey of the Public Welfare Department, many of the present problems will continue.

DEVELOPMENT COMMISSION

In our determination to vitalize Vermont further and create opportunities for our youth, greater development of our natural resources seemed essential. By so doing, we increase the per capita income, the taxable property of both local and state governments, and enable our youth to find attractive work here in the State.

As one of the major accomplishments of this administration, the creation of the Development Commission by the 1945 Legislature provided for this need. The function of the Commission is to encourage and promote development of agricultural, industrial, recreational and other resources of the State. Through the years much has been done in furthering the development of agriculture—more can and must be done for industry and recreation.

The value of industrial production is now more than twice that of agriculture, although, for various reasons, that is not a fair barometer of their relative importance to the State. Realizing the advantages afforded, many potential industries are now seeking locations in the State. Since V-J Day, approximately 100 new industries have started operation within the boundaries of Vermont.

Industrial payrolls mean much to our towns and it is imperative that the State render all possible assistance not only in bringing new industry to the State but in aiding in the expansion of those already here.

The Development Commission has devoted much time and effort in studying potential locations for large and small business enterprises. It is in the process of preparing an attractive industrial booklet. This is soon to

be distributed and will inform out-of-state industries of the many advantages offered by Vermont in the way of business sites.

Little has been done, compared with what can be accomplished, in the development of our recreational resources. No comprehensive effort has heretofore been made by the State to expand our natural recreational advantages. The Development Commission has made a complete survey of all recreational facilities. This is a good start.

Much more progress could and would have been made by the Development Commission if it had not been for the fact that the 1945 Legislature designated this body as the state agency in flood control matters. Flood control was of such immediate importance that other functions of the Commission had to give way, and I believe the Commission should be relieved of this work so that it may devote its full time to carrying out the work for which it was designed.

I take this opportunity to commend the Commission for the splendid work it has done, handicapped as it was by flood control responsibility and the lack of funds.

FLOOD CONTROL

Much time and effort has been devoted to the subject of flood control.

You may know that, until 1944, Vermont as other states, was wholly without authority to say where flood control projects were to be constructed. In 1944, an amendment was enacted by the Congress which recognized that the states should and did have some rights in these matters of flood control, but in the enactment of this amendment, Congress still retained the final decision.

During my administration, I have maintained a policy of unalterable opposition to any proposed flood control project which would result in the destruction of village properties and good farm lands. At the outset I made it known to the federal engineers that I would exercise my right as governor to disapprove any such project.

While I believe Vermont should share in the responsibility of flood control, it should be done only according to a policy which would locate the dams on the upper reaches of the rivers when destruction of village properties and good farm land would otherwise be involved. We have been making such studies on the various streams with our own engineers, Howard M. Turner of Boston, one of the best hydraulic engineers in the east, and with the aid and cooperation of the federal army engineers, whenever the site proposed by the Army Engineers was unfavorable. Should the State and the Army Engineers fail to agree on any location, then the recommendations of the State, of the Army Engineers and the Chief Engineer go to Congress for final decision. On no occasion, thus far, has it been necessary to submit a problem of disagreement to Congress for final decision.

The matter of loss in taxable property is an important factor in these negotiations. I am hopeful that a plan will be devised whereby the towns will be reimbursed for tax loss. A policy has already been officially agreed upon by the New England Flood Control Committee whereby the states benefiting from these control projects, should repay the towns the tax loss in proportion to the benefits received. Should this means fail, I am informed that a measure providing reimbursement may be introduced in Congress.

Work on the dam at Union Village has started. The project on West River has been approved. Aside from these, I am informed there will be no further construction of flood control projects undertaken until 1949. I have made it clear to the Engineers that certain of the sites now under consideration would not be approved. The Engineers are now undertaking a new survey.

I wish to state in leaving this subject that there has been no time during my Administration when there has been cause for alarm as to the federal government's foisting on our state flood control projects to the detriment of our citizens or the loss of village properties and good farm lands.

PUBLIC SERVICE COMMISSION

An outstanding record in the public interest has been reported by the Public Service Commission during the past two years.

Your attention is called particularly to the tremendous strides made in the electrification of rural Vermont and, secondly, to the material reduction in electric rates.

No small measure of credit should be given to the Public Service Commission for these accomplishments. The fact that the utilities, the municipalities, and the cooperatives have joined efforts fully with the Commission in its approach to these two problems, shows that it has met with success in its efforts.

In 1945 all utilities in Vermont were presented detailed town-by-town maps on which were set forth not only the location of each rural building but also the rural electric lines then in existence. These maps and the detailed supporting data were the culmination of an exhaustive and all-inclusive survey made by the Public Service Commission.

After considerable study and planning, the PSC projected on these maps so supplied the rural electric lines it believed should be built to bring the benefits of electricity to practically everyone in Vermont. Detailed analyses of each proposed "extension" accompanied the maps, so that, when presented, each company had before it a well-charted, carefully-prepared post-war rural extension building program, both on a town-by-town and a system-by-system basis.

Working with this material as a guide and as a tool, the utilities, the municipalities, and the cooperatives proceeded on their construction of rural lines with the amazing result that during 1945 and 1946, over 1,027 miles of rural lines were built, some 400 additional miles of rural lines now being under construction. With rural line construction costing some \$1,000 per mile, it will be seen that approximately \$1,500,000.00 has been spent in this program during this period. Whereas 75 per cent of Vermont farms had electricity available to them on January 1, 1945, today some 90 per cent of Vermont farms have electricity available to them. This is remarkable progress and those responsible—namely, the Public Service Commission, the utilities, the municipalities and the cooperatives--should be strongly commended for their effort in the public interest.

I believe no more valuable service to the people of rural Vermont has ever been rendered by the Public Service Commission than that to be found in this feature of its activities and the manner in which it has followed through with its program of rural electrification. It would appear, furthermore, that in a very short while over 96 per cent of Vermont farms will have available the benefits that electrification can bring and does bring to them. This program should be completed.

Moreover, during this same period, not only have there been major advances in electric service rendered but also a decrease from an \$18.00 per mile per month minimum guarantee requirement to a \$6.00 per mile per month minimum requirement was filed in 1945 with the Public Service Commission by the five larger companies now serving approximately 65 per cent of the retail farm customers in Vermont.

Finally, in no two-year period during the history of the Public Service Commission has the \$525,000.00 in rate reductions filed with it during 1945 and 1946 been even closely approached. As a consequence of these rate reductions which aggregate so much, a great majority of the electric users in Vermont benefited. It is significant that these downward electric rate revisions were filed during a time when the trend in prices for other services and commodities was ever upward.

HEALTH

Health, as we know it and recognize it, is a matter of greatest importance, not only to the individual but the State and the Nation as well. Good health is essential for a vigorous, self-reliant and aggressive people and for full enjoyment of life.

A study of health conditions in Vermont reveals there is much that can and should be done. We have continually recognized that this is a problem of vital importance in building a better Vermont. While it is largely a matter of individual concern, the State should and must play an important part.

In order to determine the exact problem, I appointed a group of fourteen specialists a year or so ago with Dr. Dalton as chairman, requesting this group to make a survey of the health conditions of our state and after having done so, confer with me in the creation of a comprehensive health program which would be beneficial on both school and community levels,— to youth and old age. This committee has worked diligently and faithfully, both on the survey and a program, and I avail myself of this opportunity to commend them heartily for their efforts and the results obtained. Their report is complete and in the main presents 22 recommendations. These recommendations entail careful planning and the expenditure of considerable money. A limited edition of this report has been printed and distributed.

We owe to our youth and all citizens the obligation to provide within our means the best health conditions in which to live. To this end, we have given much time and thought and I believe we have now evolved a practical plan which, if carried out, will afford more and better opportunities for improved health, especially for the younger people of the State, and does, I believe, give special emphasis to the improvement of conditions in rural areas. I commend this plan for your consideration.

MENTAL HEALTH

Mental Health is a large and perplexing problem in Vermont as it is in all other states. At my instigation, a special committee headed by Dr. Chittick made an extensive study to determine what steps should or could be taken in the care and treatment of our feeble minded persons. This committee's report and recommendations comprise a supplement to the health report mentioned above. I direct your attention to this report and it is my sincere hope that you will give further consideration to the recommendations included in it.

LABOR

I believe much progress has been made in making more secure the individual who has experienced misfortune through no fault of his own, in that the Workmen's Compensation law was liberalized in many respects. The more important provisions were: an increase in the minimum and maximum benefits; an increase in the permanent disability benefits; medical and hospitalization benefits.

In the field of Unemployment Compensation, the law was liberalized in several respects including an increase in weekly benefits and elimination of the waiting period.

I desire to take this occasion to commend both management and labor for the excellent relationships that have existed during my Administration. I was very forcefully impressed, during the short period of time I participated as mediator in the recent railroad strike, with the honest and conscientious effort on the part of both management and labor to understand the other's problems, and it has been a source of real pleasure to assist in working out the various state problems with these two groups; problems with which the State must always concern itself.

OLD AGE ASSISTANCE

This department, like many others, has not been without its problems. Shortage of personnel and automobiles, as well as increases in the budgetary requirements, have created some of these problems, but, despite these handicaps, the functions of this department have been carried on most efficiently.

Assistance to our aged is of paramount importance. This must be adequate assistance, and such as we can afford. At the same time, we should not, by this promise of assistance, destroy the things that have made this country strong and self-reliant, namely, the will and desire to save for a "rainy day" which, in turn, makes for self-support and independence in our declining years.

The 1945 Legislature increased the maximum grants for individuals from \$30.00 to \$40.00 and for married couples from \$45.00 to \$60.00. It likewise increased the appropriation and, for the first time in the history of the Department, the waiting list was eliminated.

The problem of assistance to the aged has become and will remain one of the State's primary functions. It must be viewed realistically and appropriations for this purpose kept in line with our ability to pay.

PERSONNEL ADMINISTRATION

The constant increase both in the number of state departments, boards and commissions, and the number of state employees, has created a very definite need for an organized personnel program. In public service, it is my belief that personnel administration must be conducted on a sound and scientific basis, logically and equitably applied.

During this Administration a great deal of attention has been given toward the betterment of matters pertaining to personnel. I believe this to be one of the most important duties of a governor. Our state employees are an exceptionally loyal and competent group and deserve the best the State can afford.

Among the many changes made for their benefit, the most important, I believe, was the inauguration and completion of a state-wide classification study of all positions and the formal adoption of a state-wide classification and compensation plan, effective as of January 1, 1946. This is the first complete study undertaken on behalf of the State by trained authorities in this field. Every state job has been studied, defined, and classified with pay ranges for each classification. As a part of this plan the salaries have been increased in accordance with present day needs.

To correct certain inequities found in the application of this plan, a revised plan was put in effect January 1, 1947.

We have adopted standards for hours of work placing the departmental offices on a five-day week of 37 hours, the state highway garage on a five-day week of 45 hours and the institutions on a 48-hour week. The salaries paid and the hours worked at the institutions have been in the greatest need of correction and I believe these now to be reasonably satisfactory.

Study for a broader coverage for the employees' group hospitalization plan has been made and I hope will become effective soon.

Several other important changes have been made.

In the course of making the classification and compensation plan for state employees, we also decided upon a compensation plan for statutory salaries in line with the changes for employees. This awaits your action.

The Executive budget has carried the expense for personnel administration. I believe there should be a separate appropriation for this purpose and permanent and adequate physical facilities provided for a personnel office.

I wish to commend the State Employees Association for its fine cooperation and constructive work in this important phase of state administration.

Finances

"The State's finances are in excellent condition." This statement was made in my inaugural message of January 4, 1945, and I am pleased to report that the same situation still prevails.

The general fund appropriation from current revenue for the present fiscal year ending June 30, 1947 is the highest in the history of the State. The appropriation for the above year provided by the Legislature of 1945 at its regular and special sessions is approximately \$7,600,000. For the fiscal year ending June 30, 1946, the general fund appropriation was approximately \$6,800,000.

On July 1, 1945 the beginning of *our first* fiscal year, there was an accumulated unappropriated surplus of about \$1,580,000. In *our first* fiscal year ending June 30, 1946 we increased this surplus by approximately \$1,750,000 making a total of \$3,330,030.

From this amount we appropriated for:

Construction at State Institutions

Construction at College of Agriculture

New dormitories at University of Vermont

Retiring certificates of indebtedness, and

Refunds of franchise taxes about \$3,200,000 leaving a balance of surplus, June 30, 1946, of about \$115,000.

Because of the increased cost of consumable supplies and salary adjustments awarded to State employees, many of the appropriations for the present fiscal year ending June 30, 1947 are insufficient and the enactment of deficiency appropriations, which have been estimated to amount to \$300,000.00 will undoubtedly be necessary. I feel that I would be remiss in my duty if I failed to apprise you of this fact.

I firmly believe that the trend of revenue collections in this fiscal year clearly indicates that at the close of the present fiscal year ending June 30, 1947, following the payment of the present general fund appropriations and deficiencies, *a considerable surplus* will be available.

This program has been accomplished without the enactment of additional taxes and with a reduction of \$1,827,031.90 in our State debt.

National Guard

I wish to mention a few facts concerning our State Guard and National Guard.

At the beginning of my administration, the State Guard consisted of 36 units with aggregate personnel of 1469. Following V-J Day, 15 of these units were mustered out and the remaining units carried on until the reorganization of the National Guard was undertaken in accordance with policies of the War Department. As the National Guard units are organized and formulated, the State Guard units, one by one, are mustered out. The reorganization of the National Guard is making rapid progress and at this time seven units have received federal recognition. Vermont's allocation included: 134th Fighter Squadron with three attached units; 172nd Infantry Regiment; 206th Field Artillery Battalion; Army Ground Force Band; two Truck Companies. At such time as the reorganization is fully completed it will comprise approximately 4000 men.

Through persistent efforts, we succeeded in obtaining from the War Department the use of certain buildings at Fort Ethan Allen which at the present time are taking care of the supply activities for the National Guard at the Fort. At such time as the War Department is ready to relinquish the Fort, we have requested it to reserve a certain area which includes permanent buildings located thereon, and which will provide for the needs of our National Guard. The land and buildings are contiguous to Camp Johnson. The buildings already obtained for use are especially valuable at this time by reason of the loss of the arsenal that was destroyed by fire here in Montpelier in 1945.

Before I conclude my comments with regard to the State and National Guard I desire as Chief Executive to pay tribute to those who made up the units of the State Guard over a period of six years and who served voluntarily. I deeply appreciate the loyal and efficient service they rendered when needed. In looking into the future, I am confident that the National Guard now in the process of reorganization will compare favorably with past units and will, I am sure, maintain the high standards of the National Guard of our State.

Motor Vehicle Inspectors

Prior to the enactment of No. 16 of the acts of the special session of 1946, the number of motor vehicle inspectors was limited to 37. With the increased traffic this number was not sufficient to patrol our highways properly, notwithstanding these inspectors were on duty twelve hours a day seven days a week, and subject to call at all times.

Enactment of the above law enabled the Commissioner to employ such number of inspectors as he feels may be necessary to properly discharge the duties of the Department and to provide proper working hours for the inspectors.

I desire to mention that within the past two years there has reached the Governor's office many letters from out-of-state tourists commending the courteous treatment received at the hands of our state inspector. I believe this is a fine testimonial to our inspectors for their efficiency, and such courteous treatment extended our motoring guests brings much favorable publicity to the State.

Insurance of State Owned Property

It has been the policy of the State to insure its buildings having a sound insurance value of \$10,000 or more up to 90% of such value. It came to my attention that the last appraisal of our state buildings was made in 1933

when values were much lower than at the present time. To provide adequate coverage and prevent the possibility of serious loss to the State, I thought it necessary to make a new appraisal. The results of this reappraisal indicated that it would be necessary to increase the amount of insurance from \$4,841,323 to \$8,496,380, or an increase of \$3,655,057. This has been done and the State is now protected from fire loss up to 90% of the sound insurance value on all buildings having a sound insurance value of \$10,000. or over.

On buildings valued at less than \$10,000, the State carries its own insurance.

Personal property, other than liquor stock, of the State was increased at the same time from \$1,599,088 to \$1,800,000, or an increase of \$200,912. The present coverage on the State owned liquor is \$1,400,000. and on the highway department equipment \$75,000. The State also protects its interest in the motor vehicles and other special equipment by standard kinds of insurance.

University of Vermont

The University of Vermont and State Agricultural College, in common with nearly all institutions of higher education, has been faced with an unprecedented demand for its service and has, as a consequence, begun extensive expansion. The University enrolled 2065 students for the fall quarter of 1946 as compared to 1083 in the fall of 1945, an increase of 91 per cent in one year. The University will expand further by admitting an additional freshman class this month and expects to enroll a total of nearly 2700 students by this fall. This total will represent nearly 100 per cent increase over the highest prewar enrollment. Of the 2065 students now enrolled, 1489, or 72 per cent, are residents of Vermont and 1126, or 54 per cent, are veterans of World War II.

This expansion has been made possible by the complete utilization of the University's housing facilities and academic plant. Additional students to be admitted this month and in October can be accommodated through the generosity of the Federal Government and of the State of Vermont. The Federal Government is providing a substantial temporary building which will give classroom, laboratory, and library facilities for the students. The Special Session of the Legislature held in September, 1946 provided, through an appropriation of \$200,000, and authority to the University for a bond issue of \$650,000, the necessary funds to erect dormitories to be ready in the fall of 1947 to accommodate approximately 600 students.

The program of improvement of the physical facilities for the College of Agriculture which was made possible by Acts of 1945 Legislature has not been completed. An additional experimental farm has been purchased; a Poultry Plant has been erected and is now being equipped; and plans have been made for the Agricultural Science Building, but because of war-time conditions and the greatly increased cost of building, construction has not begun. The Special Session of the Legislature provided funds for the completion of the Poultry Plant and the erection of an Agricultural Engineering Shop. Further funds should be provided to complete the Agricultural Science Building.

The Medical College at the University of Vermont is of great importance to any plan for improving health conditions. Vermont is largely dependent upon its graduate doctors. A careful study of this situation convinced us that further funds for operating expenses were necessary if the standards of the institution were to be maintained. We therefore increased the appropriation.

TAXATION

Sound banking institutions are essential to the progress of our communities. Until the enactment of the so-called "Bank Tax Law" by the General Assembly of 1945, our banks were taxed on their deposits. Apparently the principal reason for such tax was the convenience of collection. It was my opinion that such a method of taxation could no longer be justified, according to modern practices, and I suggested that an equitable basis of taxation of our banks would be one based on their income rather than on their deposits. Such a law was enacted.

Each bank now pays a 2% tax on net income, plus recoveries and profits less losses and charge-offs, the same as any corporation, and, in addition, pays a 4% tax on the amount of interest or dividends credited to accounts of residents of the State of Vermont. This is a fair tax since a bank now pays when it is making money

and is not obligated to do so when operating at a loss. Both the old and new taxes were and are mandatory on State Banks. National Banks paid the old and have agreed to pay the new.

Since this tax became effective on income for 1946, no tax has yet been paid to the State, and, consequently, no figures are available as to the amount that will be collected.

At first thought, it might seem that the loss to the State in tax revenue would be very substantial since deposits in Vermont banks are at an all time high. However, we have the offsetting factor that Government bonds owned by the banks were a deductible asset from deposits. Since banks own Government bonds today in an amount far in excess of any amount previously owned, the difference under the old and the new method will not be as great as might seem.

But whatever the difference, if any, there has been corrected a situation that for years was inequitable and unjust.

I would furthermore call your attention to the revision in taxing of insurance payments to beneficiaries. Prior to my Administration, amounts so received were taxed under the income tax law. During my tenure of office I authorized a ruling, after consulting the Attorney General, which exempts all payments received as death benefits. I am convinced that the Vermont Legislature never intended that dependents of insured persons should be subject to an income tax on insurance proceeds and am sure the State has profited by this ruling.

At the outset of my Administration, the tax department was re-organized under George Amidon, whom I appointed commissioner. He has effected many improvements in administration and procedure which have greatly benefited both the State and the public.

FIRE PROTECTION AND PUBLIC SAFETY

A study of our fire laws revealed that some of those on our statutes are outmoded, inadequate, and fail to cover hazards that have been created by the use of chemicals in the various industries in operation throughout the state, or to protect the lives and property of our citizens adequately.

The General Assembly of 1945 enacted certain fire preventative measures which in part remedied the situation as it existed at that time. However, we have undertaken an over-all study of our safety measures and there have been prepared certain recommendations that will undoubtedly be presented to you for consideration.

The appalling loss of property by fire in Vermont is alarming and too much emphasis can not be placed upon the enactment of further protective measures.

While we have had no great loss of life by fire in Vermont, the potential danger is present and the recommendations being made are even more urgently needed for this purpose.

FISH AND GAME

Our resources of fish and game constitute an important natural asset to Vermont. They are important from the point of view of enjoyment, health, and finances. Vermont is a natural habitat for much wildlife. There has been a marked increase in hunting and fishing. Because the state is small, with highways penetrating practically all sections, most hunting and fishing grounds are fairly accessible to sportsmen. This makes it difficult to conserve our wildlife.

One of our chief needs has been a long-range program for the conservation and propagation of fish and game. The Director of Fish and Game has now completed plans for such a program. This is now in booklet form and we have distributed a limited edition of it. It contains many and varied recommendations. Among them are: Increased hatching facilities; an enlarged and better equipped warden force; plans for research; game management, and many others. Our needs and requirements are detailed. It is an excellent report and I wish to commend Director Davis and the Conservation Board on the results of their efforts.

There is a great divergence of opinion among sportsmen as to how this state activity should be administered. It is difficult to obtain a united front on just what should be done. The Department has made good progress, yet there is much to be done. The fish and game clubs should play a large part in determining future plans.

AVIATION

The 1945 Legislature, as many of you know, established our present Vermont Aeronautics Commission. As a result of the establishment of this commission civil aviation has greatly expanded.

One of the first things the Commission did was to make a careful study and appraisal of suitable locations for new airfields. In October, 1945 it completed the Vermont Airport Plan. As a result of this thorough study by the Commission, 14 new airfields were recommended which, with present fields, would make a total of 28. During this past year some of these recommendations have materialized and fields opened which are owned and operated by private enterprise. The development of private fields has received assistance and encouragement from the Commission in so far as it was possible to render such aid.

Registration figures for pilots and aircraft in Vermont since May 1, 1946, show an increase of 55 and 73 respectively. The volume of air travel into Vermont by airline and private aircraft surpassed all estimates this past summer.

Continued development of airports and other facilities makes our state more easily accessible to people from neighboring areas and enables our people to remain in closer contact with other parts of the Nation. I hope that future legislatures will give due and careful consideration to all phases of this subject for the further development and advancement of aviation in this state.

FORESTS

A phase of state development to which we have not given sufficient attention over the years is our forest resources. It is true that much thought and effort has been put forth in their behalf but we are still inclined to take our forests rather for granted. When we see a hillside covered with some sort of trees we think that suffices. The extent and quality of our timber is a matter of great importance to Vermont. Three-fifths of our land area is better adapted to growing trees than to anything else. Our forests are important to our fish and game, to our stream flow, to our scenery and recreation, and, what is most important of all perhaps, jobs. We used to have a thousand woodworking plants of one kind or another. We now have approximately five hundred. Our forest resources constitute a large factor in the economic welfare of the State.

Since 1937, an effort has been made to pass legislation adopting better business methods in the handling of our forests. Each time it has been unsuccessful, perhaps because the legislation has been too drastic in the minds of the legislators. In the 1945 Legislature, we were successful in passing a bill which establishes a forest policy for the State. This is a good start but we must go further to the end that our forests may be treated as a crop and not as a mine.

Good forest management includes proper cutting methods, planting, fire protection, pest control and taxation. A commission is reporting to this Legislature on the latter subject. If this great natural resource is to continue to promote the economic welfare of Vermont and all parts of the Nation, we must submit to some curtailment of our personal freedom in the handling of the product. Proper business management of timberland has proved its worth in other lands, beyond the shadow of a doubt.

Our state forests and state forest parks should be increased. They greatly enhance our recreational opportunities.

We have thousands of acres in Vermont earning us practically nothing. Much of this is best adapted to reforestation. Our motto should be, "Not an idle acre in Vermont."

Furthermore it is my hope that an extensive wilderness area may be set aside as a primitive tract for those who enjoy and can take advantage of the charm, peace, beauty, and health to be found in forest land where nature reigns supreme. We have an area now near the center of the State, well adapted for this purpose. It would be a valuable addition to the bounteous benefits of nature in the Green Mountains.

HIGHWAYS

Highway appropriations, with the exception of the State Highway construction items, were restored to prewar levels by the 1945 Legislature.

The appropriation for town roads was increased \$250,000 annually. This makes the State's grant to towns for Town Highways alone approximately one million dollars annually, which is an appreciable percentage of the State's motor vehicle revenue. This will aid materially in the improvement of farm to market roads.

At the end of the fiscal year June 30, 1946, there was an excess in motor vehicle receipts [above appropriations] of \$962,241.74 which was allotted by the Emergency Board to the several highway appropriations, as recommended by the Highway Department.

It was expected that as soon as the war ended an enlarged highway construction program would rapidly get under way, with the assistance of the two million dollars per year appropriation [for three years] to the State by the Federal Government, which must be matched by the State. Many factors have combined to restrict the expected program. Many projects advertised could not be let because of no bids or unreasonably high prices. Contractors could not get the labor or equipment they needed, and many were engaged in lucrative private work. It has been nearly impossible to obtain steel for bridge and culvert construction.

In an attempt to meet this situation, programs have been rearranged and construction plans have been revised to permit work where there was the least interference. The work underway is about the prewar amount in dollars, but the amount of work accomplished will be considerably less due to higher costs.

Some progress has been made in taking care of the deferred maintenance caused by war conditions. However, in some respects difficulties have increased, machines are older and replacement parts have been more difficult to obtain. The same factors that have increased the construction costs have increased the maintenance costs.

Highway improvements interrupted by the war have increased the maintenance burden. During the war our main highways were called upon to carry increased loads, and the end of the war has increased, rather than diminished, this trend. It is evident that additional funds and equipment will be required on this problem.

One of the chief problems confronting this Department is the additional money required, due to higher costs, if we are to continue the schedule of construction and maintenance agreed upon before the war.

COMMUNITY RECREATION

Community recreation is being recognized as a function of state government throughout the country. Its importance is indicated by the fact that many Vermont towns, confronted by their problems concerning community recreation, have turned to the State Community Recreation Advisory Service to receive help in determining, appraising, and meeting community needs—the needs of organizing and administering community programs, raising money, locating and training leaders, and planning facilities. What these communities need and seek is technical, consultive service on how to provide community recreation effectively. They lack the “know-how”, not the enthusiasm or concern and consequently have requested guidance.

I believe that recreation is a vital, positive force in Vermont's way of life because it contributes to the physical and mental health, to the morals, to the education and culture, of its people. It also curbs crime and delinquency, encourages good citizenship, and strengthens family and community life. To the State of Vermont and to local communities, recreation becomes an economic asset by keeping its youth vigorous through wholesome programs of activities, as well as making Vermont attractive to outsiders through its opportunities for leisure-time pursuits. New industries are looking to communities with recreation programs.

During the past two years the State Community Recreation Advisory Service has helped communities with organization, planning, and leadership problems resulting in the stimulation of community interest and responsibility. At the same time this service has prevented communities from making costly mistakes. Two largely attended Governor's Conferences on Community Recreation have indicated widespread interest throughout the State.

We in Vermont who are concerned with better living conditions will want to include the planning for recreation and the cultural side of community life as a legitimate need.

It should be noted that the Community Recreation appropriation terminates with the expiration of the Council of Safety on February 1, 1947.

Therefore, if this work is to be continued, legislation prior to February 1, 1947 will be necessary. I hope that such legislation will be enacted, as community recreation is important in the development of the State.

GEOLOGY

Two years ago, I recommended an increase in the appropriation for the State Geologist primarily for the purpose of enabling him to undertake a systematic geological survey of the State's unexplored regions. A complete survey has not been made since 1865. The Legislature responded favorably to this suggestion and as a result a program has been initiated designed to obtain a complete and systematic survey of the entire state. The results of this survey, so far as it has progressed, will be made available in a report of the State Geologist. In addition to these surveys, the State Geologist has studied and surveyed the activities of all mineral producing companies of the State. The production for 1946 is estimated at a value of \$19,000,000, considerably higher than any comparable period prior to this year.

I might say in passing that surveys which cover mountainous regions are slow, difficult and dangerous. I feel, however, that this work is of sufficient importance to justify its continuance and I hope the work may continue through adequate appropriations by future legislatures.

This is one of several efforts we have initiated to increase the income of Vermonters. Thus to improve the standard of living in Vermont has been one of the chief objectives of this administration.

Stream Pollution

Two years ago, I recommended that the Legislature with the aid and assistance of the Vermont Development Commission, at that time the State Planning Board, make a start in the formation of a broad policy which would bring about the gradual elimination of stream pollution.

While the Legislature did not enact such a measure the Development Commission has been as active in such work as time and facilities permitted. The Commission made a survey of the Winooski basin to determine the extent and location of pollution and has taken part in all stream pollution meetings in the State.

Since 1923 the theme of our recreational publicity has been UNSPOILED VERMONT. Vacationists who are attracted to the State by such publicity are entitled to expect an UNSPOILED VERMONT upon their arrival. One of our greatest assets, in the recreational field, is our rivers and lakes. Many of these are now so polluted that they are not suitable for recreational purposes and are often dangerous to health.

The recreational business in this state has an opportunity to enjoy the greatest expansion, percentagewise, of any income-producing activity in Vermont during the years to come. It would be of tremendous value to the recreational business if we could have our streams more suitable for bathing, camping, and fishing. If we are to take advantage of our opportunities, steps must be taken to eliminate to a considerable extent the pollution now existing in our rivers, streams, and lakes and the State should participate in such planning. Corrective measures would have far-reaching and beneficial results—not only as regards the beauty of our rivers, but likewise the health of our citizens and the promotion of recreational facilities.

I feel that a program which will ultimately result in the clearing of our streams and lakes can not longer be delayed, and it is my hope that any advance planning having to do with our recreational activities will embody a broad and far-reaching program for the elimination of stream pollution. The first step in such a program would be the prevention of any further pollution than now exists.

Wilder Dam

This administration has given much thought and effort in connection with the redevelopment of the dam at Wilder.

The Legislature of 1945 enacted a bill designating the Public Service Commission as the state agency in matters pertaining to power development. It also adopted a joint resolution directing the Governor to use his utmost efforts to hold the level of the dam at Wilder at 380 feet in the event it was redeveloped.

Following adjournment of the 1945 Legislature, the Bellows Falls Hydro Electric Company petitioned the Public Service Commission for a license to redevelop the dam at a 385 foot elevation. For weeks, the Public Service Commission listened to evidence presented by all interested parties, and, upon completion of the various hearings, had before it for decision the question as to whether the acres to be inundated or the electric power that would result from the redevelopment was the more important to all the people of Vermont. Its decision was in effect that the redevelopment of the dam at Wilder would serve the public good of the State and result in the greatest benefit to the people in that it would encourage the expansion of industry and provide the additional electricity needed for a broad development of the State.

As many of you know, our state Public Service Commission is a quasi-judicial body and during the period the case was with it for consideration, it was my belief that the Governor should at all times maintain a scrupulous detachment. To do otherwise would be comparable to an attempt to influence a decision of the Supreme Court, and this could not, and should not, be tolerated in the orderly administration of governmental affairs, notwithstanding my desire to do all in my power to prevent the destruction of fertile farm lands. In the name of good government the Chief Executive must be fair to all parties.

Following the decision of the Public Service Commission, and while the case was with the Supreme Court for decision, on my own responsibility I attempted to serve as conciliator between the two opposing groups, and endeavored to persuade the New England Power Association to agree voluntarily to fix the level of the dam at 380 feet, and, in doing so, I attempted to impress upon the officials of this Association the loss of farm lands which would occur if the level of the dam were to be redeveloped at 385 feet. In this, I was unsuccessful.

Subsequently, the Supreme Court ruled that the Public Service Commission was without jurisdiction and that sole jurisdiction was with the Federal Power Commission.

The interested parties filed a petition with the Federal Power Commission to reopen the case for the introduction of additional evidence in their efforts to hold the redevelopment of the dam at a level of 380 feet. With the case no longer before the Public Service Commission or the Supreme Court, I felt free to take an active part in the matter. I wired the Federal Power Commission urging it to grant the petition, then pending before it, to reopen the case, and permit the introduction of further evidence. I advised this body that if this were done, I would appoint special counsel to cooperate with the petitioners in holding the level of the dam at 380 feet. The petition was granted, the case reopened, special counsel appointed and additional evidence introduced, but the decision was the same and a license was granted to redevelop the dam at a level of 385 feet.

If we are to encourage the expansion of existing Vermont industries and the establishment of new ones, we must have further power development, but at the same time, this must be done in such a way as to preserve our good farm lands and it is regrettable that the Wilder dam could not be redeveloped at a level of 380 feet which, in my opinion, would solve both problems reasonably well.

STATE OFFICE BUILDING

The first appropriation for a new State office building was made in 1941. A four story building was then contemplated. The 1945 Legislature increased this appropriation by \$150,000 to meet additional building costs.

In its study of the office space required by the various departments, the State Building Commission during the past two years has been convinced that when the new office building is erected, it should be a five-story building. A detailed survey of the needs of each department was made and then a careful recheck followed. Not only will the five-story building be completely occupied, but also the Howland house which is to be moved to a site at the west end of the new office building. All state departments located here in Montpelier would then be in state-owned buildings.

The architect's plans provide for two additional buildings should additional space be needed at some future time; these buildings to be located one at each end of the office building and on an axis perpendicular to State Street.

A further appropriation will be needed before the building can be erected, it goes without saying a new building is greatly needed, not alone because of the uneconomical business conditions resulting from the

scattered location of present buildings now used as state offices, but for other obvious reasons, it is my hope that construction can be started in the near future.

A central heating plant to supply all state buildings was started in 1945 and completed in 1946.

STATE LIBRARY BUILDING

In my inaugural message I recommended the construction of an addition to the State Library Building in order to meet the urgent needs of the State Library and the Vermont Historical Society for additional room, and which would also provide adequate and fireproof storage for the preservation of the historical and non-current records of the State, as well as make such records more readily available for public and official use. The General Assembly of 1945 considered and approved this project but failed to appropriate funds for construction. The current reports of the State Library and Public Records Commission present the facts of this project which is tied in with the plans of the new office building and should be regarded as an essential part of it.

I hope that funds will be made available so that the construction of an addition to the State Library building may be undertaken at the time construction is started on the new office building.

REPORT ON VERMONT GOVERNMENT

A commission which I appointed, as a result of action by the 1945 Legislature, to study Vermont Government and Finances under the chairmanship of J. Harold Stacey has made a very thorough study of several important problems and its report contains recommendations which should be of inestimable value to this Legislature in its consideration of various state problems. It is one of the most constructive and forthright reports issued in a long time. I strongly recommend it for your consideration and commend the committee for its conscientious and untiring efforts.

A COMPARATIVE INDEX OF WEALTH FOR TOWNS

We need in Vermont a comparative index of wealth for our towns--a yardstick to indicate the actual comparative wealth of each town.

The Grand List was intended to provide such an index, and it would if we complied strictly with the laws. Sec. 634 of the Public Laws requires real property to be appraised at its "just value in money." Actually, it is appraised in most cases at varying percentages less than full value, from 30 per cent to 100 per cent of full value.

The Grand List is resorted to for various financial purposes other than local taxation. It is the basis for computing the town's share of State Aid funds. It is the basis of figuring the town's share of a state tax. It is the basis for determining a town's limit of indebtedness. And there are many others.

Let me say right here that in the discussion of this problem there is no desire to alter the present practice of appraisals, so far as they pertain to establishing the Grand List for the purpose of local taxation. The towns should continue to handle their Grand Lists for local taxation just as they do now.

The present discussion concerns only instances where there is financing involving several or all the towns. For this we need something in addition to the present Grand List. We need something which will indicate a true comparison of the wealth of all the towns so that all towns may be treated alike.

One instance will illustrate the serious unfairness existing now. State Aid for education is distributed on the basis of wealth per equated pupil. Actually, two towns might have about equal wealth per pupil. Yet if Town A bases its Grand List on 30 per cent of full valuation and Town B on ninety per cent, Town A would receive three times its rightful share of State Aid compared to B.

There are at least seventeen Vermont statutes in which the Grand List is made the basis for a tax, distribution of funds or other financing, and which, therefore, provide the basis for unfair use of funds insofar as the Grand List varies from a uniform appraisal basis. This injustice is due to the fact that we have no accurate comparative wealth index for all towns in the State.

The method employed by New York to correct this situation has worked very satisfactorily in that State. In general, the Tax Commission of New York satisfies itself as to what basis of appraisal each town is using, whether it is 25 percent or 100 percent. From the appraisal based on such a percentage, the State can easily determine what the one hundred per cent valuation would be.

Such valuation establishes a comparative index of wealth for all towns and provides a basis for treating them fairly whenever there is financing involving several or all, but is not used for local taxation purposes.

The commission which has made a study of Vermont finances and government has made another constructive suggestion for the solution of this problem.

The 1945 Legislature introduced a measure to accomplish this purpose but it failed in its passage. This was due partly, I believe, to the fact that the purpose of the measure was not clearly understood.

I hope the Legislature will study this problem and adopt some method which will establish a comparative index of wealth for all towns.

VERMONT COUNCIL OF SAFETY

The State Council of Defense was created in September, 1940 at the request of the Advisory Commission to the Council of National Defense. It was charged with the responsibility of assisting in the then important program of organizing and utilizing industrial production facilities for the production of defense material for the national needs. It was also charged with the responsibility of preparing such measures for civilian defense as seemed necessary at that time.

In February, 1941, the name of the group was changed to the Vermont Council of Safety and the members were reappointed by the late Governor Wills. In May, 1941, the United States Office of Civilian Defense was created and, thereafter, the major function of the Vermont Council of Safety was the planning, organization, training, and operation of a state system of civilian defense, primarily for air raid protection, reaching into every community. This work was done in close cooperation with the United States Army and the U. S. Office of Civilian Defense.

Other important war-time tasks were undertaken, in the field of Community War Services, such as salvage, child care, conservation programs, and recreation.

The Council of Safety was first given official status by a Joint Resolution adopted by the General Assembly at the Special Session of 1941. It was re-recognized by the State Emergency War Powers Act of 1943 and again in 1945. Since the War Powers Act terminates on February 1, 1947, the Council of Safety will also terminate on this date unless other action is taken by this Assembly.

The work of this Council throughout the war was financed by appropriation made to it by the Emergency Board. The 1945 Legislature appropriated \$12,000 for the biennium ending June 30, 1947 for the continuance of the Community Recreation Office under the Council of Safety. It should be noted that under present statutes, the Council of Safety will terminate on February 1, 1947, before the end of the biennium.

The only other activities of this Council remaining in addition to the recreation service referred to above, are those of the State Fuel Board and the State Property office. The activities of the former are carried on from the office of Frank W. Dalglish entailing only the expense of telephone and telegram charges. The state property office is in charge of the State Fire Marshal, Chester M. Kirby who is the acting officer responsible to the federal government for the various Offices of Civilian Defense property in the hands of local property officers in the numerous municipalities throughout the State. The only expense involved in connection with this office is a \$10.00 annual bond premium which is required to be filed.

Provision for handling the Community Recreation office, the State Fuel Board and the State Property office should be made before the Council of Safety goes out of existence February 1, 1947.

CONCLUSION

The events just related bring to a close another chapter in the eventful history of the Green Mountain State. From those early days back in 1777 when she was fighting for her very existence and for a place in the Union of

States, Vermont has consistently been distinguished for her courage, resourcefulness, self-reliance, honesty, and patriotism. In peace or war she has performed feats of valor that have earned the undying loyalty of Vermonters and the respect of Americans everywhere. We pay tribute to a great fighter for justice and freedom.

Vermont's character is portrayed in part in the tributes to our State recently inscribed on the walls of the north corridor of the first floor of the State House. For several years I have been endeavoring to find an opportunity to establish such a Hall of Inscriptions in a state building, believing that they have much inspirational value to the legislators, the visiting public and to all who read them. While this should be only the beginning, we have at least made a start.

In the course of our dealing with Vermont's needs we were aware that with the passing of years and events, a succession of foremost state needs come to the front in each period. They in turn give way to others. This is evolution, and the way of progress. At this particular era, we have seen out in front, deserving of our foremost consideration:

- 1) education, including better paid teachers, increased vocational facilities, transportation, consolidation of some schools and more state aid;
- (2) development of our natural resources, agriculture, industry, recreation, etc., to further our prosperity and provide better income and opportunities for all Vermonters;
- (3) State institutional needs;
- (4) Improvement in health conditions;
- (5) Benefits for the unfortunate;
- (6) Good business management in government.

These are among the foremost needs today. Upon all of these we have focused special thought and effort resulting, I believe, in considerable progress. They deserve, and I hope will receive at the hands of this Legislature further strengthening and improvement.

When this administration took over the reins of government two years ago, we carefully analyzed the needs of the State. We have endeavored to make this an Era of Development which would place Vermont in the forefront of progress so far as her means permit. We have continually and aggressively tried to Build a Better Vermont for the welfare and happiness of all our people. It is a challenge which is second to none in the abiding satisfaction and inspiration which it brings to those who have the privilege of serving.

For whatever success has been attained, I here express my deepest gratitude to an outstanding Legislature for its cooperation and wisdom, and likewise to our State departments, the State Employees Association, and many others who have aided me in my administration. There has unfailingly been a united front which has left nothing to be desired.

Government as well as all other endeavors, however, consists not of work alone. Friendships, loyalties, and common sacrifices born in the midst of daily efforts, are what we remember longest. No type of person could be finer to work with than the average Vermonter. His common sense, his belief in fair play, his never-failing sense of humor, his genuineness, constitute the most likeable personality I know. In my fourteen years of continuous service with our state government, I am forever indebted to many delightful folks in all walks of life, scattered throughout the State, for some of the happiest hours and most worthwhile experiences of my life.

We must never relinquish the fight for progress. We must strive equally hard to preserve that certain genuineness, hominess, and rugged loveliness that is Vermont. These fourteen years have caused me to have increasingly greater admiration for these hills and their people, throughout the ups and downs which life must always hold for all of us.

For each of you, for all who serve in the State family, and for the Governor who succeeds me, I wish every satisfaction and success which such service can bring.

MORTIMER R. PROCTOR.

The Governor, having concluded the reading of his message was escorted to the Executive Chamber by the committee appointed by the Chair.

The Joint Assembly dissolved.

RAWSON C. MYRICK,
Secretary of State, Clerk.

Farewell address
of
Redfield Proctor
As it appears in the
Journal
of the
Joint Assembly.

1880

Tuesday, October 6, 1880
Farewell Address

Gentlemen of the Senate and House of Representatives:

You meet in an auspicious time. The State is out of debt. The expenses have been reduced in almost every direction for the last biennial term, and especially for the last year. The favorable effect of recent legislation points out the way to further improvements in our State administration. Reports will be submitted to you showing causes of increased expense in the past, and suggesting remedies. It is the session at which amendments to the Constitution may be proposed, and these may be necessary to carry out all suggested reforms. You will have full facts upon which to act understandingly, which has not been the case at previous sessions. Your responsibilities are great, and your opportunities are correspondingly so; may your good hearts and good sense have the guiding care and aid of supreme wisdom and virtue.

Believing that the course of my predecessor in submitting a message at the close of his term is worthy of imitation, I have followed it. I have no share with you in the legislation of the session and hence it is not my part to offer general views about the policy to be pursued, but merely to speak of some matters where the record of my official action or the experience of the last two years may be of use to you. I may go too far in giving suggestions, but if so, I know that you and the people you represent will be not unkindly critics if you believe the intention was for the public good.

REVISION OF THE STATUES.

Under the act of the last session providing for the revision of the public laws, I tendered the appointment of first commissioner to the late Governor Peck, and for some time had strong hope that he would accept and lend the State in this work the aid of his great wisdom and learning. But he decided that he did not feel equal to the task in addition to other duties which he had undertaken, and I then appointed Hon. Charles W. Willard and Hon. Wheelock G. Veazey.

Of Mr. Willard I cannot trust myself to speak impartially. A much loved classmate and friend from boyhood, my appreciation of his rare qualities might be deemed extravagant, but if I go beyond others it is because I knew him better. The revision was a great undertaking for one in his feeble health. He however undertook it cheerfully and with confidence, and I knew that whatever he did would be done with such care, system and judgment, that if he was unable to complete it, the work would not be lost, but that his discriminating taste in classification and arrangement, sound knowledge of the law, and his terse and correct use of language would guide and assist whoever might go on with it. Fortunately he was spared until the greater portion was completed, and until the whole had been gone over, so that his associate, Judge Veazey, and his son, Mr. Ashton R. Willard – who had been a valuable assistant to his father throughout – fully understood his views. Judge Veazey has completed it, employing young Mr. Willard and others to assist him. The price agreed upon for the entire work to this time was \$4,000.

The consideration of this revision will be the great work of your session. It will require careful examination, but I believe as a whole the work has been exceptionally well done. Mr. Willard had no other business, and so gave his whole time and thought to it, which a man in active practice could not have done. He fully realized its importance, and that it was the last public duty of a life which had been full of good service for his State and Country, and he made it a labor of love.

CONSTITUTIONAL AMENDMENTS.

We have within a few years made a decided advance in the right direction in rejecting special legislation, and providing for whatever is needed by general laws, where they can be made applicable. It is coming to be more and more in other states a constitutional provision to prohibit special and local legislation. Other not uncommon provisions are the prohibition of the issue of bonds, or the contracting of debts by the State or towns in aid of railroads or other improvements; that all charters granted by the Legislature must be held subject to

State authority; that the Legislature cannot elect its own members to office; that the Governor may veto separate clauses of appropriation or other bills. All these are in the direction of good legislation.

We do not literally comply with the requirement of the Constitution in regard to counting votes for State officers. If the present provision is impracticable, it should be changed. The point has been made that there is an ambiguity in the provision of the Constitution in regard to the power of the Governor to grant pardons in cases of treason and murder. It is claimed by some, though without good reason, in my opinion, that the words "*but not to pardon*" in that clause of the Constitution were originally parenthetical, and that the Governor has power merely to grant reprieves until after the end of the next session of the assembly, and no power to pardon at any time in these cases. A slight change of phraseology will remedy the defect if one exists.

It has also been claimed that a reprieve destroys the force of the original warrant for the execution of the criminal, and that there is no method provided for issuing a new one. On this point, however, the better opinion is that the reprieve merely suspends the operation of the warrant until the expiration of the reprieve. I refer to these two points not because I deem them important, but they were points raised in the Phair case and you may think a change required. And in this connection I wish to call your attention to the implied requirement of the Constitution in regard to.

COMMUTATION OF DEATH SENTENCE.

The Constitution provides that the Governor in capital cases "shall have power to grant reprieves but not to pardon until after the end of the next session of assembly." This implies plainly that the Legislature may act upon a case, and it is under this clause, and from the fact that the supreme power is vested in the Legislature – unless specially placed elsewhere – that the Legislature acts in commuting capital sentences. While the Constitution remains as it is, no criminal can be executed until after the session of the Legislature succeeding his sentence. This is not the proper tribunal to try such cases. Any one who, without any experience in the matter, considers it, will be satisfied that such questions should be tried by a board accustomed to consider and weight legal evidence; by a board small in number, and so constituted that appeals to personal sympathy on the one hand, or to prejudice or popular clamor on the other, can have little weight; and you who were members of the last Legislature must agree with me that experience strengthens this view. This is no place to try a man for his life.

There has been an unprecedented number of executions during my term. The cases have all been brought to my attention by counsel and friends. I examined them all with some care, and had an opportunity to know something of the condemned men and their crimes, of their condition of mind, of how they received the action of the courts, the Legislature and the executive; and, also, to know the views of the people. The effect of delay caused by this right of appeal to the Legislature is in every way bad. Punishment to have any restraining effect must be sure and swift, and strong enough, at least, to deter others. The long delay destroys its force, the crime is an old story, the community begin to sympathize with the prisoner, and in the end the execution of the law, which, while the memory of the crime was fresh in mind seemed fully deserved, now seems almost like a second murder.

The effect of the delay upon the condemned man himself is also bad. If he had but a short time to live after his sentence he feels its terrible force and justice; he gives his time to preparation and is in a much better frame of mind to make confession and atonement, so far as is in his power. But if he knows that he has one or two years to live he sees great opportunity – judging by the past – to get this time extended, or get his sentence commuted. He devotes himself to that end, and, of course, stoutly maintains his innocence; he knows that others no less guilty sometimes escape; he courts and enjoys the false sympathy so readily bestowed. He convinces himself that he has been wronged; grows more and more hardened and dies unrepentant.

It is not my place to recommend any board or other method in which this power of commutation should be exercised, but I am very decided in my view that the Legislature should have nothing to do with it, and that capital punishment should follow after sentence at such time as the court in its discretion may order. The law of the last session permitted the time to be shortened as far as is consistent with the Constitution, but could under the Constitution only have the desired effect when the sentence was but a short time before the session.

The same board of authority which exercised the power of commutation might also exercise the pardoning power in important cases at least. The operation of the law of last session requiring publication and allowing one or more judges to be called in has been salutary. Some applicants, hearing that the notice must be published in the county where the crime was committed, have wisely decided not to face public opinion. But this law is of little force under the Constitution unless the Governor chooses to use it. We need some provision more stable in character. Application for pardon, so far as may be, should be determined by some fixed rules and principles, applying alike to all cases.

Under our practice a pardon is granted on urgent personal appeal in one case; in another, just as deserving, but pushed with less pertinacity it is refused.

In the exercise of this power I have aimed to be careful about releasing those convicted of great crimes and have become more and more convinced that it is seldom wise to interfere with the action of the courts. I have pardoned several sentenced for lighter offenses where the term had nearly expired, and from the circumstances a pardon seemed to be a deserved encouragement to a young man, or one not a hardened offender; several on account of ailing health, in all cases of importance having the approval of the judge who tried the case.

STATE PRISON

On my visit to the prison, during the session of 1878, the lack of discipline and system was so apparent, that I decided to appoint a new superintendent at the expiration of Mr. Spencer's term, December 1st, and so informed him. During that session I tried to find a man in the State for this position, but could not find one who combined experience and all the other requisites. The affairs of the prison were in such a loose condition, both in the discipline and in the business part, that a man of experience and rare capacity was required. I was sorry to feel obliged to look outside of the State. Mr. Rice was not an applicant. His coming here was not of his own seeking, but I learned of him by inquiring among men familiar with the prison affairs of the country, and wrote Governor Connor a personal letter of inquiry, setting out the unfortunate state of affairs in our prison, and the need of more than a common man. His reply was a strong recommendation of Mr. Rice as the only man in his knowledge whom he would appoint to such a position. So far as I have able to learn, every one who has had an opportunity to know agrees with me that Mr. Rice fully answers the recommendation. He being a stranger in the State, I feel it but simple justice to him to refer to this matter so fully.

Soon after he went into office, he found irregularities in Mr. Spencer's accounts. These were quite difficult to trace, but were faithfully investigated, and the result was that Mr. Spencer's bondsmen paid over to the State a little over \$1,500, which he had received and failed to account for. I informed the State's attorney, but as the largest item was barred by the statute of limitation, he decided that it was not advisable to commence a criminal prosecution.

The construction of the new workshop and chapel at Windsor, was in charge of director Parker, whose wise and economical management in this as in all other matters connected with his administration, has been creditable to himself and of great benefit to the State. Though I might justly commend every State officer for faithful performance of duty, I am glad to make special mention of the chairman of the prison board, Mr. Bingham, whose good sense and judgment are never at fault.

The directors of the State Prison and House of Correction think a law would be advisable, giving directors authority under some regulation, perhaps with the approval of a Judge of the Supreme Court, to transfer prisoners hereafter sentenced, from one institution to the other. This would avoid overcrowding in either, as has been the case at both places at different times within two years. One would be crowded while the other was not full. Sometimes there are other reasons for a transfer, either in the character or conduct of the prisoner; and, of course, there is the liability that by failure of contractor, fire or other accident, the prisoners might be thrown out of work at one place, when a part of them could be employed by transfer to the other. This transfer could be made by the officers of the institution, and would entail no cost but the actual railroad fare paid out, and of course would not be made unless for the profit of the State.

TRANSPORTATION OF CONVICTS.

Persons sentenced to prison, and those sent to the House of Correction, from a shire town at least, might be transported to the prison or House of Correction by the officers of those institutions, and a large expense saved. This is the law of Maine and some other state, I believe. The cost would be merely the actual cash paid out, and commutation tickets would reduce this to a very small sum. An officer could almost always be spared long enough to go to any part of the State for prisoners. I am not able to give the amount of this expense, but it is quite large, and the subject demands attention. If the present system of fees is retained they are too high in some cases.

REFORM SCHOOL EXTENSION.

A law was passed at the last session appropriating ten thousand dollars for new buildings at the Reform School, but with a provision "that no part of the money should be used without the consent of the Governor." The trustees in 1879 and again in 1880 voted unanimously to carry out the provisions of the act, but I felt it my duty to withhold my consent for several reasons. The number of inmates has been reduced since December 1, 1878, from 129 to less than 100 at the present time. I believe the number can be reduced to 60 certainly, and probably below fifty, with great advantage to the future welfare of the boys, as well as economy to the State. The average term for which the boys have been confined there has been gradually increasing, until it has reached a point far beyond what it ought to be.

Confining boys there for very trivial offenses for three, five, eight and even ten years, seems to be a great stride towards a parental government and an unwarrantable interference with the personal rights and liberty of the subject. Besides this, in a majority of cases this long term at the school has anything but a favorable effect on the boys themselves. The experiment of congregating a large number of youthful delinquents together is now admitted by the best authorities to be a failure; nature and experience are against it. In the Westboro School in Massachusetts, there were nearly four hundred boys at one time. It was enlarged to make room for six hundred and fifty, and, as the trustees thought in 1876, was likely to be kept full: but it contained last winter only one hundred and thirty-eight. The addition of 1876, built for two hundred, now lodges about thirty, and it was contemplated at the time of the last report to close it entirely. The reasons of this falling off have been partly the great expense and partly the fact that other methods have been found more efficacious for reform. In Massachusetts now there are a larger number of children for whom places are found in families than are in the three State Schools. Those in families are treated as wards of the State, and are visited and their condition reported.

It is a matter of sharp dispute among the best students of reformatory methods, and was debated at the last meeting of the National Conference of Charities, at Cleveland, whether the congregate system, as it is called, to which our Reform School belongs, is not a failure. It would be very unwise to invest more money in buildings until this question of whether we are on the right track or not is settled. However that may be, I feel sure of this, that it is for the welfare of the State, throwing out the question of expense entirely, and considering merely the preparation of the boys for future citizenship, to so reduce the number that the present buildings will be ample.

The plan of binding out till of age I do not consider the best one, but finding a good place for the boy for a year or more, and then if he does well leaving him some voice in the choice of the place, and in fixing the price for his labor, but still under the care and control of the State authorities; a combination of the binding out and probation systems, with as much of the latter as the case will admit of.

The Reform School should be a mere stepping-stone to the family. *That* is the proper place for childhood and youth, and if through misfortune they lose this healthy influence, the State will do them the best service by restoring it as quickly as possible. In our agricultural State, where good places are readily found, I am sure this policy will sometime be adopted to a much greater extent than heretofore. Boys cannot be fitted for the work of life within four walls, or congregated in an institution of this kind, but only by actual contact with the world, under the best influences we can throw around them.

Mr. and Mrs. Fairbank are faithful and devoted officers; it would be difficult to fill their places. I wish to say everything possible in regard to their faithful discharge of duty as they understand it. They have great enthusiasm in their work, but this very enthusiasm possibly leads the superintendent to over-rate the benefit his institution confers upon its inmates. From his stand point few boys would not be improved by a course in his

school, and the longer the better. Every man in charge of a great institution of this kind likes to see it flourish, is naturally glad to have a large number under his charge, and, of course, if they are there for a long term they learn more, and can make a better exhibition of the advantages they have received. In saying this I say nothing more of Mr. Fairbank than what could be said of almost any man in his position who had that great faith and enthusiasm in his work necessary to success.

It does not with most boys promote manliness and strength of character. It is an unnatural and entirely artificial relation. We know that keeping a boy secluded from the ordinary relations and influences of life, even from its temptations, is not often the best way. They go out into the world with their physical strength and passion fully developed but entirely unused to the world. They have lost their pride and feel that there is a badge of degradation upon them, and are weak to resist temptation, and many of them fall readily into crime. Twelve have been in the State Prison and nineteen or twenty in the House of Correction during the last two years; and there is room for argument, at least, that a term in one of these institutions is more reformatory in effect than too long confinement in the school.

The method of arbitrary marking too, while to some extent necessary, when carried to extreme, tends to develop deceit and hypocrisy. The honest, manly boy, but with a boy's love of life and play, cannot reach the required standard so readily as the embryo "Uriah Heep," who can humbly and hypocritically adapt himself to the requirements. This may be "flat blasphemy" against the system, but it is my earnest conviction from a careful study of it as a whole, from what I have seen at the separate semi-annual examinations of the inmates, now required by the statute, and at other visits, and from the best examination I have been able to give individual cases.

Acting upon these views I have recently pardoned or remitted the fines of several boys. These had in my judgment fully satisfied all just requirements of the law. Doubtless I have erred in individual cases. It would have been better if they had been worked off by the superintendent and trustees to good places, and in the ordinary course of management. But these officers honestly differed with me, and believing that the greatest good as a whole of the boys and the State would be served by releasing them, and having examined the cases several times – which my successor could not do at present – there was no other course for me to pursue. I do not believe a greater proportion of these will find their way to prison than of those discharged under ordinary methods. Whatever the result the responsibility rests entirely with me.

An appropriation was made four years since for more sleeping room by raising the roof of the gun house. There was nothing done, but the appropriation was used for other purposes as the law allowed. That might now be done and furnish all the necessary sleeping room, and is the better method if anything is done. It would be better to have two sleeping apartments with a less number in each than to make new buildings to accommodate the whole, but I believe with proper legislation, and with an administration of the school on the plan I have suggested, with a view to help the boys to help themselves – which is the truest charity – by finding them employment as rapidly as possible and places in good homes, that the number can be reduced below fifty and no buildings required.

The suggestion of the trustees that more land should be purchased, when it can be done at a reasonable price meets with my approval. It is much better employment for the boys than the shop work. The land would be improved by their labor and ought to be no loss to the State. I do not believe it is advisable to start any system of complete manufactory because the number ought to be reduced so low that there will be little need of any work of this kind, and that the larger part of the inmates could be employed upon the land. The trustees suggest additional room for officers and guests. This is, however, much more needed at Windsor.

What is to be the future policy of the State in reference to the school is a question of great importance. The superintendent has great faith in his work and a rare faculty of impressing others with it. It is magnetic and contagious. Legislative committees are quite sure to agree with his views, though they are not always sustained by the calmer judgment of the Legislature.

In 1874 a bill (Senate bill 90) appropriated \$15,000 to purchase new buildings and machinery at Waterbury and enlarge them for the manufacture of chairs. The committee reported favorably, and after earnest opposition

and some restrictive amendments it passed the Senate. The House committee reported in its favor but the House refused it a third reading.

In 1876 a bill was introduced (House bill 103) for new buildings at Vergennes. The committee reported and recommended the passage of a substitute bill (House bill 332) the first section of which appropriated \$25,000 for a new building for the boys' department, of sufficient capacity to accommodate two hundred boys. The second section appropriated \$5,000 for a barn. The first section was stricken out in the House by a vote of 179 yeas to 25 nays, and the second section only passed.

The act of 1878 was favored by the committee but came near defeat. I refer to these bills, and especially to the one of 1876, as foreshadowing a policy which would entail an enormous expense on the State, and with no good but positive harm, as I believe.

The expenses now surpass the probably average of the prison and House of Correction combined. No officers could be more faithful in the discharge of duty than the trustees and all the officers have been. The trustees have undertaken much extra labor under the law of the last session in correspondence and other ways, and have been prompt in performing it. Our difference has been in no manner personal. It was merely that they accepted more of the policy which has hitherto prevailed in the management of the school than I could possibly subscribe to.

An item of State expense which ought to be borne in larger part by the towns is that of the Reform School. The towns now pay fifty cents per week. The trustees agree with me that it should not be less than one dollar. I think one dollar and fifty cents would be still better, and would not any more than cover the expense. There will be many less sent under such a law, and with no bad result to the good order of the community. We have discharged some or required the towns to pay one dollar and fifty cents per week. But the people of the town know much better than the trustees can whether a boy really needs the restraint and discipline of the school, or whether he is sent to get rid of him and shift the expense on the State.

If providing him with a good home or other means is all that is required, he will not be sent to the school if the town pays the expense, and still all will be sent who ought to be, as the people of the town are the sufferers if this is not done. The present law requiring towns to pay fifty cents per week has considerably reduced commitments, but not a few improper ones are still made, and more legislation in this same direction will largely diminish the numbers with no harm to the state.

HOUSE OF CORRECTION.

Little need be added to the report of the directors in regard to this institution, first recommended by Governor Peck, and again by Governor Fairbanks, as the best remedy for the evils of the jail system. It has answered the requirement. The jails in the larger towns had become schools of vice and crime, enormously expensive to the State, and serving little purpose for punishment; none for the prevention of crime.

The expenses in 1877 exceeded \$20,000, in 1880 they were less than \$9,000, and the balance of \$12,000 saved, may be fairly put to the credit of the House of Correction, together with the better execution of the law, as shown by the amount of fines and costs paid for the last year \$16,000 in excess of former years. The jails in fact, exerted no restraining influence. Many of the habitual violators of the law looked forward to a winter in jail as a sure provision for that inclement season. It was no object to pay a fine; the State had practically assumed to support them in idleness for life unless the Governor interfered by pardon. The evil was increasing with great rapidity, as is proved by the increasing number of pardons granted to this class. This was the only course for the executive and it was quite as well to do it quickly, for it was no punishment to keep them there. My predecessor released 195; remitting fines amounting to \$8,000.

The saving of jail expenses, and the better collection of fines will soon pay the whole cost of buildings and support. The buildings are well located and conveniently arranged, and the grounds are in good order. Mr. Simons has been the local director from the first, and has had the laboring oar in planning and erecting the buildings, in the details of equipment and organization, and, with a new institution on a new plan with inexperienced men in all departments, it has been no slight task. He is entitled to great credit for his perseverance and success. The provisions which now apply only to the prison of commutation of sentence for

good behavior, and authorizing the superintendent to pay needy discharged convicts enough to take them home, should be extended in some form to the House of Correction.

MANAGEMENT OF STATE PRISON, HOUSE OF CORRECTION AND REFORM SCHOOL.

The law of the last session placed the State Prison and the House of Correction under one board, so arranged that at least one member should hold over. The working of that law has been very satisfactory to me, and I think it very important that the Reform School should be placed under the same board. Although the institutions differ somewhat in character, yet this difference does not apply to the duties of the directors or trustees. They have little to do with the inmates. In either case it is their business to settle the accounts, see to the purchase of supplies, make contracts for labor, expend the appropriations for new buildings, and in general supervise the business interests of the institution.

Now, one board having charge of the three institutions will be able to apply what good they find in one to the others, and will acquire during their terms in the management of the three a much better knowledge of their duties; they will have a better plan and system of administration. There has been a lamentable lack of this heretofore. There were, for example, three different methods of drawing money and settling accounts, a different one for each of these three institutions, different methods of appointing superintendents, different requirements about reports of directors and superintendents, about paying over moneys to the State Treasurer, about by-laws, about the appointment of assistants, and other differences entirely without reason.

One board of managers will look at the wants of the whole State. If buildings are needed or asked for at all of them, they can judge where they are needed the most, and their report will be some guide and help in legislation. Heretofore each board has represented the wants of its institution, and it was quite as likely to be a question of who worked the hardest, whose importunity was the greatest, as of whose needs were the greatest.

Monthly visits of three trustees to any of these institutions is a useless expense. A better plan is to have one of the board primarily responsible for each institution, visiting it once a month, or as often as need be. He feels then a personal responsibility, and will look after the details quite as well as a board of three. The whole board can meet at stated times, perhaps once a quarter. The saving in expense is considerable, as the mere pay of a board will cost from \$500 to \$1,000 per year, and a board having charge of all the institutions of this kind in the State, and the responsibility of the whole expense being upon them, is more likely to consider points of economy than a board having charge of but one, and who will very likely want to mark their term of service by some new building or other improvement.

In other states it has been found to bring an improved administration, and to diminish expenses, to abolish all these separate boards of charities and correction, and combine their duties in one board. One board of this kind would be likely to have a longer tenure of office, to be chosen more carefully with reference to the importance of their positions, and to acquire a better knowledge of their duties. That the Governor and Lieutenant-Governor should be *ex officio* members of this board is wise. They will have an interest in the success of their administration and a more direct responsibility to the people.

INSANE ASYLUM.

The institution is excellently managed, and the commissioners have discharged their duties well. The present system is an improvement on the old one, but would it not be better to give the appointment of the commissioners to the Governor by and with the advice and consent of the Senate?

Ordinarily, such appointments are left with the executive, not so much with a view of securing better appointments, but principally to avoid a disturbing element in a large deliberative body of this kind. I certainly could not have improved upon the choice of the last Legislature.

The number of the insane poor has increased rapidly since the State bore the expense. Some are sent to the asylum to relieve towns or friends of their support who are merely demented but quiet and harmless, and might be cared for elsewhere. But the superintendent must keep them, as they are technically insane. There would be fewer insane poor, fewer importations of transient insane from neighboring states, and more careful investigations of questions of legal settlement, if the towns paid the expenses.

The tables submitted by the commissioners will show you what part of this expense is borne by the State and what by towns, and I suggest a careful examination of them. It will be seen that, as a rule the proportion paid by the State is much larger from the large than from the small towns. This, no doubt, comes from the fact that more of the transient insane find their way there, and perhaps less care is exercised in ascertaining whether they have a legal settlement – or to send them to their homes if they are from out of the State. If every town was obliged to support the transient insane thrown upon it in this way, they would be likely to take effective measures to find where they belonged; but, as it now is, they have nothing to do but to throw the burden on the State, and there is no proper guard against this being done unjustly.

We have now an ingenious device forgetting up a law suite between the town and State on this question of settlement, in which the people have the privilege of paying the expense on both sides and supporting the pauper at last. Other states have systems of returning persons who become a public charge within a certain time, and require the railroads and vessels which brought them in to furnish them transportation to the place from which they took them. They are returned to us in that way. We have no State method of guarding against these importations on the part of our neighbors, but where the towns have the bills to pay, there is no danger. The State ought not to pay any part of the expense of that class for which it now pays \$1.00 per week.

In regard to the other class, the transient insane, so called, meaning those who have no legal settlement in any town in this State, it may be said that if their support fell upon the towns they would not send them to the asylum in some cases where they ought to, and that they might not be properly cared for. There should be a method by which a complaint could be entered, and the town required to do its duty. It is stated on good authority, that the insane inmates of the Massachusetts cities and towns alms-houses are well treated, and those best versed in such matters, keep the harmless insane away from the asylums. It is admitted, too, that we have gone too far in building great sanitary and reformatory institutions, and that a truer method is to separate, whether we consider the expense or the results of cure or reform.

Some will claim that humanity requires that every person of unsound mind should be sent to the asylum. This is an easy way of putting a disagreeable subject out of sight. No man can draw an exact line where reason loses sway and insanity commences. A better humanity would send to the asylum those who need special treatment or restraint – would require that all such should go, and allow none to go who would be as well cared for elsewhere, and would receive harm rather than benefit from the association. What should be done with the convict criminal insane is fully discussed in the reports of the asylum and prison officers.

COURT EXPENSES.

The report of Judge Veazey, and the suggestions of the auditor, present this matter so fully and so ably that it requires no discussion from me. I authorized an expenditure of about sixty dollars to prepare the tables submitted by him, believing that they would be great use to you.

Fees are in some cases large, but the greater evil is in the overcharges and double charges for what is really but a single service. Judge Veazey refers to this. It is carried on to such an extent that a radical cure is required. Some of the defects of the criminal law and of the causes of the great expense attending its administration, may be illustrated by an actual case:

In October last a man was complained of and brought before a justice of the peace for violation of chapter 94 of the General Statutes. He was fined on three complaints: for selling, for keeping with intent to sell and for keeping a nuisance. The costs were the same in each case, and it is fair to presume that the same witnesses were used in all three cases, as the fees were the same; and to presume that they were not paid, but that the fees remained in the hands of the justice. The respondent was found guilty, fined and sentenced on each complaint – unless paid within twenty-four hours – to the House of Correction to work it out. The sentences all dated from the same day, were all running at the same time, and of no more effect than one would be. He took an appeal. A fortnight later he was again complained of; found guilty of the same three offenses, and the whole process repeated. Shortly after he was fined for intoxication and appealed.

He entered none of the cases in the County Court, and the justices affirmed the judgment and sentenced him on each of the seven cases, the sentences all to date from the day of the rising of the court, all running at the

same time as before. The man was committed on the seven different warrants at once, but with *seven bills of cost*. The sentences aggregated five hundred and fifty-five days but as they all commenced at the same time the longest one alone was of any force. To complete the harmony of the whole transaction, the final sentences were probably illegal, for the original ones had expired before the adjournment of court, and affirming them and fixing a later date had no effect to give them new life in the absence of a provision of the statute to that end.

This case points out most of the abuses to be remedied:

1st. That when two or more complaints are tried in one, there shall be no double costs, unless possibly for the justices' fees.

2^d That witness fees not called for within a certain time by the witness shall be returned to the treasury. The auditor suggest a method for this.

3^d That where there is more than one sentence, the second shall date from the expiration of the first.

4th. That appeals for delay merely may be checked if possible, and that sentences may be legally affirmed after appeal as of the later date.

Our plan of allowing over sixteen hundred justices of the peace, who are really town officers, to run up bills of cost against the State, with no supervision or enforced accountability, seems devised to make expense.

Various methods have been suggested to remedy the evil: that the justices should be required to make full sworn returns to the county clerk, and should not be paid costs in any case until these have been made. The Governor might be directed in commissioning justices to specify one in every town, and two or three respectively, where the town is entitled to over five or over ten justices as State trial justices, and that no other should have authority to certify bills of cost against the State. This would so reduce the number of justices who could run us in debt that they might be required to give bonds if deemed advisable, or at least be kept under supervision and required to pay over moneys in their hands. It is in the administration of the liquor law, chapter 94 of the General Statutes, that the greatest needless cost occurs. This law with the penalties now affixed, might be made a source of large income to the State if properly regulated and administered.

The expenses attending commitments to the House of Correction can be reduced. The respondent is now allowed twenty-four hours in which to pay fine and costs, and the officer is allowed ten cents an hour for keeping him, and twenty-five cents for three meals. If the officer is a sheriff he may commit him to the jail, and possibly draw the forty-two cents a day from the State besides.

The respondent often wishes to waive this provision of twenty-four hours delay, and be committed at once to save the extra costs he is obliged to serve out, and should be allowed to do so.

The proposed modification of the grand jury law would many times save delay in bringing criminals to trial, and the expense of keeping them in jail as well as the expense of the inquiry.

Whether the right of trial by a jury of twelve men is essential in a case where a man under this right taxes his neighbors one hundred or possibly five hundred dollars to carry on a five dollar law suit admits of doubt.

Whether a man who discloses fully should be committed for intoxication, is questionable in my mind.

What Judge Veazey says about court auditors deserves consideration. State bills should be, as far as possible, supervised by the State Auditor, or under regulations fixed by him, and so absolutely under his control that there can be no variation. Our financial record for the past two years shows that there has been no carelessness on the part of the present auditor.

STATE TAXATION.

One great cause of the present unequal assessment of taxes is that we have a town system for levying the State tax, and each town is afraid that its neighbor will make a lower appraisal than itself, and so gain an advantage. Any measure which increases the taxes raised by the State would greatly aggravate this evil of unequal assessment as it would increase the temptation. The whole theory of our State government is based upon a township system, and we either ought to adhere to that where possible, or change it entirely and make a

State system. It is a great mistake on the part of the Legislature to throw any work or expense upon the State which can properly be borne by the towns. It is the fundamental principle of our State government, that the State should assume the least possible control or burden of municipal affairs. It is the great New England idea, and ought never to be lost sight of in legislation. Our town matters are, as a rule, well managed; everything is under the eye of the tax payers, and if officers make mistakes they are sure to be called to account. There is no so good system of municipal government for a rural population known. It has attracted the attention of statesmen of foreign countries. A great writer calls our townships "miniature republics in themselves."

Sometimes town representatives seem to think that if they can vote any expense from the towns to the state, it is so much clear gain. The people must invariably suffer by this course, for it increases the expense and it is the total amount of all the taxes, not the form in which they come, that concerns them.

Our system was framed with no reference to having these burdens borne by the State. The foundation is for a town system, and that should be changed if the superstructure is to be. We have not the proper machinery for doing the work nor checks and balances to stop mistakes and careless extravagance if we undertake it. The result is that the expense is very largely increased. I refer to some items in point by which you can see this tendency to increased expense when the State assumes it, under the heads of Insane Asylum, Reform School, criminal expense and others, and you can judge whether the cost is counterbalanced by greater benefits.

It has been proposed to provide for the State expense by levying upon the towns in proportion to their population, and allowing the town to raise money in their own way, thus avoiding the necessity of any State tax, and saving all the machinery of its collection. It does not at first seem that property is distributed in proportion to the population, so as to make this a just method, and I am not prepared to recommend it. But it is not so unequal as might at first appear, perhaps less so than our present method.

In the sparsely settled towns where there are few large tax payers there are but few poor. There is usually quite an amount of land owned by non-residents, while in the villages with some large tax payers there is also a large number who pay nothing but a poll tax, so that the average per capita in the different towns is more nearly even than might at first appear.

If the State expenses are kept at the lowest possible limit, and nothing assumed by the State which can be borne by the towns, the State tax can be kept so small that the temptation for unequal assessment will be much less than heretofore. In addition to this, some special taxes can be paid directly to the State without injustice to the towns, and if a method can be devised for raising the money necessary for State purposes without a separate tax, the evil of unequal assessment as between towns would be entirely obviated. Then the assessment in any town would be merely a question between citizens of the town in which it would be for ever man's interest to look out that his neighbor paid a just portion of the tax, while now, with a large State tax, all are willing to join together in consenting to an unfair valuation, excusing it on the plea that other towns do the same and they must not be surpassed in this race for precedence in fraud.

It was my view that the savings bank tax, under the bill of the last session, should all have been paid directly to the State treasury with no provision for a division among towns. Money evades taxation more than any other property, and the fact that a town has more than its proportion of this savings bank tax is evidence that it has a larger proportion of money. It is no real injustice then that a portion of this money tax should be taken from its town location and passed over directly to the State. The table presented by the inspector of finance will show you how this tax has been distributed. Let me here add that the officer's work at the last session in connection with this law, and the general law regulating savings banks and banking companies, is deserving of all praise, and makes an honorable record of sound finance. It has been a mooted question whether the railroad tax might not be paid in the same way, but this is a matter which would require very careful examination, and I am not prepared to express an opinion.

In some states the state expenses are largely paid by a tax upon corporations, but this would work unequally in this State, as corporations are so unequally distributed, and there is no reason why a manufacturing corporation should not be taxed where its property lies in precisely the same way that an individual is, but any just method of providing for the State treasury in whole or in part by some other method than a State tax is desirable.

Two years ago I expressed the opinion that the expenses might be so reduced that a tax of twenty cents would defray them. That expression was to some extent misinterpreted. I did not mean that a tax of twenty cents would surely be enough for that session, for the expenses were largely incurred, and the necessary reductions could not take effect at once; but I did mean that expenses could without parsimony be brought down so that a tax of twenty cents, one year with another, would be ample, and that view I repeat and insist upon, and if the result cannot be reached at this session, it is in your power to make it certain that this will be the last time that this amount need be exceeded for the ordinary expenses of the State.

JUDGES OF THE SUPREME COURT.

In the fall of 1879 the Hon. Walter C. Dunton resigned his position as one of the judges of the Supreme Court, and I appointed the Hon. Wheelock G. Veazey to fill the vacancy. Possibly it was not, under the Constitution, a proper question for me to consider whether I should fill the vacancy at all or not, but the need of having seven judges having been discussed by the last Legislature, I did consider the question before making the appointment. The older judges informed me that the business of the courts would suffer seriously unless the vacancy was filled at once. It was at the beginning of the General Term of the Supreme Court, and it was of great importance that the cases should be heard, and doubtful if they could be unless the appointment was made.

Whether the amount of business has decreased since that time, I am not able to state, but a reference to the report on the causes of the increase of court expenses will show you that there has been a large increase of business since 1860. In this connection let me add, that with an intense belief in every proper economy in State expenses, it does not seem to me that the Supreme Court is the point at which to begin. Of course, if six judges can do the business *promptly* and well, the number should be reduced; but it is not true economy that they should be over-worked or greatly underpaid.

I can think of no salaries, from the Governor's through the whole list, which would not bear reduction better than the judges. They are obliged to give their whole time and service to the State; they must be men of such character and ability as would command a good income in their profession; as good men as the State affords. Their expenses are considerable. The authority of Vermont decisions ranks among the highest in the nation, and any action that might deter the best men from this service, would not be true economy. As the salary now is, when a good lawyer has an opportunity to go on the bench, his first consideration is, whether he can afford it or not. Does this occur in connection with any other prominent State office?

COMMON SCHOOLS.

I refer to this topic only to illustrate the point of State and town expense. The pay of town superintendents of schools comes from the State. I cannot say how much this is or what are the benefits of the present method, but have been informed that the expense is needlessly large in some cases, and improperly made so because there is no local interest or public opinion to look after it. I judge that there will be propositions to throw more of the expense of common schools upon the State. I received from the superintendent of education, in March last, a circular letter asking my opinion of the justice and advisability of a bill which was introduced in the Senate (Senate bill 272) at the last session, but which was then refused the third reading. The bill proposed to levy a State school tax of twenty-five cents on the dollar for school purposes. Of course the object is of the greatest importance, but an increase of the taxes raised by the State would greatly aggravate the present evils of our assessment, and ought not to be made unless we are prepared to go to the foundation and adapt that to bear the load.

VERMONT BENEFICIARIES IN OTHER STATES

Our State has no home institutions for the education of children who are blind, deaf and dumb or idiotic; but it makes ample provision for those whose parents cannot provide for them at Perkins' Institution for the blind, American Asylum and Clarke Institute for deaf mutes, and the Massachusetts school for idiotic and feebleminded youth. The present law appropriates the following amount for these purposes, to be used at the discretion of the Governor: For the deaf and dumb, \$5,000; blind, \$4,000; idiotic, \$2,000; making a total of \$11,000 per annum, available for these objects.

The total appropriation is sufficient for present needs, and more than there has yet been occasion to use. A larger proportion, however, is liable to be needed for the deaf and dumb. It might be well to provide for a total appropriation of \$11,000 per annum, same as now, but allow the Governor to divide this between the deaf and dumb, blind and idiotic, as circumstances require.

The different schools containing beneficiaries from our State report them all as doing well, some considerably above the average.

DIVORCES.

I am glad to call your attention to the favorable operation of the law of the last session in restraint of divorces. For the year 1879, the first year under the new law, the number of divorces was less than two-thirds of that of 1878, and less than any year since 1865. The ration of divorces to marriages is only one in twenty-one and five-tenths for 1879, while it was one in fourteen in 1878. This brings Vermont to the head of the New England states in this respect and I trust our legislation may be such as to at least keep us in this position.

CENTENNIAL CELEBRATION OF THE SURRENDER OF CORNWALLIS AT YORKTOWN.

An organization, formed in the first instance by the governors of the original thirteen colonies, requested all the states to join with them in appointing a committee of one from each state to make proper arrangements for the celebration of this anniversary. In accordance with this request, I appointed General, now Lieutenant-Governor, John L. Barstow as the member of the committee from this State. Congress has appropriated one hundred thousand dollars for a monument and twenty thousand dollars towards the expenses of the celebration. Gov. Barstow's report will no doubt be laid before you.

THE ONE HUNDREDTH ANNIVERSARY OF THE TREATY OF PEACE, AND THE RECOGNITION OF AMERICAN INDEPENDENCE.

Under the act of Congress providing for the celebration of this anniversary by a national exhibition in the city of New York in the year 1883, I nominated the Hon. Jacob Estey and Gen. Perley P. Pitkin, as commissioners, and the Hon. John B. Page and Colonel John B. Mead, alternate commissioners on the part of Vermont, and the President of the United States made the appointments in accordance with the provisions of the act.

THE HUNTINGTON WILL CASE.

This cause was heard on the evidence taken on commission in Vermont, New York and Michigan, and a decree made sustaining the will in every respect save as to the devise of the real estate valued at about \$25,000, which is void under the old English Statute of Mortmain. The plaintiff appealed the case. On the 14th of September last, it was argued before the Court of Appeals, at Toronto. Judgment was reserved, but the solicitors are very confident that the decree will be sustained, and that the delay in the final decision arises from the importance of the case and a desire on the part of the court to have on record a carefully prepared decision, as the legal points raised are of great importance, and it is likely to be a leading case in this branch of the law. It is expected that about \$150,000 will be realized to the State, the income used for the support of schools.

MILITIA

There is a very natural feeling, but I think a mistaken one, at every session, that a militia force maintained in time of peace is a needless expense. In my view, it is neither wise nor safe for the State to be without some force organized and equipped for service at any moment. We cannot well have a smaller force, as we now have only the unit of organization of infantry and artillery. I called them together at this time, that you might have the better opportunity to judge by personal inspection of their drill and efficiency, and to decide what the interests of the State require.

WAR HISTORY.

A joint resolution of the last session authorized and instructed me to appoint a State Historian to prepare for publication a history of the part taken by Vermont in the Rebellion. I accordingly appointed Hon. G.G. Benedict. But the resolution not having been submitted to me for signature, there was no constitutional

appropriation of money, and Mr. Benedict decided that he could not supply the means to push the work to completion, although willing to go on with the collection of material. The resolution, of course, pledges the faith of the State to pay him for his services and expenses. I presume my successor will present this matter to you. I refer to it to call your attention to the subject of legislation by joint resolution, of which there is more or less at every session. At the last session six other resolutions making appropriations were adopted. Three were sent to me for signature, and so have the force of law, and three were not. The practice is a pernicious one. Every legislative act ought to have the safeguards of the usual readings and references.

RAILROAD COMMISSIONER.

This office has been of very little account for many years, except to the holder. The present commissioner has, I believe, done the very best in his power to fulfill his duty and make the office of some practical benefit to the State, but can accomplish but little as the laws now stand. We ought to have a good railroad commission and pay for it or have none. The present law is an anomaly.

IN CONCLUSION.

If what I have said seems to be in the line of criticism and of pointing out errors and defects, let it not be misunderstood. We are in the main a well regulated State. The evils that exist are oftener the consequence of too much legislation than otherwise, and have crept in under changes, good in purpose and partially so in results, but not working as a harmonious whole.

Official corruption is almost unknown, and compared with other states we present a good record of prudence and economy. But the conditions are favorable here to surpass all our sister states. With few large towns and few waste places, with a people intelligent, honest and frugal, free from the extremes of wealth and poverty, self-reliant, homogeneous in blood and faith and character; proud of their State, lovers of their country and of law and order, search the world over and a spot cannot be found where less of the machinery of government is required. It will almost run itself. But while there is room for improvement, it is a work to which every legislator should devote himself. It is not a question of party, but of common honesty and good citizenship in which all true men should join. It is in your hands and may the Almighty bless your labors.

REDFIELD PROCTOR.

EXECUTIVE CHAMBER,
Montpelier, Oct. 6, 1880

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Farewell address
of
Redfield Proctor, Jr.
As it appears in the
Journal
of the
Joint Assembly
1925

Thursday, January 8, 1925
Farewell Address

Members of the General Assembly:

It is customary for the Governor, at the close of his term, to give a brief review of affairs during his administration. To this I shall add a few recommendations which the experiences of the past two years suggest as proper.

STATE TAX

By the Legislature of 1923 the appropriations were so reduced that it was possible to cut the direct State Tax from forty cents for the year 1922 to twenty-five cents for the year 1923, and ten cents more, or to fifteen cents for the year 1924. If the budget as recently prepared by the Commissioner of Finance is adopted, it appears that it will not be necessary to levy any State Tax for either year of the coming biennial period. Because of the new system, the budget is ready for presentation to you at the opening of the session. All too frequently the estimates and appropriation bills have not been ready until very near the end of the session. I recommend your earnest and favorable consideration of the budget report.

COMPARATIVE EXPENSES

I quote a few paragraphs from the report of the Commissioner of Finance:

“The net cost of maintenance of government the last fiscal year is \$197,111.16 less than the previous year, notwithstanding the highway maintenance, exclusive of permanent work, cost \$333,545.79 more than the year before.

“There was \$190,500.41 more put into new construction last year than was the previous year.

“The state bonded indebtedness was reduced \$115,000 last year against \$62,000 the previous year.

“The total expenditures on highways for both maintenance and permanent work were \$615,331.21 more the last fiscal year than they were the previous year.

“The combined net cost to the state of all institutions in the Public Welfare Department, including state beneficiaries and tuberculosis persons, was \$48,334.74 less the last fiscal year than the previous one.

“In the year ending June 30, 1923, the total expenditures of the state for all purposes were \$80,017.55 more than the total receipts, and in the year ending June 30, 1924, the receipts were \$336,570.66 more than the total disbursements, or a gain in comparison of \$416,588.21.”

This shows an increase of income for the last fiscal year as compared with that ending June 30, 1923, of 21 2/3%, and a decrease in expenses of 5 2/3%, all of which shows a healthy and satisfactory condition of the treasury.

APPROPRIATIONS

Though many appropriations were substantially reduced by the action of the last Legislature, none of these reductions have resulted disastrously or proved of serious inconvenience or embarrassment. The reduction each year in the appropriations to the colleges by an amount equal to 10% of the appropriations for the last few years prior to 1923, is fair, and does not cause serious hardships or curtailment. This further annual reduction should be continued. The Administration of Justice has, for many years, cost more than the appropriations. The expenses connected with this work are difficult to control. The courts must function, the law-enforcement officers must be paid, and the prisoners must be fed. I think certain expenditures in this work can properly be reduced. But, aside from this one oft-repeated overrunning of the appropriation, few of the departments exceeded the sums allotted to them, none seriously so, and the end of the first fiscal year of the biennial period, the second year of which does not end until next June.

The case of the Department of Public Welfare, which includes all of the State institutions, is worthy of special note. This department did not use any of the \$75,000 Contingent Fund provided for it, keeping well

within the total of its appropriations. The Contingent Fund, which for some years has totaled \$100,000, was, by the last Legislature, divided, \$75,000 being designated for the Department of Public Welfare, and \$25,000 left to be used as the Governor might direct. This provision should be changed, the total remaining the same, with \$50,000 first available for this department, the other \$50,000 to be used as the Governor may deem best, including any balance not needed by the Public Welfare Department.

ECONOMY

Economy is a fact, not a theory. We can be economical if we will, but very few of us are ever so unless we determine to be, and vigilantly and consistently stick to that determination. Expenses always tend to increase ahead of income and to some the sight of a few dollars of surplus is a great incentive to extravagance. The necessity for economy is imperative. We are suffering under a heavy burden of taxation, Federal, State and local, and this burden must be reduced if we are to insure our continued prosperity. The President and the Secretary of the Treasury have called the importance of tax reduction to the attention of Congress in language that cannot be misunderstood. I call it to your attention as being of fundamental importance. We may well learn and live in accordance with the principles of thrift and economy preached and practiced by Calvin Coolidge.

HIGHWAYS

The board of three in charge of the highway work has improved far preferable to the one-man system. During the last two years the work of this department has been more extensive and a considerable portion of it more permanent in its nature. For the six years beginning with 1917, and ending with 1922, the State spent \$1,252,780 to match the money offered by the National Government for so-called Federal road work. Since January 1923, the sum so spent was \$964,000.

These figures include bridge work coming under the Federal Aid requirements, for which Federal money was actually used. The impression all too frequently held that we are losing Federal Aid money because of a failure to appropriate State funds to match it is quite without foundation. At the present time there is less than \$440,000 Federal Aid money available for Vermont which has not been actually taken up either in jobs completed or put under construction. This unused balance is about \$170,000 less than it was two years ago, and by the terms of the Federal appropriation bill this \$440,000 remains available to us for two years that is through 1926. Though more Federal money will undoubtedly be made available, we certainly have not failed to take advantage of the money offered. It is of interest to note that during the last biennial period approximately only one-third of the money spent for Federal construction has been for gravel roads. Somewhat over 46% has been spent for hard surface roads, and approximately 20% for bridges. In 1923, the State spent \$129,000 for the laying of dust and in 1924, \$194,000. During the last two years 18.8 miles of hard surface road have been put under construction. The district system of supervision and the present patrol system both give good satisfaction, the latter including 2157 miles within its operations during 1924. The mileage of patrolled roads should be gradually increased.

GASOLINE TAX

The Legislature of 1923 levied a tax of one cent per gallon on gasoline. 1924 is the first full calendar year this tax has existed. For the twelve months November 1, 1923 to November 1, 1924, the amount collected was \$225,962. I believe the experience of the last two years warrants the increase of this tax to two cents per gallon, which undoubtedly will amount to a half million dollars of income for highways.

EDUCATION

In my message of two years ago I made few specific recommendations regarding educational matters. Several rather drastic bills were considered at that session of the Legislature, the result being some quite extensive changes in our educational laws, including the provisions for the Board of Education itself. These changes have, however, resulted in much less actual change in our school system than might have been expected. To a large degree the towns are in supervisory districts with groupings quite similar to those of previous years, with the exception that a considerable number of towns are operating under the so-called superintendent-principal arrangement. There are defects in the present law, but experimenting with our schools

is serious, and too frequent radical changes in the system is sure to be disastrous. With the Chairman of the State Board of Education I have visited over two hundred one-room rural schools, including some in all counties in the State. Although we saw discouraging things, we saw much that was encouraging. Two things were strongly impressed upon my mind. There has been marked improvement in the schoolhouses in the past few years and a great deal that still needs to be done could easily be, and at very little expense, if the local people were sufficiently interested to do it. Our children deserve our best attention and first interest. But do they always receive it? The schools in some sections do not indicate that they do. The teacher—her ability and personality—make or fail to make a good school. She is more important than all the rest put together. We should make the maximum of effort to provide and keep good teachers in our schools.

CASTLETON SCHOOL

The old normal school building at Castleton, which has been used for teacher-training purposes, burned early last January. After careful investigation of the work of and need for this school, the Emergency Board authorized the expenditure of \$100,000 for a new building, which is now nearing completion. It will provide sleeping quarters for twenty-six girls, for the principal and some of the teaching staff; also an office, parlor, library, classrooms, temporary dining room and kitchen. It will still be necessary to rent extensive quarters, particularly for sleeping rooms. I strongly recommend the necessary appropriation by this Legislature to provide for the erection of a second building to complete the school plant, this building to include adequate kitchen, dining room and storerooms, and rooms for the rest of the pupils and teaching staff. The rooms in the present new building temporarily used as a dining room and kitchen would then be available as a laboratory and assembly hall-gymnasium, for which uses they were designed and are much needed. The school now numbers over one-hundred, and excellent work is being done with very good spirit. Vermont schools absolutely need these teachers.

STATE POLICE

The automobile has brought to us new problems, but particularly in connection with law enforcement. I do not refer wholly to the enforcement of the prohibition or automobile laws. The automobile affords an easy and quick means of escape for all thieves, a quicker get-away after the commitment of any sort of crime. Effective co-operation between the law-enforcement officers of the various towns is sometimes difficult to obtain quickly, with unfortunate results.

State police have proved to be very effective elsewhere. I have been impressed by the work of this force in Massachusetts, which I have investigated somewhat. This has proved particularly helpful in the rural districts as a protection to the farmers and other residents of these areas, and I believe such a force would prove so here. It should be small at first, and very carefully selected as to its personnel. Its duties should include not only the enforcement of the automobile laws, but the enforcement of all State laws, and for this reason it should be placed under the control of the Attorney General or the Governor. I am not prepared to recommend to you the organization of such a force at this time, but the subject is worthy of your consideration. I am convinced, however, that in the near future such a force will be the most helpful agent in the solution of many of our law-enforcement problems.

STATE INSTITUTIONS

At the State Prison and House of Correction for men at Windsor a fire necessitated the rebuilding of the upper portion of one wing, resulting in an improved assembly hall and chapel. An old wooden building included within the walls by an extension two years ago, was found wholly unfit for remodeling as a shop, and a thoroughly well designed and constructed addition to the existing shop was made possible by an authorization for the expenditure of \$35,000 by the Emergency Board. This building is now occupied, and its use amply justifies its erection.

At the Hospital for the Insane at Waterbury, work on a building previously authorized as a receiving ward and ward for the treatment of certain of the more hopeful cases has progressed, but the building is not yet ready for use. There have been no additional buildings erected either at the school for Feeble-minded at Brandon or at the Industrial School at Vergennes.

The Special Commission provided by No. 141 of the Acts of 1923 to consider the future of the Women's Prison at Rutland, first sought a buyer for this entire plant, with the thought of building a new and more suitably designed prison on near-by land already owned by the State. No purchaser at an approximately fair price could be found, and the Commission, after careful study, decided to remodel the present building. This work has progressed during the last few months and the remodeled portion will soon be ready for use, though some of the work, particularly on the roofs, cannot be completed until warm weather. The result will be a convenient, adequate plant for the State's needs, though not designed as a new modern prison for women would be.

The School for Feeble-minded is overcrowded. There is a certain class of cases there quite capable of self-support, if properly supervised and guarded. Experience in other states has shown that small colonies of these unfortunates can be established in centers where sufficient work of a nature that they can well do is available to profitably occupy them. To be more specific, twelve to twenty of the older girls or women can be cared for and supervised by one or two attendants in an ordinary dwelling house of sufficient size, going out to do housework or certain kinds of factory work by the day, returning to the house for the night and also for meals, if their work permits. These colonies, as they are called, can easily be made self-supporting, and I recommend the establishment of such a colony of selected inmates from our Brandon school somewhere where work suitable for them can be found. Rutland seems a desirable location for such a colony.

FORESTRY

There are vast areas of land in Vermont far more suitable for the growing of trees than for farm crops or grazing. Funds should be made available for the purchase, when possible, of tracts of land to be added to our State forests. The use of money in this way is not an expenditure, but an investment, and the sums so used need not be large, as considerable areas of such land can, for time to time, be acquired at reasonable prices. The State has received one substantial gift this past year—Mount Philo in Ferrisburg—from Mrs. Frances W. Humphreys, long a summer resident there.

EMERGENCY BOARD

The limit of the amount expended in any one year by the Emergency Board now placed at \$100,000 should not include money received from insurance on buildings or property of the State damaged or destroyed by fire. I recommend that the law be amended to so provide.

AUTOMOBILE LICENSES

The issuing of licenses to run automobiles should be more carefully guarded. The fee system for paying the examiner is wrong in principle. If any of this work is to be done on the fee basis, the amount the examiner gets for the examination if he passes the applicant should be paid him just the same if the applicant fails. This amount the applicant may reasonably be asked to pay for being examined, without regard to the result. There should be more regulation and control over motor busses and heavy trucks and I recommend a much higher registration fee on both busses and trucks. The talk of which we have heard so much, that the so-called income from automobiles, that is, the income from the registering and licensing of automobiles and chauffeurs, and the income from the gasoline tax, has not been expended on highways, is wholly untrue, and no one with interest to investigate the matter can retain such an impression.

CONSTITUTIONAL AMENDMENT

Since the last session of the General Assembly, an amendment to Section 13 of Chapter 2 of the Constitution, providing "that the General Assembly shall have power to regulate by law the mode of filling all vacancies in the House of Representatives which shall happen by death, resignation or otherwise", has been ratified and adopted by the freemen of the State. Appropriate legislation should be enacted early in this session so that in the event of a vacancy in the House, it may be promptly filled and no town be without a representative.

COMMITTEE ROOMS AND OFFICES

The State House and Library building afford adequate Office quarters for the State officers, and will doubtless continue to for some years to come. During the period of the Legislature, however, it is necessary to

provide committee rooms. These should be in this building, which means that certain departments must temporarily find quarters elsewhere. The National Life Insurance Company desires to sell its old building, a portion of which was rented by the State during the last session of the Legislature and is now again so rented. The officers of the Company have interviewed me, but have not indicated the sale price. They tell me the building stands in the Grand List at \$75,000. I have looked the building over with the Sergeant-at-Arms and I do not recommend its purchase. Adequate and comfortable committee rooms can be provided in the rear of the Capitol at a much smaller initial cost than the probable purchase price of this building, and the heating and care of rooms so located would cost much less. The additional rooms would not be needed except during the session of the Legislature, and therefore would not need to be heated or cared for except during that period. When the Legislature feels that additional quarters should be provided, I recommend that they be constructed in the rear of and in connection with this building.

HOURS OF WORK AT THE STATE HOUSE

Two years ago the daily working period for the State's office employees was with many actually little over seven hours. An attempt to enforce an eight-hour day of actual work met with opposition from both clerks in subordinate and superior positions. Petitions were presented to, and delegations waited upon, the Governor. Many have continued to come late or leave early, in some offices supported by those higher up. Therefore it seemed best to install time clocks. I leave it to you if eight hours is an unreasonably long day of actual work for the State of Vermont to ask of its employees, paid from the public treasury.

DEPARTMENT REORGANIZATION

The Legislature of 1923 made extensive changes in the administrative departments which have proved very helpful and desirable, resulting in an annual saving of \$35,000 in pay roll alone. There has been little criticism of these consolidations and none that in my judgment justifies any changes at this time. The present law amply provides proper and efficient administration for every department. Many of the provisions thereof have been in actual operation only eighteen months—certainly not sufficient time to give them a fair trial or warrant any suggestion of any radical change.

SENATOR GREENE

The people of Vermont have great reason to rejoice over the return to his duties of our senior Senator, the Honorable Frank L. Greene. His recovery from a very serious and most distressing accident has been remarkable. No citizen of Vermont is to-day more needed in a public position than he is in the one he holds. Brave, honest and strong, he has grown with the years of service and his State and Nation are proud of him. Let us earnestly hope that he may be spared in health and strength to serve many years in his high office.

CONCLUSION

In closing I would impress upon you the serious consideration that should be given to all appropriations before they are actually granted. You are the trustees of the people's money. The Constitution provides that "no money shall be drawn out of the Treasury unless first appropriated by act of Legislation". Whatever the source of income, whether it be less or more, and without regard to presumable increases therein, appropriations for all work, should be definite and specific. As stated in a retiring message of more than forty years ago, we are in the main a well regulated State. The evils that exist in our government are more often the consequence of too hasty and too much legislation, then too little.

Compared with other states, our record for prudence and economy is good. With a people intelligent, honest and frugal, largely free from the extremes of wealth and poverty, self-reliant, beyond the average homogeneous in blood, faith and character, proud of their State, lovers of their Country and of law and order, where can you find less government required? Your work is not a question of party but of good citizenship and common honesty, and should be done with the single purpose of what is for the best interest of the State as a whole.

REDFIELD PROCTOR.

The Governor, having concluded the reading of his message, was escorted to the Executive Chamber by the committees appointed by the Chair, and the Joint Assembly dissolved.

MILLWARD C. TAFT,
Secretary of the Senate, Clerk.

Farewell address
of
George H. Prouty
As it appears in the
Journal
of the
Joint Assembly.

1910

Thursday, October 6, 1910

Farewell Address

Gentlemen of the Senate and House of Representatives:

In accordance with a time honored custom, I take this opportunity of rendering to you an account of the affairs of the State as conducted by the executive Department, and to offer such recommendations for future legislation as my experience has shown me should be made.

FINANCES.

During the Session of the Legislature of 1908, the appropriation made for carrying on the Departments of the State, together with special appropriations, were very largely increased from former years, and it is, therefore, very gratifying at this time to be able to state that in spite of this great increase in expenditures, the receipts have been more than sufficient to meet them, and on June 30, 1910, the excess of receipts over expenditures was \$34,828.85. This result has been brought about very largely by the gratifying increase of receipts derived from corporation taxes. In order that you may easily understand how the above result has been arrived at, I will call your attention to the report of the Treasurer for the years ending June 30, 1909, and June 30, 1910. During the year ending 1909, the gross receipts were \$1,822,390.34, while the gross expenditures during the same period, as shown by the Treasurer, were \$1,871,166.16, showing a deficit according to his figures of \$48,775.82; but during that year it was found that the appropriation for the administration of justice was insufficient and that many bills could not be paid because of this fact. This would have worked a hardship to many and arrangements were, made through the kind offices of my successor, Hon. John A. Mead, to provide the necessary funds to pay these bills. The amount so provided was \$25,445.83, and is still a liability against the State. It has also been found that the appropriation for the use of the State Prison is insufficient, and a gradual deficit has been accumulating during the last three years. The amount up to June 30, 1909, was \$6,166.17. The two amounts above specified as deficits, added to the amount shown by the books of the Treasurer amount to \$80,387.82, the amount of the deficit for the year 1909. This being the year during which the Legislature was in session, the expenses were very much larger than for the year ending June 30, 1910, During this last mentioned term., the receipts, as shown by the Treasurer, amounted to \$1,945,753.05, while the expenditures for that term were \$1,822,882.17, leaving a surplus of \$122,871.88. From this amount should be deducted the amount of the deficiency at the State Prison for that year, amounting to \$2,654.21, and \$5,000, the deficiency at the Industrial School, caused wholly by the epidemic, leaving an excess of receipts over expenditures that year of \$115,217.67. Taking from this the amount of the deficiency for the preceding year, the net gain of receipts over expenditures for the biennial term would be, as I have stated, \$34,828.85. I believe that all bills have been paid as closely as possible, and that no more are outstanding than in former years. This result shows that the finances of the State are in such condition that no extravagance can be practiced, but that each appropriation must be expended with great care. I recommend that an appropriation be made at once for taking care of the deficiency in the administration of justice for the year ending June 30, 1909, and that an increased appropriation be made for the State Prison and the Industrial School so that the deficits which have been created may be cared for, and that sufficient funds may be had for future requirements.

It should be understood that in making the above statement I have taken the gross receipts and expenditures from whatever source derived and for whatever purpose expended. I have had a table prepared showing the amount of standing appropriations which will be available prior to June 30, 1911, and find the amount to be \$453,476.28. This amount is subject to some slight variation because some appropriations are indefinite, but the amount is practically correct. It does not include appropriations for such purposes as the administration of justice, or the carrying on of the State Institutions for which provision must be made by each Legislature, but simply includes such appropriations as will go on from year to year without further action of the Legislature. I have thought it wise to call your attention to the matter, as the list should be closely scrutinized to see that no amount is allowed to remain as a permanent appropriation, that is not serving a useful purpose.

I also desire to call your attention to the obsolete methods of bookkeeping used in Treasurer's office. I believe that conditions are as bad there as they were in the Auditor's office before the changes of two years ago were made; this is not intended as a criticism of the Treasurer, for he has simply used the same methods as his predecessors, but is designed to call your attention to the matter for such action as you may decide upon.

STATE HOSPITAL FOR THE INSANE.

The last Legislature appropriated the sum of \$5,000 to be expended at the Vermont State Hospital for the Insane, for the purpose of adding enclosed piazzas, making the criminal insane wards more secure, and such other changes, repairs and purposes as the trustees of the institution might determine. The report of the trustees will show that the work proposed under this appropriation has been performed and that great improvements have been made to the buildings,

On December 24, 1909, a fire occurred which totally destroyed the inside and roof of the third male ward, causing a great amount of damage. Owing to the splendid discipline maintained at the hospital, and to the fact that all fire apparatus was in perfect working condition, the patients were removed to other parts of the hospital, this being done without confusion or injury to any patient. Such a record is most gratifying and the Superintendent, Dr. Grout, and his assistants, cannot be too highly commended for the way in which matters were handled during the conflagration. The management of an institution of this nature is a very difficult task, but I believe an examination will show that in this case it has been handled most satisfactorily; that great economy has been practiced in all departments, and that the care of the patients is of the very highest order. The hospital is at the present time practically filled and arrangements will have to be made to take care of the natural increase in numbers. A large number of State patients are cared for at the Brattleboro Retreat, and the capacity of that institution has been practically taken up, but a new building is being built and when complete will provide additional room where more patients can be taken if the State so desires. The arrangement which the State now has with this institution provides the most economical way of caring for these patients which it is possible for it to make. I therefore recommend that the arrangement now in operation be continued. It is true that the report of the Superintendent at Waterbury shows that the patients there are cared for at a less rate than is now paid at Brattleboro, but in making this statement the item of the plant is not taken into consideration and I believe if this was added to the present cost it would more than equal the price which is now paid at Brattleboro. None of the criminal insane can be sent to Brattleboro, and, therefore, a very difficult problem confronts the management at Waterbury. I believe that a suitable ward for the criminal insane should be erected as soon as possible, and I trust this matter will receive your prompt consideration.

In this connection I desire to call your attention to a matter in connection with the House of Correction and the State Prison. It is often the case when prisoners are sentenced to these institutions that they are afflicted with tuberculosis. It is not right that in this condition they should be confined with the other prisoners, thereby subjecting them to the danger of contagion. There are not enough of these cases to warrant the building of a separate building at either of the institutions, but it is possible that the matter might be properly solved by providing some place for them in such a building as I have recommended. This is a matter which should be taken care of in some manner, because at the present time it is causing much inconvenience.

After the fire occurred at Waterbury it became necessary to re-build and repair the buildings at once, and the trustees were confronted with this condition: the buildings were insured and a fair settlement was made immediately with the insurance companies but the money so received could not be used for the purpose of re-building and repairing and as there was no other provision by which money could be furnished for that purpose, the situation was embarrassing. Fortunately, however, part of the appropriation which was made for repairs and additions had not been expended and there also remained part of the annual appropriation that would not be required for paying the necessary expenses for running the institution. The Attorney-General ruled that the balance of those appropriations might be expended for the necessary repairs, providing the ordinary running expenses of the institution were first cared for and no bills allowed to go over that should be paid in the regular course of business. All repairs have been made, the bills have been met, and no bills of the institution for its running expenses have been allowed to accumulate. This is a very gratifying outcome of a rather serious condition, and the State is to be congratulated on having a Board who have the desire and the ability to produce such results.

Act No, 320 of the Laws of 1908 appropriated the sum of \$6,000 for putting in water at the Brattleboro Retreat for fire protection. This has been accomplished and the Retreat has good fire protection at the present time.

PENAL INSTITUTIONS.

The sum of \$15,000 was appropriated by the last Legislature to be expended for the Vermont Industrial School for the purpose of making additional repairs on buildings and for other purposes, and in conformity with that Act a new kitchen has been built, needed repairs have been made on the girls' dormitory and much other that was necessary to put the buildings in proper condition. This appropriation was also intended to cover the building of a hospital, but the demands for other improvements were so great that it was found impossible to do anything about this.

On October 20, 1909, a very serious epidemic of diphtheria broke out in the school and it was March 1, 1910, before the quarantine was raised. The great difficulty encountered in stamping out this epidemic was that there was not sufficient room to separate the convalescents from those that were diseased, and thus prevent contagion; the result being, that many of the pupils and teachers were afflicted with the disease several times. An epidemic of this nature shows conclusively that hospital facilities are needed at the school, and I recommend that a sufficient appropriation be made for that purpose.

This school, as at present conducted, is, in my judgment, one of the most valuable institutions provided by the State. The children sent there are surrounded by the best influences possible, and are given an opportunity to go out from there and become self respecting men and women, with sufficient education to assist them to gain an honest livelihood. Many of them are sent there because of insubordination and truancy, and the care and instruction received while there is such as to make them self respecting and self reliant. The system of manual training practiced in this school is, I believe, at least equal to any in the State, and I have been much impressed by the results obtained. The Superintendent, Mr. J. N. Barss, and his wife, are especially fitted for the work and too much praise cannot be given them for what they have accomplished since they took charge of the school. Their labors performed, especially during the time of the epidemic, are worthy of the highest praise. An institution of this nature cannot fail to be of the greatest benefit to the State, and I think the Legislature should show it great consideration and grant every reasonable request for its maintenance.

As I have stated in my summary of the financial condition of the State, a deficit has been created at the State Prison. This has been the cause of much anxiety, thought and study on the part of the Board of Penal Institutions, as well as myself. I have been unable to find any extravagance in the management of this institution, but on the other hand believe that it is a well and carefully managed as any institution in the State. A very careful comparison of the cost per prisoner at the House of Correction and the State Prison shows that the actual cost is almost exactly the same, with a very slight difference in favor of the State Prison. Both of these institutions are economically managed and the influences thrown around the prisoners are the very best, and I cannot too highly commend the work of the Board having these institutions in charge. Its members have brought to bear not only the great business ability with which they are all endowed, but have also taken a deep interest in the influences surrounding the prisoners, believing that a penal institution should be a place of reform as well as of punishment.

GRANTING OF PAROLES.

It has been customary and permissible for some years for the Governor to grant paroles to deserving prisoners and impose conditions under that parole for their conduct and good behavior with the right to issue a warrant for their return, providing the conditions of the parole were violated. This has proved a very beneficial act and has been used to a large extent by my predecessors and myself. The law previous to the last revision of the Statutes was entirely plain and had been passed on by the Supreme Court and was considered valid, but under the Public Statutes this law is apparently repealed and it is at least questionable at this time whether the Governor has the power to issue a warrant for the return of a prisoner who has violated the conditions of his parole. I believe that the Governor has such power, but as there is some question in regard to this and as it is a matter of such vital importance, I believe that the Statute should be amended in such a way as to leave no doubt as to the authority of the Governor to return such prisoner.

Prisoners may, by their conduct, show that they have a desire to become good citizens, and I have felt in such cases that it was the duty of the Governor to give them an opportunity to do so under such conditions as he saw fit to impose. I have exercised this privilege in many cases, and in nearly all of them I believe it has proved beneficial; the prisoners so paroled have kept the conditions of their paroles and have become better men and women because of the consideration they have received. In other cases when they have violated the conditions of their parole, they have been promptly returned.

The whole matter of pardons is a very difficult one to handle properly. In my opinion there are two reasons for confining criminals; the first is the protection of the public. Those, who by their acts, show themselves to be without regard for the rights of others, and because of this are dangerous to the public, should be confined for such length of time as may seem just according to the crime committed. The second reason is for the reformation of such criminals, this being largely brought about through the opportunity which is given them to fully consider what they have done and, by proper punishment throughout their confinement, lead them to a better conception of their duties as law abiding citizens. The larger number of criminals confined in our State institutions, in my judgment, are not susceptible to great improvement, and they should be confined for the safety of the public. On the other hand, there are men and women who have enough self respect left to make them desire to become better, and to such I believe every opportunity should be given to do so. At the same time it is very difficult to tell whether they are sincere or not, and control should be retained over them so that they may understand that if they do not fulfill their promises and live up to the conditions imposed on them, they may be again confined under the authority of the State. Therefore, I recommend that such changes in the Statue be made as will enable the Governor to retain this control without question.

TRANSFER OF PRISONERS.

During my administration I have, under authority of No. 176 of the Acts of 1908, transferred 480 prisoners from the county jails to the House of Correction. It has been my intention to transfer all prisoners having a sentence of 20 days or more when they could not be worked at the jail to which they were sentenced. In some of the counties an effort has been made to work the prisoners under the law, and this has been particularly successful in Washington county, but in most of the counties apparently no effort is made to do this, and I have, therefore, made the transfers as stated. I have placed the limit at 20 days, because I believed, as a whole, that it would be the most profitable for the State. While this law causes the governor and his secretary, especially the latter, a great deal of trouble, yet I believe it is a good one and that it is the most economical way for the State to handle this matter.

VENTILATION OF STATE HOUSE.

No. 7 of the Act of 1908 provided for a proper system of ventilation of the House and Senate, Supreme Court Room, and rooms used as offices and committee rooms in the State House and proper sanitary arrangements and improvements for the toilet rooms in the State House. The plans were to be furnished by the State Board of Health, and the work was to be provided for by the Sergeant-at-Arms under the direction of the Governor. In conformity with this Act, and on receipt of plans furnished by the State Board of Health, the Sergeant-at-Arms, under my direction, and with the assistance and advice of the Attorney General, executed a contract for the necessary work with the G.S. Blodgett Co., of Burlington, Vt. The work has been completed and is, I think, very satisfactory in all respects. It is here subject to your inspection, and I trust will meet with your approval. The system of ventilation and sanitation is the best that can be provided, and while the expense has been great, reaching in all probability \$36,000, yet I trust that results will prove to be commensurate with the labor and expense put forth. It is impossible for me to give the exact cost, because some of the bills have not yet been rendered, but the amount will be practically what I have stated. There will also be some extra expense to maintain the plant, but in the future no one should have any cause to complain because of the want of pure air. It is a source of gratification that this work has been accomplished without any friction between the officers of the State and the Company. Those having charge of the work for the Company have apparently been anxious to do everything possible to make it the best in its class. We should be pleased to know that we were able to have this work done so satisfactorily by a company located within the State. It may also be of interest to know that the bid for the work made by the Blodgett Co. was practically \$14,000 less than the other bid

received. I am confident that it has been completed at as low a cost as was possible, and that the benefit derived by the Blodgett Co. will be largely from having done this work for the State.

ADMINISTRATION OF JUSTICE.

In my inaugural message I called attention to some matters regarding our courts, and suggested some changes that I thought would be beneficial and economical. These changes were not made by the last Legislature but the suggestions which I made at that time are still pertinent and should be considered by you. The matter of justice courts in places where municipal courts have been established is a very important one and needs adjustment. I can do no better than to call your attention to the report of the Attorney General and his suggestions in regard to this.

I also wish to call special attention to the recommendations he makes regarding Grand Juries. Both these suggestions are very valuable and if followed would be a move in the right direction. There is another matter which would be the means of reducing expenses very materially in the administration of justice, and I desire to call your attention to it at this time, hoping that some action will be taken to correct what I consider a serious defect in our system, and one productive of much expense both to the State and to parties in litigation. As the law now is, and repeatedly announced by the Supreme Court, whenever that Court is called upon to review the action of the County Court, if the Supreme Court finds any error, a case must be reversed and a new trial granted, unless the record affirmatively shows that the error was harmless. It seems to me the rule should be that the Supreme Court should not reverse unless that Court was of the opinion that the error was such that if a new trial were granted, the result would probably be different. I do not believe it is right that a case should be reversed in the Supreme Court and sent back for a new trial, simply because some slight error may have been discovered even though that error could have had no bearing on the result of the trial. It is manifestly proper that any case should be reversed where an error is discovered which probably would have had any effect on the result of the trial, but where such error could have had no effect it seems to me manifestly improper that such case should be reversed; but as I understand the law at the present time, it is obligatory on the court to do so.

EDUCATION.

This subject is the most important one which will come before you, because the quality of the education of the child determines the degree of intelligence, morality, and prosperity which shall be enjoyed by the people of this State. The last census showed that we had fallen from our position of fourth, as regards literacy, to the twenty-eighth place; a condition very much to be regretted. I do not, however, believe that this is wholly because of the condition of our schools, but is rather because so many foreigners have come into our State to work in our factories, mines and quarries, whose families have not had the educational advantages that we have here. Under the present law it should be impossible for any child of school age to be without an education, and where such conditions exist it is entirely the fault of those in authority. It is useless to pass laws that do not have public sanction and approval and that the authorities either will not or cannot enforce. It must, therefore, under the present law, be simply a matter of enforcement in order that every child may have at least a good common school education. But there is an important matter which confronts us and which we should carefully consider, and that is the quality of the educational advantages that are provided in the smaller districts throughout the State. What is said in regard to this does not apply to all such districts, because in many cases those having charge of this matter are broad minded men, having the desire to provide the best facilities possible. On the other hand, there are a very large number of schools under the control of those who seem to be simply trying to see how cheaply the schools can be managed. It does not seem with them to be a question of quality but of cost; to my mind, this is the most serious matter which confronts us today. No one would expect a carpenter who had never had any training or experience to do a fine job of cabinet work. No one would expect a man without experience in that line to be able to instruct others in bookkeeping, neither should we expect young girls who have had neither experience nor training, to successfully teach the children in our schools. The mind of the child is like the delicate film of the camera on which all impressions received are recorded, and those impressions made during the school age are such as will follow through life. The training received during this period is the foundation on which the future success or failure of the child depends. It is exceedingly important, therefore, that none but those who have had special training and are peculiarly fitted for this work should be employed as teachers in our schools. Under no circumstances should immature girls who

have received practically no training or this work, be employed. It is because of the necessity for trained teachers, that we have in the past, and are at the present time providing Normal Schools where such training is especially given. At present this State maintains three Normal Schools. One at Castleton, one at Johnson, and one at Randolph Center. These schools are under the supervision of the State Board of Education, consisting of the Governor as chairman, and the State Superintendent of Education, as members ex-officio, and three members appointed by the Governor. This Board has a general oversight of the schools, and directs as to the policy to be pursued. Previous to 1908 the Normal Schools had an appropriation of \$22,500 annually. It was found that this amount was not sufficient to provide for the wants of the schools and the last Legislature increased the appropriation by \$7,500; this last amount to be divided between the schools as the State Board of Education thought wise. The report of the Board will show that much work has been done in putting the buildings in proper shape, and the money so expended has provided many necessary improvements. It also seemed wise to change the course of instruction and to provide a more efficient class of teachers. These changes have been made and in the future the schools will offer a very high class of instruction and training. The approximate membership is two hundred or a little over, Castleton having about one-half, the remainder being divided between Johnson and Randolph. The spending of \$10,000 each year for the training of fifty pupils or less is not profitable or necessary, and, in my judgment, either the school at Johnson or Randolph should be abolished. The instruction is practically the same at these schools, therefore, so far as that is concerned there is no choice, but the training school facilities at Randolph are extremely limited and it is very difficult even for the small number of pupils who attend to receive instruction as teachers because of the lack of opportunity for training. It should be noted that a large number of the scholars in attendance on these schools are from the locality where they are situated, the schools not having that reputation which will attract scholars from a distance. This is not intended as a criticism of the schools themselves, but simply of conditions. In my judgment, it is impossible for this State to successfully carry on three Normal Schools, providing such facilities as shall bring to them the better class of pupils desiring training as teachers. This is very unfortunate because we should train the teachers who are to have charge of our schools in the same atmosphere in which they are to teach. Thus they will more clearly understand conditions and will be better able to successfully meet the difficulties which they will encounter. We should, therefore, strive to provide such facilities as will attract pupils from all over the State by assuring them that they will receive the best of instruction and training, and in order to do that, we should concentrate our energies more than we are doing at the present time.

STATE BOARD OF AGRICULTURE AND FORESTRY.

Act No. 11 of the Laws of 1908 abolished the Board of Agriculture and created the Board of Agriculture and Forestry. This Board was to consist of the governor, the Directors of the Vermont Agricultural Experiment Station, and two citizens of the State, known to be interested in the advancement of agriculture and forestry, the duty of the Board being to have general oversight of these two departments and decide on the policy to be pursued; an annual appropriation of \$12,000 being made for the carrying out of the purposes of the Act; this appropriation to be apportioned between the two departments as the Board should determine. It also provided that the Governor should appoint, with the consent of the Senate, a Commissioner of Agriculture at a salary not to exceed \$1,000 per year, and the Board to employ a State Forester at a salary not to exceed \$2,500 per year. Under this Act I appointed Mr. O.L. Martin of Plainfield as Commissioner of Agriculture, and he has, under the direction of the Board, organized his department in a very efficient manner. The Board secured the services of Austin F. Hawes as state Forester, and under his direction the Department of Forestry has been organized and has, I believe become a great benefit to the State and its forestry interest. Some land has been purchased for forestry purposes and is being managed for that purpose at the present time. The Governor was also authorized to receive gifts of land and under this authority I have accepted a gift of a large farm in Sharon from the Hon. Charles Downer of that town. This gift is a most desirable one because of its location, its size, and its value. The buildings on the farm are the best and I am sure that under the wise management of our State Forester it will become an object lesson of great value. Mr. Downer has shown himself to be a very public spirited citizen, in making this gift. I only hope his example may be followed by others, and that the State may become the owner of at least one tract of land suitable for forestry in each county. The appropriation made for these two departments is none too large, but on the other hand, might be increased to \$15,000 and well expended with profit. The Commissioner of Agriculture should be able to gather more statistics regarding crops than he can at

the present time with the money now at his disposal. He should be able to advertise the State more freely than he can now. In fact, I fully believe that the State might well expend \$10,000 in judicious advertising, with an almost certain assurance that it would be returned to them tenfold, within a very short time. The great difficulty at the present time is that the beauties of the State are not known, and there is no way in which we can make people so quickly familiar with them, as by advertising. This matter is worthy of your consideration and no mistake would be made if such an appropriation was provided. Do not expect to advertise for nothing, but if the money provided is wisely expended, there is no way in which greater returns can be received.

HIGHWAYS AND AUTOMOBILES.

It is only necessary to return to the report of the Highway Commissioner for you to ascertain that a great deal of work has been done on permanent highways. Practically \$250,000 was expended for this purpose during 1909, and the results are becoming manifest in the improved condition of roads all over the State. Our present system is, I believe, working satisfactorily, and if continued, with appropriations for as much as can be spared, will, within a few years, provide us with highways that will be entirely satisfactory. We cannot expect, and do not need, a system of macadam roads through the State. It would be impossible to construct them without bonding, and it would cost us as much to maintain them as we are now spending for the building of permanent roads. I believe it is generally conceded that the gravel road, properly constructed with a good foundation, is the most serviceable and best suited to our conditions of any material that can be used, and such roads can be built at a fraction of the cost of macadam, the repair bills being almost nothing in comparison. The matter of highways has become of such importance, and has been so thoroughly discussed that you are all familiar with it. I do believe, however, from my experience during the last two years, that, according to the population and valuation of this State, we are improving our roads as fast or faster than any State in New England, and paying for these improvements as they are made. We should continue along the same lines, as much more can be accomplished by some definite policy than by constantly changing.

The provision for the licensing of automobiles has proved of great benefit. The money collected from this source being used to care for the surface of the selected highways has assisted very materially in improving their condition, and would be much more effective if the road commissioners of the towns wherein these highways are located, would take more interest in the matter and use more of the money. I do not think this license tax has worked any hardship and feel that it should be continued. I would, however, recommend that some change be made in the law granting licenses to dealers. There are those who claim to be dealers, who have simply secured the contract to sell a certain machine, many times for the purpose of getting their own at a reduced rate. In this way, too, they can secure a license for less money than they would have to pay in the regular way. This matter should be changed so that none but legitimate dealers could secure license, and then, that some limit should be set to the number of cars they may be running at one time.

I am also of the opinion that it is wrong that towns should be allowed to place a speed limit of less than 10 miles per hour for automobiles running on their streets, or to make any regulation providing for a less rate of speed than this at any point on the highway. A car going at ten miles an hour is under absolute control, and is much safer than is a horse. It can be stopped quicker and handled more easily. It is not good policy to pass any law that cannot be complied with, and it would be impossible for many cars to comply with the speed regulations made by some selectmen on the highways and in the villages. Make it a serious matter for any one to run a car in a careless or negligent manner, whether it be at a speed of ten miles per hour or forty miles per hour, making the penalty enough so that the violator may realize that he is being punished; but let the requirement be reasonable.

The automobile has become such an important part of the problems we have to solve that we must take a broad view of the question involved, and strive for such a solution as shall be equitable and productive of the greatest amount of safety to all concerned. For example, more care should be exercised in issuing operators' licenses. No one should be allowed to operate a car on the highways that has not had sufficient experience to handle it properly. Lights should be displayed on all vehicles on the road after dark. A rule should be established for the passing of one vehicle by another going in the same direction. The action of the State of New York regarding reciprocal privilege for operating cars has brought the matter very forcibly to our attention. I recommend that we provide for full reciprocity, granting other States such privileges as they grant us.

CATTLE COMMISSION.

During the Session of 1908 it was discovered that very large sums of money were being expended in payment for diseased cattle. This sum was so large that it seemed wise to restrict the amount to be paid for this purpose, and the law was therefore changed, limiting it to \$40,000 in any one year. This law became effective February 1, 1909, and as showing the necessity for such a change, I would call your attention to the fact that from July 1, 1908, to February 1, 1909, there was expended for this purpose \$83,822.03. A certain number of cattle were condemned and killed, the bills for which were not rendered in season to be taken care of under the old law, and these have never been paid for. As a matter of justice, provision should be made for this payment. From February 1, 1909, to July 1, 1910, there has been expended in payment for diseased cattle, the sum of \$68,749.06, and under the law which permitted of disposing of them to some rendering plant, a return has been made to the state for the same period of \$7,208.16. I believe the provision limiting the amount which can be paid for this purpose is a proper one, and should be continued. Some progress is being made in stamping out this evil, but it will be a long time before it can be accomplished. In my judgment, some part of the burden should be placed on the owner of the cattle, and he should be compelled after a test has been made of his herd, and he has received payment for the cattle condemned and killed, to thereafter keep his herd free from diseased cattle at his own expense. This would compel him to use greater diligence, not only in the purchase of this cattle, but in the care of them, which, to my mind, is the only way in which great progress can be made in stamping out the disease. I think some step of this nature should be taken or we shall never be successful in accomplishing the desired end. On August 27, 1909, the former commissioner, Henry L. Willson of Arlington, died. This was a severe blow to the State, for he had proved a very efficient and intelligent commissioner. Fortunately, I was able to secure the services of Hon. Fred L. Davis of White River Junction, who had had large experience such as would fit him for that position, and I appointed him to that office. He was proved very efficient and the work has been carried on successfully under his administration.

THE PUBLIC SERVICE COMMISSION.

It is now the well settled conviction of our people that reasonable and fair supervision and regulation by the State of all railroad and other public service corporations within its jurisdiction is necessary in order adequately to protect the rights of the public. To accomplish such regulation and control, the Legislatures of 1906 and 1908 have created the present Public Service Commission and endowed it with powers calculated to give it such jurisdiction over substantially all public service corporations in this State as would enable it to prevent unjust discrimination and insure reasonable precautions for public safety and convenience.

The Executive Department has fully realized the importance of this legislation, and that its purpose might be easily jeopardized if not actually frustrated, unless the Commission was constituted of men of such character and ability as would give weight and respect to their decisions, and give all concerned the assurance of fair and just treatment, without fear or favor. To that end alone have appointments been made; and the work of the Commission for nearly four years has justified the confidence placed in its ability, fairness and efficiency. Their administration of the law has resulted in gaining the confidence and respect of the conflicting interest subject to their control. Great care should be exercised in the filling of vacancies on this Commission; and that should be done only with an eye single to the public good, to the end that the Commission may continue to be a body of just experts in the important matters subject to their supervision. And no small care should be exercised by the Legislature to see to it that no legislation is enacted that in any way tends to weaken or lessen the powers of this Commission.

No legislation of greater public benefit was ever enacted in this State than the law of 1906 which looks to the ultimate elimination of all our railroad-highway crossings at grade, by the annual elimination of a designated number. It appears that when this law took effect, there were in this State 924 grade issued orders eliminating substantially 76 of them, which eliminations have been so distributed that every section of the State has had the benefit thereof.

In their report for the last two years, the Public Service Commission says:

“As time goes on the grade crossings that remain present problems of increasing engineering difficulty and expense; and now the Legislature should consider whether the public good does not require a larger annual

appropriation for this work. So far we have been able to keep the expense within the requirement of the Statute, which, in effect, limits the annual expense for the elimination of grade crossings to \$100,000, for it provides that the State shall not be assessed more than twenty-five percent of such expense, nor more than \$25,000 annually.”

Those who were responsible for the enactment of this legislation realized that as time went on the condition outlined in the above quotation would later inevitably exist; that the crossings whose elimination were most difficult and expensive would not at first be eliminated. But it was hoped that when this time arrived, so many dangerous crossings would have been eliminated in all sections of the State, that our people would be so impressed with the manifest merit of the scheme, and its intimate relation to the “good roads movement,” which increases the value of every home and the enjoyment of every citizen, that such an increased appropriation would be made as would enable the work of eliminating these grade crossings to go on till all are abolished. And I earnestly commend to your careful consideration whether the time has not now arrived when an increased appropriation should be made for this work of eliminating these grade crossings.

BENEFICIARIES.

The sum of \$20,000, annually, is available for the education and care of the deaf, dumb, blind, idiotic, feeble minded or epileptic children of indigent parents, it being the object of this appropriation to educate such as are susceptible to being taught, and care for those whose condition is such that they should be in some institution peculiarly fitted for their trouble. Under the provision of this Act there are at present sixty-eight receiving State aid, being divided as follows: Feeble minded, thirty-two; deaf and dumb, twenty-two; blind, seven; epileptic, four; blind adults, three. [I] have, during my administration, approved accounts to the amount of \$35,935.78, and have made eighteen designations. While the amount which I have approved does not come up to the amount provided by the appropriation, there has been no time when the number of beneficiaries has not been sufficient to use up practically the entire amount. The reason that the full amount has not been approved is, that the accounts have not been rendered. I have had several requests to make designations, but have been unable to comply because of the conditions of the fund. There are now five applications on file. I am unable to state whether they would all be entitled to the benefits of this fund or not, but in nearly all cases where application is made, it is shown that the parents are not in financial condition to give the child the benefit of this class of schooling, or proper care in an institution. Each county clerk has been supplied with circular letters to be sent to the selectmen of each town in their respective counties, calling the attention of the Boards of Civil Authority to the requirement of our Statute, that they report the number of defective children in their towns. All towns have not reported, but from such as have reported, I gather the following statistics: There are a total of fifty-three, of which twenty-two are feeble-minded; twenty deaf and dumb; two epileptics; seven blind, and two that the ailment is not stated. None of these children are included in the number which I have given you as being in school or in some institution. It is easily seen that the number of these beneficiaries must increase from year to year. It takes practically eight years to complete the education of a child that is blind or deaf and dumb. It is manifestly poor policy to give these children a start and not allow them to complete their education. Those that are epileptic or feeble minded are constant charges and must be in an institution for many years. Therefore, if the State is to care for these unfortunates, the appropriation must be increased or some provision made to care for them within the State. They are not sufficient in number to warrant an institution with departments to care for each class, and I, therefore, recommend that the arrangements which are now in force with the different institutions be continued. I believe that all these unfortunate children of indigent parents are entitled to the same treatment, and if this is accorded them, it will be absolutely necessary to make a larger appropriation. In two cases the question as to whether the parents were able to support their children at the school has been so doubtful that I have made arrangements for the State to pay part of the expense, the parents bearing the remainder. This should be done in as many cases as possible, but in most cases it is impossible for ht parents to do practically anything.

CELEBRATION OF THE TERCENTENARY OF THE DISCOVERY OF LAKE CHAMPLAIN.

Act No. 205 of the Laws of 1908 provided for the appointment of a commission for the public celebration of the tercentenary of the discovery of Lake Champlain and the State of Vermont, and appropriated \$25,000 for this purpose and for the erection of a suitable memorial in the Champlain Valley, either by itself, or acting with

the New York State Commission, or United States Government, or societies. Under this Act a commission was duly appointed, and in connection with the New York State Commission, appointed for the same purpose, a joint celebration was held. The report of this Commission will be before you, giving in detail the work accomplished and proposed. Having been a member of that Commission I prefer that the record shall speak for itself, but I believe it to be generally conceded that it was a most successful celebration and has been productive of much good through exploiting the Champlain Valley. Thousands of people have become better acquainted with the beauties of this region because of this celebration. Other thousands have heard of Lake Champlain for perhaps the first time, and have become interested in it because of the publicity given to the exercises held at the various places on the lake. We were honored by having with us the President of the United States, and the French and British Ambassadors, as well as distinguished representatives from Canada. The bringing together of the representatives of these different countries and states has had the effect of making a stronger bond of union and friendship between them than ever existed before. Especially is this the case as between New York and Vermont, and it has seemed, therefore, to the two commissions, that it was most fitting that a joint memorial be erected to Samuel de Champlain. Many different sites have been considered and much discussed, but it has been finally decided and agreed upon by the two Commissions to erect this memorial in the form of a lighthouse at Crown Point. This form of a memorial seems to be peculiarly fitting, in view of the fact that Champlain was one of the great navigators of his time, and the placing of this lighthouse at Crown Point comes as near being on common ground as it is possible to have it. The report will give you figures showing that the Commission was able to provide the celebration, pay all necessary expenses and still have in excess of one-half the appropriation for the purpose of erecting this memorial. I wish to testify to the faithful and earnest work performed by the members of this Commission. They have labored without hope of reward except the sense of a duty well done.

DIGEST OF THE VERMONT REPORTS.

No. 204 of the Acts of 1908 provided that "in case the Digest of the Vermont reports authorize by No. 115 of the Acts of 1900, and by the contract made with Robert Roberts therein, is not published and ready for delivery on or before the first day of July, 1909, the Governor shall forthwith after said date appoint a committee of not more than three members to arrange and provide for the compilation and issue in proper and serviceable forms of a Digest of the reported decisions of the Supreme Court of this State, which shall include all cases reported up to the time of the publication of such Digest." The Digest authorized and contracted for with Robert Roberts, not having been ready for delivery on the first day of July, 1909, I immediately appointed Hon. O. M. Barbers of Bennington, Hon. Marvelle C. Webber of Rutland, and Hon. O. S. Annis of Troy, as a committee to provide a Digest under the provisions of this Act. They have completed a contract with the West Publishing Co. for such a digest to be delivered at some time during this year, and I have no doubt but they have made a wise decision, and that a Digest will be provided that will be entirely satisfactory.

EMPLOYERS' LIABILITY.

In my inaugural message I called attention to the necessity for the passage of an employers' liability act. I wish to reiterate my recommendation and to urge upon you the necessity of the passage of such a bill. Time has arrived when it is necessary that this legislation be passed, not only in the interests of the employee but of the employer. It is a matter of good sense and of justice. It should be made as general as possible and should not be confined to simply one class of employers.

JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

I have had forwarded to me to present to you for your action, the following joint resolution adopted by the Sixty-first Congress of the United States of America.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the Legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

“Article XIV. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.”

It will be necessary for you to take some action on this resolution, and I have no doubt that you will give such consideration to it, as a matter of such grave importance demands.

REPORT OF THE COMMISSION APPOINTED TO PREPARE PROPOSALS OF AMENDMENT TO THE CONSTITUTION.

Joint resolution, No. 419, approved November 11th, 1908, provided for the appointment of a commission to propose amendments to the constitution. Under this resolution, I appointed the following commission: Hon. Frank C. Partridge, as Chairman; Hon. Frank L. Green; Hon. Allen M. Fletcher; Hon. Willis N. Cady, and Hon. Matthew G. Leary, and on January 6th, 1910, they presented me their report, which is now before you for your consideration. In making up this commission it was my desire to appoint those representing all shades of opinion and different interests, so far as possible, and I was highly gratified at being able to select a committee as nearly ideal in these respects as is this one. Their recommendations consist of eight proposals of amendment, all of which, in my judgment, should be adopted by this Legislature. Some are of greater importance than others, but all would be of benefit to the State if adopted. In this connection I wish to call your attention to a fact which is a source of great gratification, not only to myself, but especially to the committee, and that is, that this report is submitted to you as a unanimous report. Each member of this committee is, in my judgment, an independent thinker, and probably they have suggested matters which they would prefer as their personal choice, but have apparently believed that the subject was of such importance that it was much wiser to concede small things than to lose the great benefits which will be derived from the adoption of these proposals, and this is the spirit in which I hope you will deal with this matter in making your decision as to the changes suggested. It is only once in ten years under the present rule that the constitution may be changed. It has served us well, but the time has come when we should take a step forward, and keep up with the march of progress in other States. The proposals which are before you will do this, and I sincerely hope that nothing will stand in the way of their adoption.

I wish at this time, and in this public manner, to thank the members of this commission for the faithful work which they have performed without compensation. Their report will stand as an evidence of progressive thought in this State whether their recommendations are accepted or not.

REPORT OF THE COMMISSION TO REVISE THE LAWS RELATING TO BANKING AND BANK INSTITUTIONS.

Joint resolution No. 418 approved December 2nd, 1908, provided for the appointment of a commission of three persons to examine all existing laws of the state relating to banking and bank institutions, revise the same and submit such revision, with an accompanying report showing the proposed changes, to the Governor on or before the first day of July, 1910. Under this joint resolution I appointed Hon. Fred A. Howland of Montpelier, Hon. Olin Merrill of Enosburg Falls, and Hon. F.H. Farrington of Brandon. They have performed their duties in a highly satisfactory manner, and I present their report for your consideration. There can be no question but that the laws relating to banking and bank institutions in this State are very much behind those of other States, and should have a thorough revision. Today it is very difficult to tell in many instances just what the meaning of the law is, and many restrictions are placed around our savings institutions which were necessary at the time they were enacted, but which should be changed to meet present conditions. The laws relating to the inspection of these institutions need serious and immediate attentions, and other matters too numerous to mention, but of the greatest importance, are treated in this report. This being one of the important matters for your consideration, I trust nothing will prevent your taking it up immediately, and giving the report serious consideration and approval. The gentlemen composing this commission are men of great experience along these lines, and their judgment has been formed after the most careful study and research. The bill presented is the result of their deliberations, and has been approved with practical unanimity by the Vermont Bankers' Association after very full consideration.

JOINT RESOLUTION RELATING TO A COMMISSION TO INVESTIGATE CERTAIN CORPORATION LAWS.

Joint resolution No. 421, approved January 9th, 1909, provides for the appointment of a commission of three to examine the existing laws of the State relating to the organization, formation or incorporation of all

corporations, both public including municipal, and private, and to submit their recommendations as to the advisability of enacting a general law covering the subject matter above set forth, to the legislature at the opening of the present Session. Under this resolution I appointed Hon. Clarke C. Fitts, Hon. J. T. Gleason, and Hon. Charles D. Watson, and I have no doubt but their report will be submitted to you in due season. From the intimate knowledge which I have of the character and ability of these gentlemen I have no doubt but that it will be of great value, and worthy of your thoughtful consideration. I do, however, wish to say a word in this connection regarding the granting of special charters, and to especially call your attention to the recommendations made in the report of the Public Service Commission, which is as follows:

“Our experience and observation during the last two years leads us to repeat what we said on this subject in our last report. Special railroad charters have been granted with provisions absolutely at variance with the general law and the public good. Such provisions may have been obtained by the intention of the incorporators, but probably most often by accident. To our mind there is little, if any, need of special charters for railroad companies. Incorporation under the general law is the only safe method of granting charters to railroad companies. The general law amply provides for the protection of the incorporators and of the public, and looks toward a speedy commencement of construction work. Discouragement in the granting of special charters would mean the encouragement of *bona fide* incorporation under the general law and actual railroad construction. Under the general law charters cannot be obtained and held for purely speculative purposes for its provisions are such that only those who are ready actually to build a railroad, and are sincere in their plan so to do, will apply for incorporation. It is commonly said that special privileges are too freely granted by the Legislature, and some reason for this statement may be found in an inspection of the special railroad charters that have been granted in the past. It is easier to grant special privileges than subsequently to regulate or take them away. We therefore, recommend the passage of such a measure as will bring any inconsistencies in existing special charters into line with the general railroad law and policy of the State; and we further recommend that no new special charters be granted unless some extraordinary reason be shown therefor, and then only after the fullest possible publicity.”

Much of the time of the Legislature is given up to the consideration of special charters, both municipal and private. This is a great expense to the State, which to me seems to be entirely unnecessary, I believe there are but very few cases where it is necessary to grant a special charter, and the refusal to do so would tend to discourage other than *bona fide* enterprises. Without knowing the nature of the report of this commission, I am unable to say whether I approve of their recommendations or not, but I certainly hope that no corporation laws will be enacted that do not provide that a charter issued under the laws of this state shall mean something to the investor. I do not believe that we should grant charters for the sake of receiving revenue, or for bringing in special enterprises, except such as are on an entirely sound and substantial basis. A charter granted by this State should mean that there is something substantial behind the company so chartered, and that stock may not be issued except for a *bona fide* consideration. This matter is of the greatest importance and should be very carefully treated.

EMERGENCY APPROPRIATION.

During the last two years the State has twice been placed in a rather embarrassing position because of a lack of funds to pay its legitimate expenses. I have reference especially to the falling short of the appropriations for the administration of justice, and the re-building of the wing of the ward that was burned at the State Hospital for the Insane. No money can be drawn from the treasury that has not been appropriated by the Legislature, therefore, even though the State has a very larger amount of money on hand, it cannot pay anything in excess of the appropriation, no matter what conditions prevail. No one could be blamed for the falling short of the appropriation for the administration of justice. There was no question of extravagance, but simply that the expenses of that department were larger than were expected. Therefore, unless some one had stepped in and furnished the money to pay these bills, those to whom they were owing, would have been obliged to wait till this session of the Legislature, in most cases at great inconvenience. If the trustees of the Hospital for the Insane had not been able to save something from their regular appropriation, as well as from their special appropriation, it would have been impossible to have paid for the re-building of that ward until the Legislature had convened, even though they had received payment from the insurance companies for the loss. Some

appropriation should be made for such cases, subject to the approval of the Governor or such other state officers as you may designate, but not to be used except in cases of emergency, and then, only when absolutely necessary. I believe that such safeguards might be thrown around an appropriation of this nature as would make it entirely safe, so that it could be used only in a legitimate way.

WEIGHTS AND MEASURES.

The matter of fraudulent weights and measures has been brought to our attention more forcibly during the last year than ever before. Some months ago the United States Government sent an inspector through the State to ascertain what conditions were regarding the weights and measures being used. His report was that a very large proportion were not correct, this condition prevailing over the country. In some States there are most stringent laws regarding these matters, and provision is made for the sealing of weights and measures and for a very rigid system of inspection. Because of the importance of this subject, and at the request of some people who became interested in the matter, I called a meeting at Montpelier, consisting largely of those who are specified by law, as having these standards in their possession. The attendance was very gratifying and the interest shown was such that it was manifest that the people were becoming satisfied that a great wrong was being perpetuated. This meeting requested me to appoint a committee of five to prepare a bill and present it to this Legislature, which should seek to remedy some of the evils now so prevalent. That committee has been appointed, with Mr. Henry W. Clement, of Rutland, as its chairman, and the subject has been very thoroughly gone over. A bill will be presented to you for your action, which would be a great benefit if enacted. The matter of weights and measures enters very largely into the matter of the high cost of living. Many of the necessaries of life are bought in packages which are said to contain a certain amount, while in reality they contain very much less. Coal is sold on short weight, and even the honest farmer sometimes makes a mistake and puts up his print of butter so that it is from one to two ounces short. I commend this matter to you, and suggest that you give it very careful study when the bill is presented for your action.

GOVERNORS' CONFERENCE

Last January I had the privilege of attending a conference of Governors held in Washington, this conference being attended by about thirty Governors, the sessions continuing three days. I became convinced at this time that these conferences were very beneficial, and that Governors attending them would receive much information and gather many progressive ideas that would tend toward more uniform legislation in the various states. At the conference spoken of, which was the second which has been held, it was decided to make the organization a permanent one, and to ask the different States to sanction it, to the extent of making a sufficient appropriation for its maintenance. It is proposed to employ a permanent Secretary, who shall gather necessary information and assist in the preparation of a program for each conference, and this will entail a somewhat larger expense than in the past.

I trust you will see fit to make an appropriation for this purpose not to exceed \$500 annually. These conferences discuss matters relative to the carrying on of the State governments as well as the relations existing between the State and national governments. The next conference is to be held at Frankfort Ky., beginning November 29th, and I hope my successor will arrange to attend, if possible. When I tell you that Governors like Hughes of New York, Fort of New Jersey, Dineen of Illinois, Wilson of Kentucky, Harmon of Ohio, Hadley of Missouri, and many others are leaders in this movement and believe in it thoroughly, you will understand that there is a substantial sentiment behind it, and Vermont should participate. I hope you will act favorably on this matter.

TABLETS AND PORTRAITS.

Joint resolution No 373 of the Acts of 1902, provided for the placing in the State Capitol of a bronze tablet with a medallion portrait of Brigadier and Brevet-Major General George J. Stannard. This Act had never been taken advantage of, but was so manifestly proper, that I have caused a tablet with a medallion portrait of General Stannard to be placed in the lower hall of the State House, to be some slight testimonial of the great services rendered by him during the Civil War. This tablet was furnished by Mr. A.G. Mansur of Burlington, and is of a very high order as regards design and execution.

Joint resolution No. 399 of the Acts of 1908, provided for the placing in the State Capitol of a bronze tablet with medallion portrait of General William W. Wells, and in conformity with this Act, I have caused such a tablet to be placed in the lower hall of the State House. This tablet was designed and furnished by Miss Mary Stickney of Rutland, and it is a great satisfaction to me to have given the execution of this commission to one within the State. I am sure you will all agree with me that the tablet is a beautiful one, and a great credit to the designer.

I consider it an honor to be associated even in this way with so goodly a company as are there represented. It has been my wish to have as many of the portraits of Ex-Governors as possible in the Executive Chamber, and I have invited such as are now living, but have not done so to present the State with their portraits for that purpose. The result has been most gratifying. Ex-Governor E.J. Ormsbee has one ready for presentation that I hope to see in its proper place before I deliver this message, and three others have made definite promises to do so. Without any suggestion of mine, Mrs. Bell has presented a picture of Ex-Governor C.J. Bell, and Senator C.S. Page has presented a portrait of himself. On August 12th, having learned that Chief Judge John W. Rowell was having a portrait painted, I invited him to present it to the State to be hung in the Supreme Court room in the State House. He now informs me that he has complied with my request, which was supplemented by that of the Vermont Bar Association, and the portrait is now in place.

I hope the effort to increase the number of portraits will be continued till the collection is complete.

GRANTS TO OUR COLLEGES.

The Legislature of 1908, made increased appropriations for Norwich University, the University of Vermont, and Middlebury College, and my observation leads me to believe that all these appropriations were deserved and have been wisely expended. Within a reasonable amount there is no danger of spending too much money on our educational institutions. It is a constant struggle for them to maintain such schools as are necessary to come up to the standard that we desire. Departments of pedagogy have been formed in both the University of Vermont and Middlebury College, the appropriation of \$6,000 for Middlebury College having been made for that special purpose. The report of Dr. Thomas, President of the college, which, under the law he is instructed to make, shows that thus far the expending of this appropriation has resulted in much good and it is to such departments as this that we must look for our instructors for high schools. It is difficult to find those that can fill such positions satisfactorily, and, as I have said in another place, these teachers should be trained in the atmosphere where they are expected to teach. This does not in any way interfere with our Normal Schools but is rather an assistance to them as it furnishes a class of instructors that are not furnished by these schools. The University of Vermont has been able to place its medical school on a sound basis, because of the assistance rendered by their appropriation. This is a source of much gratification to those interested in the college. Norwich University shows its great value to the State because eighty-five percent of the scholars in attendance are from this State.

CONCLUSION.

The two years just past have been years of great activity and prosperity in this State. The degree of prosperity is indicated by the great increase in deposits in our savings institutions, amounting to something over \$4,600,000 during the last year; the greatest increase, with one exception, in the history of the State, and that year was the one just after permission had been given to increase the amount that could be deposited in these institutions. We must, therefore, conclude that prosperity has been greater during the past year than ever before. Our factories, quarries and mills are well employed and there is no reason to fear any serious depression at the present time. There has been much activity along progressive lines. The Tercentenary Celebration was the beginning of a movement for greater publicity and has resulted in exploiting the beauties of the State and its agricultural and manufacturing advantages as has nothing else in its history. The desire manifested for better highways, the demand for newer and better laws, is a sign of progress and everything points to a steady advance for the future. It lays with you to say what legislation shall be passed. I can only recommend that the laws be as few as possible as I can see no need of a great mass of legislation. I fear that many if not most legislators do not improve their opportunities by studying the reports of the State Officers, feeling that they are a mass of dry statistics which it would be hard to comprehend, but this is far from the truth, as the reports are filled with

information that is of the greatest value. The recommendations made therein are the result of a study of conditions surrounding their office and their official acts, and should not be thrown aside without thoughtful consideration on your part. I have been very much gratified at the way the business of the State has been carried on by its officials. Cases have been very rare when I have felt the necessity for fault finding, and as I lay down the duties of my office I do so with a feeling that the interests of the State are in safe hands, and with no fears for the future.

GUY W. BAILEY,

Secretary of State, Clerk.

Executive Speech
of
Moses Robinson
As it appears in the
RECORDS
OF THE
GOVERNOR AND COUNCIL
OF THE
STATE OF VERMONT.

Volume III.

1790

October 14, 1790.

Gentlemen of the Council and house of representatives.

At the last annual election of the officers of this government, there was no choice made by the freemen of the supreme magistrate of the state; it was therefore the duty of the council and house of representatives, by their joint ballot, to elect some person to that office; it was the pleasure of the two houses to honor me with the appointment, of which I cheerfully accepted, and am conscious to myself that I have faithfully discharged my duty in the execution of that trust.

It appears from the present election, that the freemen have given their suffrages in favor of his excellency governor CHITTENDEN. I heartily acquiesce in the choice, and shall, with the greatest satisfaction, retire to private life, where I expect to enjoy that peace which naturally results from a consciousness of having done my duty.

The freemen have an undoubted right, when they see it for the benefit of the community, to call forth their citizens from behind the curtain of private life, and make them their rulers, and for the same reason to dismiss them at pleasure and elect others in their place. This privilege is essential to all free, and to republican governments. As a citizen I trust I shall ever feel for the interest of the state: the confidence the freemen have repeatedly placed in me ever since the first formation of government, lays me under additional obligation to promote their true interest.

Fellow citizens of the legislature, I wish you the benediction of heaven in the prosecution of the important business of the present session; that all your consultations may terminate for the glory of God the interest of the citizens of this state, and that both those in public and private life may so conduct, in the several spheres in which God in his providence shall call them to act, as that, when death shall close the scene of life, we may each of us have the satisfaction of a good conscience and the approbation of our JUDGE.

Farewell address

of

Thomas R. Salmon

As it appears in the

Journal

of the

Joint Assembly.

1977

Thursday, January 6, 1977

Farewell Address

RETIRING MESSAGE

Thank you, Mr. President. Mr. Speaker, Governor Aiken, Senator Leahy, Governor-elect Snelling, Madge Salmon, Barbara Snelling and Lola.

We gather today for a traditional event oftentimes dedicated to lengthy, prepared, self-serving declarations.

I recall sitting through boring lectures in college when the text of the professor would be translated onto the notepad of the student without going through the mind of either.

We ought to do better today.

Four short years ago I stood at this rostrum in this Chamber which holds so many memories for me and I said—

That Vermont must protect her resources against those who would place her heritage on the auction floor;

That reform of our local property tax was of urgent priority, and;

That this Administration was committed to open government, and the dignity and the integrity of the individual.

Today Vermont's environment and Environmental Laws are second to none. This little state with two-tenths of one percent of the land mass of the country has made an enormous national contribution as a model for freeing our highways of litter and billboards, and winning the battle of clean and drinkable water.

The Tax Program is law almost the way we outlined and today benefits nearly one hundred thousand Vermonters.

Ten thousand toll free calls reach the Governor's Action Line each year, and people are really helped with their problems.

We have not turned our back on the poor or physically or emotionally disadvantaged.

My second term washed upon the shoals of hard times. It was a different era that tested our mettle.

If I were asked to defend before the Bar of Public Opinion the fundamental character of this Administration, I would offer the following:

First: Its leadership was made up of good people, including several non-establishment people, who were selected carefully, and once selected chose not to leave their job. The men and women who headed the Departments and Agencies of Vermont State Government and our Judicial appointments represent a benchmark of quality that future administrations will be hard put to exceed.

Second: We developed a certain consistency in policy development and policy implementation—in both the good times of 1973 and early 1974 – and the bad times of 1975 and 1976.

We never forgot what we stood for.

Thirdly: We consciously tried to do what we believed was right as opposed to what was politically popular:

My efforts to raise taxes as opposed to unacceptable budget cuts or fiscal sleight of hand needs no restatement here.

In our appointments within the Executive and Judicial Branches merit stood shoulders above politics.

We stayed with our State Employees in hard times, and even recommended ten percent more pay for six percent more work.

We stayed with John Froines, despite the heat in the kitchen, and he proved himself a skilled and effective public servant.

We directed that priority in Public Works Projects go to the communities that needed them most, and not those with the most political clout.

More recently we gave modest recognition to a minority group with the highest unemployment rate in the state. They call themselves Abnaki Indians.

Fourth: We sought to be decisive.

We found a very bad cop in Vermont, aggressively prosecuted and convicted him, and then did the only thing a humane society could do—tried to forgive the human hurt and destruction perpetrated by this evil man.

We found a railroad in the Northeast Kingdom about to die and we saved it.

We went to Lowell and pledged to help save a dying mine, and we did.

We inherited an energy crisis, but no national energy policy and made do with what we had and we survived.

We saw people who couldn't afford the downpayment on a home, and with your help, did something about it.

We saw a Transportation Agency and Transportation Plan wallowing, but refused to see these efforts fail, and in so doing kept faith with commitments to continue the reorganization of government and to establish that the era of the four lane highway was over.

We faced floods and droughts and no snow and no gas, and dealt with each in turn to the best of our ability.

Fifth: We managed the resources of this small state well:

We asked in 1973 if there was too much big government in little Vermont? We answered, yes, and surprised most observers by doing something about it.

Average unemployment in Vermont during Governor Hoff's last term was 3.5 percent; Governor Davis' last term 6.5 percent; during Governor Salmon's last term 9 percent.

Hard times provided the catalyst for level funding, capping people growth, unprecedented budget cuts, and holding spending of state revenues to an average growth of three percent over the past three years, while the Consumer Price Index hovered at ten percent.

We accomplished much of this because of the gifted public administration skills of Robert M. Wilson, who shared with me the belief that Vermont must put her fiscal house in order before her people were asked to do their share.

Lastly: We cared about decency and integrity in human affairs:

We refused to take the Recession out of the hides of the poor and disadvantaged as a part of the budget cutting exercise.

We saw children with a critical unmet dental need, and developed the best Dental Care Program in the country.

We made a major commitment to move people out of large institutions and back to the community, and made deinstitutionalism work because it was the right way to go.

We saw opportunities to reduce taxes for those who can afford them least, and we did.

We kept faith with our commitments to Special Education by fully funding the last four steps in the Ten Year Plan.

Let me add a few personal observations –

Taxation has been a field of special interest to me since my law school days. I plied my skills in this field as a lawyer, as a member of this Assembly, and as Governor. In a country with an imperfect tax system, Vermont, among the states, has the fourth most progressive tax system. We compare rather favorably with New Hampshire's forty-second most progressive rating. It was not always so. Reform of our Income Tax Laws and Estate Tax Laws in the late sixties, and the Local Property Tax Program that bears my name, has helped make it this way. By our decision in 1973 to commit State Revenue Sharing money and Land Gains Tax money to refunds to local taxpayers based on income criteria, we have made the most regressive tax in the country, the Local Property Tax, more progressive, and in so doing have fortified a Vermont philosophy that says that the burdens of taxation should be borne by those best able to pay. I'm proud of these accomplishments, and I hope you are too.

The nation's Governors are much closer today to achieving a third chair at the head table of government with the President and the Congress. The Governors have gained the attention and the respect of both. This didn't happen by accident. A rejuvenated National Governors' Conference, and strong regional groups like the New England Regional Commission inspired by forceful leadership made this happen. What is good for New England is good for Vermont, and I hope that you and the next Administration agree.

Remember the battle cry of Campaign 1972, "What are we saving the Environment for—the animals?" You don't hear much talk like that in Vermont anymore, because Vermont in recent years has demonstrated that by standing tough on the environment, while at the same time significantly improving its business image, that the environmental-economic confrontation has abated. Our economic base can, and must, expand, but it must do so compatible with our environmental values.

We have found many new converts to the ranks of those early environmentalists who a decade and one half ago warned us of growth at any cost. Today environmentalists in Vermont include sportsmen, snowmobilers, small businessmen, farmers, and just plain people. With this constituency, Vermont's environmental future is secure.

I would choose today to write my disappointments in the sand. They were relatively few.

Let me simply say that we disagreed on how much should be done for those who had little, on financial deficits and on fiscal integrity, and as I said in my closing message to the Legislature last year, history will make the final accounting, and I hope you're right.

I have taken stands which I thought were necessary, and you have responded in kind. I have never doubted your motives or your integrity.

It is not my purpose this morning to chart Vermont's course for the future. Governor-Elect Snelling will outline his blueprint this afternoon, and I wish him well.

But let me restate and reaffirm these thoughts for the record. Vermont has a tradition and a problem. The tradition is that we pay our bills. The problem is that without permanent, tough decisions on revenues and spending, we may not be able to pay our bills.

We must continue to expand Vermont's fragile economic base of manufacturing, agriculture, tourism and higher education. It's not a question of picking and choosing among them. Each must remain strong.

As soon as economic conditions permit, I would urge you to implement the essence of the recommendations of the Tashman Committee Report as respects distribution of State Aid to Education. The present formula is anachronistic and basic equity suggests substitution of income and non-local property criteria in lieu of the fair market value of land. Such action would continue to fortify Vermont's pre-eminence as a progressive tax state.

Should the Federal Government fail to enact Comprehensive National Health Insurance, I would urge you to enact special legislation dealing with our most significant health cost concern; namely, catastrophic illness.

I hope that this legislature will carefully track our poor record in moving our young people from the twelfth grade to higher education, and continue to expand opportunities otherwise closed by financial barriers.

I began my Inaugural Address four years ago with a prayer offered by a good Republican, Dwight Eisenhower, at his Inaugural in 1953. I end my stewardship with a quotation from another good Republican, Theodore Roosevelt:

“It is not the critic who counts, or how the strong man stumbled and fell, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat, and blood, who strives valiantly, who errs and comes short again and again, who knows the great enthusiasms, the great devotion, and spends himself in a worthy cause, and if he fails at least fails while daring greatly, so that he’ll never be with those cold and timid souls who know neither victory or defeat.”

A friend asked me the other day if it was all worth it. Wasn’t I owed more than I received with the Energy Crisis, Watergate, Inflation, Recession, Natural Disasters, No Money, No Snow, a Tax Revolt, and the anxieties of our people over Government’s capacity to respond to their needs?

My answer was this: I came to this state in 1958 with barely enough money in my pocket to pay for an overnight room. My only assets were a good wife, a good education, and unlimited confidence in myself.

In fourteen short years I became Governor.

The people of Vermont owe me nothing. I owe them everything for the privilege of serving two terms in the highest office Vermont can confer upon any of its citizens.

I hope I have proved worthy of that trust.

The Governor having completed the delivering of this message, was escorted from the Hall by the Committee appointed by the Chair.

Farewell Address
of
Peter Shumlin

As it appears in the
Journal of the Joint Assembly

January 4, 2017

Farewell Address

Governor Shumlin then presented the following remarks.

“Thank you. I want to recognize my friend Governor-Elect Phil Scott who will deliver his inaugural address tomorrow. I have known Phil for a long time, serving with him in the Senate and for the past six years in his capacity as Lieutenant Governor. Phil cares deeply for this state, he’s a hard worker, and I know he will serve our state honorably as Vermont’s 82nd governor.

“To those, who like me, will not be roaming the halls of the State House this year – Speaker Shap Smith, Senate President Pro Tem John Campbell, Attorney General Bill Sorrell, and so many other Senate and House leaders who have contributed so much – I want to thank each of you for your service and friendship. It has been an honor to work with you to make Vermont a better place.

“And of course, to all of you who will be roaming the halls this coming year, including incoming Lieutenant Governor David Zuckerman, Attorney General TJ Donovan, House Speaker Mitzi Johnson, and Senate President Pro Tim Ashe, I congratulate all of you on your victories and hope for your success in building on the progress we have made these past six years.

“As I look at the many new faces in this chamber I remember back fondly to when I was one of them. Almost 30 years ago, I walked into this State House as a young representative from Putney and Westminster with incredible energy, hope, and enthusiasm for Vermont’s future. As I prepare to depart tomorrow, I leave with that same optimism, humbled and forever grateful for the faith that Vermonters have put in me.

“In part, that faith is rooted in my personal experience. As my mom will tell anyone who asks, as a dyslexic boy who struggled to read, and still can’t spell, I faced low expectations. In another state, I might have faced a bleak future. In Vermont, I became Governor.

“I came to this office shaped by that experience, knowing that many of us need a helping hand or a second chance. Six years ago, in the grip of a Great Recession, too many Vermonters needed both.

“Just before I came to office Vermont had suffered a series of economic body blows. In the three years before I was elected, Vermont lost nearly 10,000 jobs, unemployment had spiked, and incomes had stagnated.

“On Day 1, I inherited a budget that included a \$178 million shortfall with revenues that had plunged by almost \$200 million.

“We were flying blind with no energy plan to deal with the reality of a changing climate.

“Our infrastructure was crumbling, with one quarter of the state’s roads rated in very poor condition. Vermont ranked 45th in the nation for the number of structurally deficient bridges.

“Our state hospital was crumbling, having been decertified by the federal government for nearly a decade, requiring Vermonters to pay \$184 million in their hard-earned money that should have been paid by the federal government.

“Over 30,000 Vermonters had no broadband internet service and far too many of our downtowns were falling further into decay.

“Our lowest paid workers saw little hope for a real raise, and too many Vermonters with criminal records who had served their time were forced to check the box to all-but-certain permanent unemployment.

“Far too many Vermonters were homeless, and we lost too many of them to cold weather.

“Vermont’s prison population was increasing at such a fast rate we were in danger of incarcerating more Vermonters than we sent to pre-kindergarten. Bubbling just below the surface was a massive opiate crisis feeding our incarceration problem and destroying lives.

“Our education system had lost over 20,000 students in two decades, but we refused to adapt to that reality. Too many young Vermonters could not access quality early education, while too many others could not afford to get beyond high school.

“And we had tens of thousands of Vermonters living without health insurance.

“Six years later this state is a vastly different place thanks to our work together.

“When I ran for governor I said my top priority would be to grow jobs and expand economic opportunity. We’ve done that.

“We added almost 16,000 jobs in the last six years. Our unemployment rate has fallen every year since I have had the privilege of being governor. And personal per capita incomes have grown faster than the national average for the last five years – something that has never happened in our history.

“We’ve put Vermonters to work by connecting over 30,000 homes and businesses to broadband internet, cutting in half the number of failing roads and bridges in this state, and rebuilding the Waterbury State Office Complex and a new state of the art mental health facility in Berlin.

“On January 1, Vermont’s minimum wage increased for the third year in a row on its way to \$10.50 in 2018. We’ve banned the box. And lower-wage Vermonters no longer have to choose between going to work sick or losing their job.

“With so much fake news influencing our political dialogue, I have to take a moment to make sure that as you craft a budget for the next fiscal year, we accurately recount the fiscal record we have achieved together. Keep this number in mind: 3.7 percent. That’s the average growth rate of Vermont’s total funds budget over the last six years. That is in line with our state’s economic growth. It is also far lower than the budget growth that preceded my time in office: 7.8 percent in 2004, 13.4 percent in 2005, and 7 percent in 2006. “Our record of fiscal responsibility is one to be proud of, and we did it while keeping my promise not to raise income, sales, or rooms and meals tax rates on hard working Vermonters, because they are already too high.

“We not only balanced six consecutive budgets. We did it while enhancing our bond rating and reducing our reliance on one-time funds for ongoing state expenses to zero for the first time in decades. We fully funded Vermont’s pension obligations and our rainy day funds. And we’re leaving an unprecedented \$100 million cash reserve to help the Medicaid program whenever our economy hits a bumpy road.

“On energy, we have proven state leadership can mean the difference between relying on yesterday’s aging, leaking nuclear plant, or today’s clean, local, renewable energy.

“Today Vermont Yankee is shuttered, we have 12 times the number of solar panels, 25 times the wind power, and our utilities are transforming into cutting edge efficiency companies. Working together, we passed a ground-breaking renewable energy standard that can single-handedly achieve a quarter of the greenhouse gas emissions reduction needed to meet our state’s 2050 target.

“And if you have 17 Vermonters in a room, or better yet a pub in one of our revived downtowns drinking a Heady Topper after a long day’s work, one of them works in the renewable energy sector. Vermont leads America in clean energy jobs per capita with over 17,700 of them.

“Today we enjoy the second lowest electric rates in New England, and lower residential rates than our neighbors in New Hampshire, Massachusetts, and New York. That means more money in Vermonters’ pockets. Most important, Vermont finally adopted a smart, statewide energy plan, and we are moving on the path to 90 percent renewable energy by 2050. If the other states would follow us, we might have some hope of preserving a livable planet for our kids and grandkids.

“When I ran for governor I had a simple idea: Let’s become the early education state, giving every Vermonter a strong start, and pay for it by not incarcerating non-violent Vermonters suffering from addiction. Everyone loved the education idea, but the skeptics pounced on my criminal justice reform proposals.

“When I made that campaign promise, I never imagined the enormous problem we would uncover along the way. The crisis of opiate and heroin addiction did not begin in Vermont, but Vermont began the national conversation about how to address it. We invented hub and spoke, invested in state of the art treatment centers, implemented pre-trial services, passed out rescue kits to anyone who would take them, and adopted the toughest limits on prescribing OxyContin and other pain medications in the nation.

“Incarceration rates are at the lowest level since the early 2000s, and Vermont has almost 600 fewer inmates today than we did in 2010. That’s tens of millions of dollars each year that Vermonters are not wasting on prison cells.

“And we delivered on the rest of the promise, becoming the first state in America to enact universal pre-k for all three and four year olds. We made it so more kids could access free school meals, so no kid has to try to learn hungry. Thousands of

Vermont high school kids have gotten a free head start on college through expanded dual enrollment and early college programs. Personalized learning plans are ensuring that every student links choices in their educational journey to a meaningful career down the road. My Step Up program to help those Vermonters already in the workforce get back into school and on the road to success is funded and enrolling Vermonters as we speak. And, together, we passed a once-in-a-generation reform bill to improve educational quality and find efficiencies in our system. Working from the ground up, today well over half of Vermont kids are in a school district that has either decided to streamline or is in discussions to do so.

“Vermont has chosen education for all over incarceration for too many. That is change whose time has come.

“On health care, while we did not accomplish all of our goals, over 25,000 Vermonters who didn’t have health insurance when I became governor now do, meaning they no longer have to worry that one serious illness or accident could send them into bankruptcy. Thanks to our embrace of Obamacare, Vermont’s uninsured rate is a nationwide low of 2.7 percent.

“After persistent challenges, Vermont Health Connect is functioning well.

“This open enrollment, the annual transitioning of Vermonters from one year’s plan to the next occurred with an over 99 percent success rate.

“In November, 95 percent of requested change of circumstances were completed in time to be reflected on a customer’s next bill, up from 54 percent at the beginning of the year. And nine out of ten calls to the Customer Support Center were answered within 24 seconds.

“With the creation of the Green Mountain Care Board, we have kept the growth in hospital budgets to the lowest levels in 40 years. And the All-Payer Model is the single best shot that we or any other state in America has to control health care costs. By paying doctors and hospitals to keep you healthy rather than for the tests they run, Vermonters will be healthier and so will their pocketbooks. “

Seven years ago, marriage equality would not have passed had it not been for many in this chamber who came together to overcome outdated opposition to a moral imperative. When we came down on the right side of history and over-rode

a gubernatorial veto, that was a moment of courage that was heard across America. In the six years in which I have had the privilege of being your governor, Vermont has not shied away from continuing that tradition of being among the first to do the right thing.

“Terminally ill patients can now make their own end of life choices.

“In an era where voter suppression has become a legitimate tactic to win elections in some states, Vermont will now automatically register voters and offer same-day voter registration.

“And of course, there was Vermont’s first-in-the-nation GMO labeling law. While Congress stepped in with a weakened compromise, I firmly believe that our setback was America’s step forward. While we must fight on, a flawed national labeling standard is still a national labeling standard.

“With all that we’ve accomplished, there are some areas where we must keep pushing, even though I won’t be here with you as Governor to help.

“In the last year, Vermont has seen an almost 30 percent decline in homelessness thanks in part to our establishment of a goal to end family homelessness by 2020. We need to keep our foot on the pedal to make sure that goal becomes a reality.

“Although we have made progress on opiate addiction, Big Pharma is still giving more money to politicians to influence public policy in America. A Washington Post investigative series recently detailed how high-level Justice Department officials called off multiple DEA efforts to halt shipments of opiates to illegal pill mills after pressure from Big Pharma. Unbelievably, Congress then amended laws to make it almost impossible to halt the shipments in the future. The DEA’s top cop on the beat got removed from his position, while Big Pharma simultaneously hired 42 retired DEA officials to help them keep the FDA-approved painkillers flowing.

“Big Pharma doesn’t just profit from the sale of the painkillers, they profit from the pills to reduce constipation caused by the painkillers; they profit from the medications you need after you sign up for the disease; and they profit from the rescue kits that we pay so much money for. For the past year, I’ve often felt like a lone voice in the forest calling out Big Pharma for these practices that are creating the opiate addiction crisis in America. I can’t think of a current governor who is

likely to keep calling them out. Vermont has continually stood up to Big Pharma in the past and I call upon you to keep up the fight now more than ever, or we will continue to see our sons, daughters, and neighbors die or have their lives destroyed by this crisis.

“We also have more work to do to realize the promise of a cleaner Lake and a livable planet. We are entering an era where EPA, the Department of Energy, and the State Department are going to be under the sway of climate skeptics. But let’s be clear, when we said we would clean up our Lake and reduce greenhouse gas emissions, we didn’t do that for the benefit of the federal government. We passed the toughest clean water law in the history of the state for Vermonters, for our future, for our children and grandchildren. We are counting on you to complete the job. With your vigilance, we can meet the requirements of the TMDL, and we can keep our green energy revolution moving forward.

“Vermont has always shown our best when other parts of our country show their worst. When slavery was written into the federal constitution, Vermont was the first to exclude it from ours. When gay and lesbian Americans were being discriminated against nationwide, Vermont was the first to say love is love. When women and children fleeing unimaginable violence in Syria were turned away by other states, I made sure Vermont would never close our doors to those looking for a better life.

“Today, America needs us more than ever. We are entering an era of narrow, outdated ways of thinking, emboldened by a divisive and contemptuous President-Elect. In the face of such a future, it can be tempting to disengage from the national politics of our time, to sit back on the progress we have made, simply enjoy the beauty that surrounds us, and rejoice in the fact that our little state is not like the rest of America.

“But we can’t do that. Our nation has stumbled backwards, and America needs Vermont’s leadership now more than ever. That requires all of you to keep up the fight, and turn a momentary stumble backwards into an inspiring leap forward. Vermont must always stand against the hatred, the bigotry, the intolerance that will sadly be part of our future.

“Tomorrow, I will no longer be your governor. But I will be a Vermonter demanding that my government stand firm for the values that make this state

what it is and has always been. Given what I know to be true about this state that I love, I am confident I will not be the only one. That's why I am leaving this chamber today with the same enthusiasm, hope, and optimism I had 30 years ago when I first arrived.

"Thank you."

Dissolution

The Governor, having completed the reading of his farewell message, was escorted from the Hall by the Committee appointed by the Chair.

Thereupon, the Joint Assembly dissolved.

JOHN H. BLOOMER, JR.
Secretary of the Senate
Clerk of the Joint Assembly

Farewell address
of
Charles M. Smith
As it appears in the
Journal
of the
Joint Assembly.

1937

Thursday, January 7, 1937
Farewell Address

Members of the General Assembly:

INTRODUCTION

Again, it falls to the lot of the retiring governor to deliver a message to the General Assembly.

It has always seemed to me that this function is entirely superfluous. You are more interested in what is coming than in what has happened. You are more interested in what is expected of you than the accomplishments of past legislatures. You have important matters coming before you. I look back to the sessions which have been held since the flood, 1927, 1929, 1931, 1933, 1935 and now I am very glad to have this experience with you, even though short. This gives me an acquaintance with six consecutive legislatures. I think there are some among you who have had much the same experience. The pleasantest, happiest thing about service here is the friendship made with people from over the state.

FINANCES

A large part of a legislature's endeavor regards finance. Without sufficient income the activities of the state cannot be continued for long. It provides a constant study for every legislature to supply revenue and spend it wisely.

At the close of the special session a year ago some of us had fears that we had not provided revenue enough to balance the budget and various measures were proposed, but the committees of the houses thought it was ill advised to pass any of these measures. Experience has demonstrated that they were right. With economy and a fortunate increase in revenue the budget was balanced. And out of this situation came a resolution which set up a commission to study the state's financial system with a possibility of reducing the cost of government, developing new sources of revenue and finding inequalities in the present tax plan. Under this resolution I appointed a commission of seven. This commission will submit its report. A great amount of thought and study has been given by its members to this difficult question. I know we are greatly indebted to them.

A summary of the figures appearing in the report, of the State Treasurer shows that for the year ending June 30, 1936, the decrease in the net debt was \$817,523 and the reduction in the bonded and floating debt during this fiscal year was \$463,000 leaving a balance of \$354,000 which was the excess of general fund receipts over general fund expenditures. This of course is an excellent showing and gives us all satisfaction.

Under authority of No. 43 of the Acts of 1935 refunding ten-year serial bonds totaling \$1,500,000, carrying interest at 1¾ %, were issued in March, 1936, and were sold at a premium of \$15,300. This was a very advantageous rate, probably the lowest in the history of the state for bonds. This arrangement gets this indebtedness which had been a long time accumulating into good form and it will be liquidated in ten years if all goes well.

AGRICULTURE

I am happy to report that the appropriation made at the last session enabled Vermont to complete the testing of her cattle for bovine tuberculosis and Vermont has now been declared a modified accredited state by the Federal Government.

This is the result of a steady, wise policy on the part of former legislatures. It means everything to our great dairy industry. We can be proud of this achievement.

There are many fine endeavors in the agricultural department which I would be glad to take up if time permitted. I must, however, mention the excellent work of the Extension Service. You are all very conscious of the results of this work at the Agricultural College which enters intimately into the life of great numbers of our people both old and young.

PUBLIC WELFARE

One of the great departments is that of Public Welfare, which presides over our State Institutions: the State Hospital at Waterbury, the Industrial School at Vergennes, the State Prison at Windsor, Riverside Reformatory at Rutland, the State School at Brandon, Kinstead in Montpelier, the Washington County Sanitorium at Barre and the Vermont Sanitorium at Pittsford.

This is a very complex job. Involved in this department are the problems from the seasoned criminal at Windsor to the very dear ministrations to the children at Kinstead. I commend to your attention the report of the very able committee which investigated the Industrial School at Vergennes. Some of their suggestions have been carried out and others have not been because of lack of funds, but there is a very sweet and wholesome atmosphere about the school. The boys and girls are being helped, not through physical punishment. Of all our institutions this one makes the greatest appeal.

I also commend to your attention the reports of the Prison Industries Board and William B. Cox, Executive Secretary of the Osborne Association, in regard to Windsor. Lack of employment is a serious problem there. A useful employment is very helpful to the morale of the inmates.

A start has been made by the authorization of the last legislature, providing for the manufacture of automobile license plates and highway signs. Of course a considerable number of men are employed at the great State Farm, but this problem of unemployment is a vital one. There were many other recommendations which have been carried out, others were too costly. Instead of the expense involved in employing a full-time psychiatrist, as suggested, an arrangement was made with the State Hospital for service of this kind, and this seems to be working out well. It is necessary to watch for mental troubles among these prisoners. Some need to go to Waterbury to remain, others are treated and returned to Windsor.

It seems to me that, as I have watched these institutions, we are very fortunate in the conduct of them.

The state met with a distinct loss in the deaths of Dr. E. A. Stanley who served the state so well for eighteen years as superintendent of the State Hospital and Miss Lena Ross who had achieved a national reputation for her successful work at the Reformatory at Rutland.

HIGHWAYS

The special appropriations from the Federal Government have been made more with the object in mind of providing work relief than in building roads, with the result that the amount of road work accomplished with the money available has not been as great as it otherwise would have been.

According to figures available November 1st, 1936, the progress of the Highway Department in using funds available from the Federal Government was such that on that date Vermont had the smallest unused balance of any state in the Union. This policy has provided a large amount of work relief.

The situation with which many of the states have been faced during the years of depression in their highway work indicates the wisdom of Vermont's pay-as-you-go policy.

During the last two years 171½ miles of superior-to-gravel roads have been built.

It has been the aim of the Highway Department to provide better conditions for winter driving.

In 1935 seven hundred and thirty-five miles of road were added to the State Highway System.

MOTOR VEHICLE DEPARTMENT

I recommended to the last legislature a reduction of 15% in registration fees for pleasure cars and an act was passed carrying out this suggestion. It is significant to note that the increase in income from the gasoline tax has exceeded the loss in the amount of registration fees by \$186,678 for the fiscal year ending June 30, 1936.

It seems to me the change which was made in the registration date has been very acceptable to car owners also.

FLOOD CONTROL

This is a problem which has come to the fore in recent years. What has been accomplished has demonstrated its worth.

The larger and more vexatious problem of the Connecticut River is a problem indeed. This is fortunately in the hands of a very able committee which has an unusual understanding of this subject. At the annual meeting of the New England Council last November, faced by a large number of representatives from Massachusetts and Connecticut, I had the temerity to tell these delegates that we have a desire to be friendly, but not too friendly, as this matter raises questions which are very vital to Vermont.

CHAMPLAIN BRIDGES

Under No. 212 of the Acts of 1935 the Missisquoi Bay Bridge Commission was appointed and authorized to construct as speedily as possible and to maintain and operate a highway bridge and approaches across the Missisquoi Bay, between Swanton and Alburg. The financing of this project met with some difficulty but after considerable work on the part of the Commission it was found that a sum of one hundred thousand dollars was necessary in addition to a bond issue raised from private subscription and by Federal grant. The state invested this amount from the General Fund in second mortgage bonds and the work is now under construction.

Under No. 210 of the Acts of 1935 the previous act authorizing an agreement between the State of Vermont and the State of New York was amended and authorized the construction of a new bridge between Alburg and Rouses Point. This bridge together with the Missisquoi Bay Bridge will provide a direct and modern connection between Vermont and New York State for the northern section of both states.

CONSERVATION AND DEVELOPMENT

One of the most attractive developments that has taken place lately is the establishment of our state parks in the forest, by lakes and on some of our mountain tops, with fine, safe highways leading to them. This, of course, has been done with a minimum of expense to the state and a maximum of good judgment and planning by the Forestry Department. I have heard it said that Vermont excelled in this sort of recreational development. A reasonable amount of it is just what we need to set forth and make available the loveliness of our state.

Another interesting and important project with which you are all familiar is the acquisition by the Federal Government of the Green Mountain National Forest Area, and by the state of the State Forest Area. This, of course, is a plan for all time. Careful legislation has been enacted to guard the state's interest.

The last legislature very wisely, it seemed to me, doubled the appropriation for publicity. At one of the meetings of the New England governors the proposal was made that each of the New England states join in an advertising plan made up of contributions of \$100,000 for each state. Of course, I was obliged to object to such an agreement as that amount looks larger to us and is much larger than to our wealthy neighbors. The result was that under the New England Council, the states raised \$100,000 apportioned on the basis of wealth and recreational activities. Our contribution, taken from our publicity appropriation, was \$6,700. It has seemed an excellent investment.

SOCIAL SECURITY

We have been confronted with an entirely new problem the last two years in the expansion of social security through the enactment of the Federal Social Security Law. We have studied and debated the different phases of this question. Perhaps it presents more difficulties to a state of our resources than it does to many other states.

It seemed best for us to do something of this nature and I recommended an old age assistance law. I felt that old age assistance was the simplest and most direct way in which we could participate, although, of course, expensive. The legislature at the regular session two years ago, passed our old age assistance act, under which some 4,100 aged persons are receiving monthly payments. This was made possible through the cooperation of the Federal Social Security Board to the extent of 50%.

At the special session a year ago, we enacted legislation to enable Vermont to participate in the Federal distribution of funds for the blind, crippled children and mother's aid.

Recently I began to worry about our action regarding the unemployment insurance law and I found it was quite a common source of concern over the country. I consulted with a considerable number of our leaders and learned that they were unanimous in the opinion that Vermont would make a mistake in not passing a bill in conformity with legislation outlined by the Social Security Board. This led to action which I would have preferred to avoid, but it seemed best to call the recent special session. The legislature enacted an unemployment compensation law which has been approved by the Federal Social Security Board. This seems to be a good piece of legislation and it will be of assistance to employers, employees and municipalities. This is the opinion of some of our largest employers.

CONCLUSION

In conclusion I would venture that some of our good neighbors and friends over the country may look upon Vermont as slow and somewhat backward, but this is not so. From the various enactments which I have hurriedly touched upon and others which will occur to you, it can readily be seen that Vermont is one of the progressive commonwealths. All who are interested and stop to consider are extremely proud of the way Vermonters hold fast to their traditions and the best things among our hills, and yet adapt themselves to the changing times.

We are fortunate in our leaders. We have splendid men scattered over our state who are willing to devote themselves unstintingly to the welfare of the state. This is a fact which has given the greatest pleasure to their executive.

As I said at the beginning, I am very glad to have met with you and I wish you all a Happy New Year.

The Governor, having concluded the reading of his message, was escorted to the Executive Chamber by the committee appointed by the Chair.

The Joint Assembly dissolved.

RAWSON C. MYRICK,
Secretary of State, Clerk.

Farewell address
of
Edward C. Smith
As it appears in the
Journal
of the
Joint Assembly.

1900

Thursday, October 4, 1900

Farewell Address

Gentlemen of the General Assembly:

The subject which first engrossed my attention at the close of the last session of the Legislature, and which should, in my judgment, be the first to engage yours, is the system of accounting that at present obtains in this State. There is no department of the State government which deserves more careful consideration in its practical every day working than that presided over by the State Auditor, and there is none, I regret to say, which has received less at the hands of your predecessors.

This department, more than any other, is responsible for the disbursement of and accounting for the State's revenue, amounting annually to over seven hundred thousand (\$700,000) dollars. It ought to contain the most exact, careful, perfect system of accounting with each official of the State who is authorized by the statute to receive and disburse the State's money; it ought to provide for the most painstaking investigation of every claim and every indebtedness for and against the State; it ought to know from actual knowledge that the multitudinous agents of the State, the county judges, the county clerks and superintendents of State institutions, the justices of the peace and all others who under the statute receive the State's money, not only collect what is due the State, and all of it, but, what is equally important, that they turn what they do receive into the State Treasury; and it ought to contain complete records of all and every money transaction of the State, and to keep such records in an orderly manner; and yet in its practical every day working the office to-day is wanting in every essential element of approximate accuracy. As a matter of fact, the office cannot furnish a satisfactory statement of the account of a single State official who receives or disburses the State's money, nor a complete accurate sworn to report of any essential financial transaction of the State, and, judged from the standard of a modern system of accounting, appears to worse advantage the more the present system, or to speak more properly, the want of system, is investigated.

These statements are the result of careful investigation not only by myself, but at the hands of the present State Auditor to whom I am indebted for much valuable assistance, and many valuable suggestions in this connection. The present state of affairs is not chargeable to the present State Auditor nor to any of his predecessors, and no criticism is intended on them by anything stated herein; the faults that exist are traceable plainly to your predecessors and the remedy rests with you.

In order that the subject may be fully before you I will enumerate the duties of the Auditor as the statutes stand to-day: He is required to know that each of the two hundred and forty-six towns is debited with the State tax; that the debits are correct, and that the amounts are properly paid into the treasury of the State. In order to accomplish this properly the statements of each town treasurer should be verified to ascertain if the amount due is correctly figured and properly made up.

He is charged to settle with the State Treasurer annually and make a through examination and report on these accounts; he is charged with the examination and adjustment of all claims against the State and is required to attend each session of the Legislature and be present at each meeting of the claims committee and defend the State; the statutes provide that he shall allow no claim not based on law nor draw an order on the State Treasury except in pursuance of law; a proper performance of this duty alone involves a large amount of careful investigation; the number of bills introduced in the Legislature at each session "to pay claimant the sum therein named" is evidence of the time and attention necessary to protect the rights of the State in this regard. All these claims have to pass before the Auditor except as they may come to the Legislature in the first instance.

He is charged to keep an account with each county clerk, and to see that the State's money received and disbursed by the county clerk to pay for election and court expenses is properly accounted for.

Twice each year he is required to visit each county and audit the accounts of each clerk, sheriff, and municipal judge and justice of the peace; this involves an examination of the transactions of fourteen sheriffs, fourteen county clerks, six municipal judges, and of between 250 and 500 justices of the peace and from 3,000 to 6,000 separate bills of cost. The amount of detail involved in these accounts in the aggregate is enormous and, covering as it does fines and costs and fees, demands painstaking examination of docket entries and court records to ascertain their accuracy and to determine whether they are properly made up.

He is charged to examine annually the accounts of twenty probate judges, and ascertain whether the fees are properly and uniformly charged, and proper return thereof made to the State. This involves an examination of the records respecting the estate of each deceased person to see whether the inheritance tax and other fees in the settlement of the estate are properly charged. The work involves time, study, knowledge of law, and care.

He is charged with the supervision of all suits and legal matters in favor of the state. All other State officers whose duty it is to disburse money for the State make their returns to the Auditor, and the Auditor has to make settlement once each year with the Sergeant-at-Arms, Quartermaster-General, Superintendents of the State Prison, House of Correction, Vermont Industrial School, Insane Asylum and Soldiers' Home; also with the secretaries of the various State boards and State commissions, and to adjust their accounts. In addition to these outside duties he is charged with the drawing of orders each month in payment of the State expenses and claims amounting to forty or fifty thousand dollars, and is supposed to keep proper records of every transaction that passes through his office. These in brief are the duties required by the statutes, and so far as they go are in line with propriety and the necessities of good government, but the serious difficulty lies in the requirement of the statutes that the Auditor is required to perform all this alone. He is allowed neither clerk nor stenographer at the expense of the State, and hence the examination of every account, the hearing and investigation of every claim, the adjustment of every State official's account of receipts and disbursements, and the recording of these important transactions, is imposed upon one man, unless he is willing, out of his own salary of \$2,000, to employ such assistance as may be required. This state of affairs is bad enough for the Auditor who tries to perform his duty, but is worse for the State, and the people are suffering accordingly.

It needs no argument to demonstrate that it is simply a physical impossibility for one man to do this work. The necessary traveling about the State alone to examine the records of the county clerks, the judges of probate, the sheriffs, and the justices of the peace, necessitating trips into each county, and, if the work is properly done, into each town, is sufficient to absorb all the time of one man and more, not to mention the examination and settlement required to be made with the State Treasurer each year, and the time required to go through his accounts and records, to visit each separate State institution and to check over their accounts and to know that the twenty-five or thirty thousand dollars paid out by these institutions each month has been properly and judiciously expended by the trustees thereof.

No one Auditor can do it all, and no one Auditor has done it all; the work has been skimmed, what was absolutely necessary to be done has been done, and no more, because there has been no time for more. As a matter of fact, in practical working, the accounts of those persons who have collected money for the State have been accepted by the Auditor at their face value, and merely such casual inquiry as was possible in the time allowed, has been made as to their accuracy. There has been no uniformity in the accounts rendered, with rare exceptions, but the certificate on oath of the receiving or disbursing officer that the accounts rendered were correct has been accepted as true. The State for years has been in the position of merely accepting what has been paid to it without knowing that it has received what actually belongs to it. It is a most unfortunate condition of affairs, but it is not exaggerated.

Another evil result of the existing system is the absence of any attempt at a complete and accurate record of the State's financial transactions. The books are out of date, inadequate and incomplete, and the records confused and faulty. No index even of claims made against the State or of orders paid by the State has been attempted, and the original documents that comprise all the valuable information of the State's receipts and disbursements are kept, some of them in the Auditor's office down stairs, some of them at the Auditor's home, while most of them are packed up in dry goods boxes or scattered about the floor in the dome of this building. The present Auditor has endeavored to bring some sort of order out of this confusion but it is a sad mess at best to-day.

No balance sheet has ever been prepared of the State's affairs, and none ever can be made covering past transactions.

I cannot find that the Auditor himself is directly responsible to any one except the Legislature, and from such of their reports to the Legislature in the past years as I have been able to examine I must confess my inability to get any accurate information about any of the State's financial affairs whatever.

I cannot find that a claimant against the State of Vermont is allowed any appeal from the Auditor's decision except to the Legislature. This is a condition that is irksome alike to the Auditor and the public. On the one hand the Auditor has no one to share his responsibility nor any one with whom to advise, and on the other, the public having a just claim is liable to have to wait two years until the Legislature convenes, and then be put to the unnecessary expense of establishing the claim before the Legislature.

I cannot find that the Treasurer of the State is responsible to the Auditor nor to any one except the Legislature, nor that any one has ever made a complete audit and report of his accounts. The statutes charges that the Auditor and the Inspector of Finance shall do so, but in practice this has amounted to nothing because the Auditor has no jurisdiction of the Treasurer, and no time to do the work if he had jurisdiction; the only examination made has been for the Auditor and Inspector of Finance to check over with the Treasurer such orders on the Treasurer as have been issued by the Auditor but the receipts from other sources amounting to thousands of dollars have never been checked over or verified. This statement may shock the ears of those who are accustomed to deal with trust funds, and it ought to, but it is literally true.

Under the statute the Auditor has no jurisdiction over the important revenue transactions of the Commissioner of State Taxes, nor of the accounts of the Insurance Commissioners, sources of State revenue amounting to hundreds of thousands of dollars a year, about which your Auditor knows nothing officially.

I recommend as a remedy and relief to the present situation that the Governor, Lieutenant Governor, Auditor, and Treasurer, and perhaps the Speaker, be constituted a board with jurisdiction over the accounting and financial departments of the States; that the Auditor and Treasurer, and perhaps the Speaker, be constituted a board with jurisdiction over the accounting and financial departments of the State; that the Auditor and Treasurer report to this board at monthly meetings to be held at Montpelier, when the transactions of the month in each department shall be considered, and that all orders drawn by the Auditor or the Treasurer shall be approved by the Governor before being paid by the Treasurer; that this board act as an advisory one to the Auditor in connection with claims against the State, and to have authority at the expense of the State to employ an expert to audit the accounts of the Auditor or Treasurer, if in the judgment of the board it should be necessary at any time.

In addition the Auditor should be given jurisdiction of all the accounts of the State, including the Treasurer's, the Commissioner of State Taxes, and Insurance Commissioner's and should be authorized to employ such subordinate clerks as he may find necessary to attend to the details of his office and to establish and maintain a proper record of the State's business. His office should be located here at Montpelier, and all the subordinate officials and clerks in the Auditor's department should be civil service positions. It is important that the best persons available be chosen for these subordinate positions and kept there during good behavior.

I recommend an appropriation of not to exceed seventy-five hundred dollars annually for the expenses of this department, and have no hesitation in expressing the opinion that if the plan is properly carried out there will result a net saving to the State the first year of at least thirty thousand dollars.

I am happy to say these suggestions are concurred in by the present State Auditor.

It is amazing that the existing system of accounting should have been left so long in force. No man who has been a member of this Legislature and understands the first rudiments of accounts would permit the record of his own business transactions to remain in such a condition any longer than it took him to change it. I recommend earnestly that a special committee be appointed to act with the Auditor to deal with this question. The immeasurable advantages to the State arising from the adoption of a modern system of accounting must be apparent to any one who will give the matter a moment's reflection.

SO-CALLED "DOUBLE TAXATION."

The question of double taxation has been the topic of discussion at each session of the Legislature since the present law was enacted. At the last session a commission was appointed to look into the subject, and its report will be found to contain much valuable information, but it has seemed to me from the investigation I have given the subject there is a short cut to relief that is worthy of consideration aside from the valuable recommendations and suggestions contained in the report of the commission referred to.

The term "double taxation" seems to be a misnomer as applied to the evil sought to be remedied here in Vermont.

The alleged double taxation here arises from the taxation of real estate at its full value, and, if there is mortgage on it, of taxing the mortgage at its full value also.

This is not double taxation, because there are two distinct property interests which are liable to taxation and which are taxed separately – the real estate itself and the money which is represented by the mortgage. Neither property value is taxed twice under our law. The State simply taxes the full value of the real estate to the owner and then taxes the mortgagee on his money. This is unfair, but not unlawful.

It is just at this point in calling this situation "double taxation," and trying to dig a remedy for the real hardship out of it, that those who have discussed the question heretofore have drifted off into the abstract question of taxation in general, and failed always to find any relief to a manifest and unpardonable injustice to the owner of real estate in Vermont.

As a matter of fact the solution is simplicity itself, if one but takes the trouble to analyze the problem. The injustice and wrong arises from the statute which provides that real and personal estate shall be placed in the list at its value in money and with respect to real estate makes the mortgagor pay the tax on the entire value of the real estate and allows him no offset to his debts, while with respect to personal estate the right to offset is allowed to the owner thereof and only the balance is taxed. It is this unfair, unjust discrimination between real and personal property that causes all the trouble.

The situation is even worse than appears on the face of it. Under the provisions of the Constitution each citizen is called upon to bear his proportion (which means his just proportion) of taxation, and under the provisions of the statute referred to the owner of personal estate may not only offset any mortgage on his personal property, if it is mortgaged, but from that balance may deduct any other indebtedness he may have, while the owner of real estate is taxed to the full value of his property and denied any relief whatsoever from his mortgage and other debts. The more he owes the greater his burden of taxation.

The simple statement of the case is the strongest argument against it. It is not double taxation of the owner of real estate, but the rankest kind of injustice; it is an unfair discrimination against him, and a denial of his plain right under the Constitution. There can be no possible justification, legal or equitable, for any discrimination in taxation between real and personal property; they are both property, and should be taxed alike; to give one class the right to offset debts, and deny the same privilege to the other class, is violating justice, fairness, the Constitution and everything that lies at the foundation of good government.

The remedy lies in treating both classes of property alike; give to real estate the right of offset of debts or take away that right from personal estate; there can be no other solution of the problem.

The only argument I have heard raised against such a proposition is, that if real estate is allowed the right of offset the grand list of the State will be so reduced that nothing will be left upon which to raise a revenue. This argument is absolutely without force or foundation, and while it has been used to frighten owners of real estate heretofore into believing their taxes would be increased if both classes of property were placed on a level, there is in reality nothing to the argument. It should be remembered that in such event the amount of revenue to be raised would not be affected in the least. It would simply be the rate that would change. As a consequence of such a change the proportion of revenue personal estate would have to contribute to the State would increase and the proportion real estate would have to contribute would decrease; this is exactly what ought to occur. The two classes would be equalized and that is what ought to have occurred long ago; the balance ought never to

have been disturbed. This equilibrium ought to be established at once, irrespective of consequences, because whatever the consequence may be the foundation will then be laid properly. This Legislature ought never to adjourn until this wrong is righted.

SUGGESTION FOR INCREASED STATE REVENUE.

When the act of 1890 to pay State expenses by taxing corporations was before this body, it was stated that the act ought in a few years to furnish sufficient revenue to take care of the State expenses. The results would have been accomplished had the State expenses remained what they were at that time, but with the progress of events and the growth of the State, the expenses have increased from \$466,000 in 1890 to \$742,000 in 1899. The receipts from the corporation tax law have crept up from \$245,000 in 1890, to \$418,000 in 1899, so that during the last biennial term there is a deficit to be made up by a tax on the people of \$372,000. In all probability the expenses of the State government will continue to increase. The advancement of ideas of civilization, the progress of education, the improvement of the State roads, the enlargement of the State institutions, etc., will demand and receive an increasing expenditure, and the question of how to provide the necessary revenue to meet it all without imposing a further burden on the people should engage your serious consideration. I am for one opposed to borrowing money either by direct loan or by capitalizing our sources of revenue for the purpose of defraying any of these increasing expenditures. The State is practically out of debt to-day and there is no reason why it should not remain so. It does not seem to be necessary to borrow money; we have simply to make use of the means at our hands to secure an abundance of revenue. In the sovereignty of the State lies a commercial element of incalculable value; the power to create and grant corporate franchises and the power to tax them. These ought to be turned into money for the benefit of the people sufficient not only to relieve them from paying any State tax but to furnish all the revenue necessary to provide for State improvements and general expenditures that are likely to arise, and by this statement I do not mean to tax existing corporations out of existence or to impose any further burden on them. It is with reference to corporations hereafter chartered that I am speaking mainly.

It has been the practice of former Legislatures to part with these valuable franchises virtually as gifts. To him who asked was given, and the State has derived little if any direct benefit to its treasury from such grants. In the last eighteen years the Legislature has granted 198 private special charters creating corporations of a commercial nature, and there have during the last ten years been 1,027 corporations organized under the general law by voluntary association. Out of these the direct revenue to the State for the grant of the franchise has been insignificant from those doing business in the State, and from those chartered by the State which transact business out of the State, practically nothing. The value of these grants has been more fully appreciated by our sister States, and some of them are reaping enormous revenues from this source alone. Take the State of New Jersey for example. Sixteen years ago when her present policy with respect to corporations organized under her laws was adopted, the revenue from this source was \$98,000. In 1898 it has climbed up to over \$971,000 for that year, while for the year 1898 I am informed the enormous sum of over \$1,200,000 has been derived from the tax on miscellaneous corporations alone, and this is exclusive of the tax on railroads, savings banks, etc., which amounts to over \$900,000 per annum in addition. It may be there are geographical reasons and its proximity to New York to explain in part why New Jersey is able to secure such a larger revenue from the sale of corporate franchises, but I believe the chief reason to be that her laws are enacted with a view to supply the demand for such legislation. That State furnishes within the limitations of her own and the Federal Constitution, such liberal terms and such opportunities that those who require corporations to transact their business go there for them. The same is true of other States, and it is time for Vermont to so amend her laws in this respect that a franchise shall be offered more attractive than other States now offer, and then Vermont will control the demand.

The present law of Vermont is too liberal in some ways and not liberal enough in others. It allows franchises to be acquired upon the payment of a mere nominal sum to the State, and in the case of charters obtained to transact business out of the State upon no expectation or provision of ever receiving any annual revenue for the use of the charter by taxation, while on the other hand there are limitations in the amount of capital authorized and an uncertainty with respect to taxation that shut out the most profitable of the associations of the country. We are giving away for practically nothing these valuable franchises and at the

same time placing limitations about them that make them a second or third rate charter, at any rate, not the most desirable.

There should be built into our legislation more of the principles that govern commercial transactions. We should enact the best laws – and by that I mean the laws that will attract the largest amount of capital and give stability and permanency to the question of taxation thereunder – and then charge a fair price for the franchise thus granted. There is between our present law and the law I recommend the difference of offering a man a thing he doesn't want for nothing, and exposing for sale something he really needs that is better than any one's else and charging him a fair price for it. The one proposition is not a business proposition, the other is.

I recommend, therefore,

First. – That the present law relating to organization of corporations by voluntary association be amended by repealing the restrictions on the amount of capital authorized, so as to allow corporations with any amount of capital stock that may be desired to be incorporated. The business necessities of the expanded wealth of this country demand this provision. It is permitted by the laws of other States and ought to be by ours.

Second. – That corporations organized under that chapter be classified with reference to taxation, to allow those corporations which are now taxed directly to the State to remain as at present, and to provide that all other corporations organized for commercial purposes shall pay a franchise tax to the State which shall be levied on the gross earnings of the corporation, if it transacts its business in the state of Vermont, and upon its capital stock issued, if it transacts its business outside the State of Vermont. This provision will bring a revenue to the State which has never before been received. The tax in each class should be reasonable and not so excessive as to defeat the main object of additional revenue.

Third. – In order to give stability to the law and protection and certainty to those who organize themselves into a body corporate under it, I recommend that a contract be given by the State to those who avail themselves of its provisions agreeing that neither the basis of taxation nor the rate shall be varied for a term of years.

Fourth. – The addition of a section that will enable the State to enter into a contract for a term of years with any non-residents, whether individuals or corporations, who can be persuaded to take up their residence in the State of Vermont.

With a view to increasing the meager revenue of the State and to avoid additional taxation to the people of the State, two years ago I recommended the adoption of a provision identical in its principle to this, but applied it to non-resident citizens alone, and in brief asked the Legislature to pass a law that would permit the State to enter into a contract with any non-resident who would become a resident of the State, agreeing that the tax of such person for a period of years should not exceed a fixed sum; the bill passed in the House by a large majority; it failed to pass the Senate by one vote. More mature consideration of this subject has convinced me that the principle involved of enabling the State to enter into a contract of this character with a non-resident individual or corporation is fair, honest and legitimate; that it does not infringe the Constitution, and that its adoption as a state policy will inure to the lasting benefit of the resident taxpayers of this State, and I have no hesitation in earnestly urging its adoption now.

I would have less confidence in doing so at this time were it not that the State is already committed to a more extreme application of the principle than I have presumed to recommend. Section 365 of Vermont Statutes provides in substance that manufacturing establishments and all capital and personal property used in such business, if it exceeds one thousand dollars, may be exempted from taxation not exceeding ten years if the town so votes. Here is the equivalent of a contract which can be enforced, at law, fixing the amount of tax a manufacturing corporation or establishment shall pay for ten years in the State of Vermont. It is precisely the same principle that is involved in my proposition, except mine is the better business proposition, better for the State because it produces a direct revenue and the other doesn't, and better for the non-resident or the corporation who enters into it because such person ceases to be an object of charity and has the satisfaction and independence of paying for what he receives. The object recommended in this connection, whether it is with respect to a non-resident who comes here to reside or a corporation organized under the laws of the State, is certainty with respect to taxation. Only under the protection of a contract with the State can this be obtained,

and in no other way. There is no tax dodging about it; it is on the contrary founded on sound principle of business.

The experience of my administration has taught me that most essential needs of the State to be more revenue for the State treasury and less tax on the people, and I believe the relief is quickest found in the manner I have indicated. Change the laws relating to organization of corporations so as to market your franchises to the best advantage; so as to produce a revenue instead of giving them away as you are doing practically now; extend in proper measure the laws relating to taxation of corporations so as to produce new and additional revenue; and do not fail to amend the law respecting your accounts so you may be sure you secure what will mark a marvelous change for the better in the State of your finances.

INSURANCE COMMISSIONERS.

I have been urged to recommend a separate department of insurance in place of the present arrangement of having the office filled by officers of the State whose attention is already occupied by other duties and whom the State already pays for performing other duties. The argument used is that the State is entitled to the exclusive services of the Secretary of State and the State Treasurer, while the duties of Insurance Commissioners require special training and expert knowledge which should be wholly employed to protect the interests of citizens of Vermont who have deposited their money with these large insurance corporations for safe keeping. On the other hand, it may be claimed that the duties of the office of Insurance Commissioners are not so arduous as to prevent their proper performance by the present incumbents. The question will doubtless be presented to you, and you will give it the consideration it deserves, but without doing more than present the case on its merits for your consideration, there is one feature I do believe should be dealt with. As at present arranged the Commissioners received as and for their salary 40 per cent of the fees collected from the insurance companies. This is in my judgment entirely wrong in principle. Whatever fees are collected ought to go into the State treasury, and belong to the State, and whatever salary is paid to Insurance Commissioners should be fixed and paid out of the State treasury irrespective of the fees collected. No office of this character and dignity, nor any office representing the sovereignty of the State, ought to be farmed out on shares, even if the fees are defined by statute. The State ought not to allow a condition of affairs that will invite the criticism that is bound to be made, no matter how honestly the office may be administered. Whatever the Legislature may do, therefore, respecting a divorce of the office from the offices of Secretary of State and State Treasurer, I recommend that the provision allowing the Commissioners any percentage of the fees collected be repealed, and that, whatever the salary of the Commissioners, it be fixed and paid by the State.

NATIONAL GUARD

After the close of the war with Spain it was deemed advisable to postpone the reorganization of the National Guard of Vermont in the hope that Congress would determine the policy of the government to be to assume jurisdiction over the entire militia of the States, or at least define the basis on which the several States should organize their guards. The Congress failed to pass the expected measure, but went so far as to indicate a basis for organization of the regular army, and during the fall of 1899 the National Guard of Vermont was reorganized on substantially these lines. The annual muster held at the State encampment ground in August last was a credit to those who organized the regiment and to the State. It is the best ordered and most business-like regiment of National Guard it has been my privilege to know, and the statutes should be revised to meet the changed conditions.

GOOD ROADS.

Two years ago I called attention to the question of good roads and to the status of the then law on the subject, showing that the 5 per cent State highway tax was expended without any permanent benefit to the State or to any of the towns. The Legislature thereupon established a commission and provided for some responsibility in the expenditure of the \$87,000 highway tax. The State is to be congratulated on the result. For the first time the State has reaped substantial benefit, and made progress in the direction of good roads. During 1898, under the direction of the commissioner, 117 miles of permanent work was laid down, and this year, while the figures are not all in, the commissioner estimates that over 150 miles will be built. This gratifying result of 267 miles of permanent structure is accomplished from the same money that before that time

accomplished practically nothing. Not a little credit is to be given to the commissioner, who has visited every county twice in each year and held public meetings that were largely attended and gave evidence of an interest and enthusiasm very encouraging to all who have this subject at heart. The work should be expanded, and I recommend that the State highway tax be increased to 10 cents on the grand list and that the policy already so successfully inaugurated be continued. The money expended on good roads under the direction of a State commissioner will return many fold.

CONSTITUTIONAL AMENDMENTS.

It is perhaps my duty to call your attention officially to the fact that this session occurs at the period at which amendments to the Constitution shall be proposed. I have none to recommend. There appear to be no fundamental evils in our organization against which the people are protesting and none that are working any serious injustice to any one. None is likely to arise in the immediate future than cannot await the beneficial experience of another decade. Undoubtedly the time will come when the increasing population of our State and its tendency to centralize in the larger cities will demand a change in the system of representation in the Legislature; when the manifest injustice of a town with a small population and only a nominal grand list, in the enactment of laws exercising an equal voice with a city having a hundred fold greater population and an even greater proportion of wealth will be recognized, and the basis of representation equalized, and when the time and the injustice are ripe the remedy will be found. In theory, the wrong I have recited exists to-day, but in practice it doesn't. The injustice and inequality are at present possible dangers rather than actual realities, and it does not seem that the large towns and cities are as yet suffering to the extent of warranting a radical departure from our present system of representation. Nor are they likely to suffer before another ten years runs along its course. In case, however, it should be made to appear that the rights of any municipality or any county or any body are jeopardized, or are likely to be jeopardized, by the existing method of representation in the Legislature, the question of a change to the district representation should be at once taken up and considered.

PROHIBITORY LIQUOR LAW

The subject of a revision of the prohibitory law will doubtless come before this Legislature for consideration, as the law has received similar attention at every session for some years past. It is to be observed that during the past two years the people have debated the merits of the law with a greater spirit of fairness and apparently more tolerance of the arguments for and against the law than ever before. The State is to be congratulated on this evident disposition of all to reach a solution of the great problem involved that will be for the best interest of the State. A full and frank discussion of every question is the only way to reach the truth, and the principle involved in the prohibitory law is no exception to the rule.

There are honest differences of opinion as to the method of dealing with the evil of intemperance. In fact, among the best thinkers on both sides of the question, as in fact among all who have the best interest of the State and society at heart, there is a substantial unanimity of thought on the underlying principle of temperance and morality. The moral principle does not admit of question, but the division arises on the method of sustaining and enforcing the principle. After all, whatever law we have on the subject is no more than an instrument or method of carrying out the fundamental idea. Neither the prohibitory law nor high license, nor local option, is the principle of temperance itself. They or either of them are merely the machinery to carry out a method of dealing with an idea. The question resolves itself therefor, down to this: Which is the better method of dealing with an evil which already exists? Shall it be through the instrumentality of a method that requires the evil to remain in existence in order to sustain the law? Which in order to be operative presupposes the perpetuation of the evil? Or, shall it be through a method of education to a higher life which by training and example leads up to the establishment of a sound mind in a sound body, and thus to the ultimate elimination of the evil? Shall it be on the assumption that the class who deal in intoxicants are all bad, or that they are all good, only more or less perverted?

The exact method of relief to be adopted depends entirely upon the particular starting point selected, and this point, together with the ultimate method to be chosen, whether it is to be a more stringent application of the present prohibitory law or a high license or local option, or a modification of either or a combination of all, or a referendum, is for your consideration and determination. It is devoutly to be hoped that whatever you finally

decide upon to be the method it will be so hedged about that the law can be and will be enforced, and that the court and all its officers and servants will be held to an accountability strict enough to maintain the full measure and dignity of the sovereignty of this State.

CONCLUSION.

In delivering a retiring message to the General Assembly, I have deemed it proper to depart from the practice of my predecessors of passing in review the record of their stewardship by giving a synopsis of the reports of the valious State officials and I have perhaps unwisely confined my remarks simply to the discussion of such changes and improvements as have seemed to me to be most necessary and beneficial to the state at large, as the result of my experience in the administration of this office. I shall, therefore, allude to these reports no further than to commend them to your careful consideration and bespeak for them your earnest study. They tell the story in detail of the work of the various departments of the State government and contain suggestions of improvement and change deemed advisable by those most closely in touch with the work. I have only words of commendation for the work during my administration of those who occupy positions of responsibility and trust in the service of the State. They have performed their duties satisfactorily and faithfully, with an honest desire to secure the best result to the interest which they serve, and it has been a pleasure to be associated with them.

The past two years have been full of the spirit of progress and energy, not only for our own State but for our nation and the world, and in the procession of history will stand out with unusual prominence. They constitute a period when the tide of affairs has run with a deep and strong current; when causes and consequences have raced along with leaps and bounds. They are remarkable as being on the border land between the two centuries from which could be watched not alone the closing sunset of the nineteenth century but also could be plainly seen the rosy dawn of the twentieth. They have marked the transition of our nation in its growth from youth to sturdy manhood when we have expanded from a people round our own firesides to one of the powers of the earth; with a foreign policy that is listened to; a navy that is respected; a foreign trade reaching up to a billion four hundred millions of dollars in a year; the projector of new empires; and with an army that has already marched half way round the world and planted our flag within the walls of the Forbidden City. In these years our people have torn aside the veil that has heretofore shut within our own boundaries the light of liberty and humanity and allowed its beautiful rays of hope and promise to illuminate the expectant but unaccustomed eyes of the downtrodden and ignorant and oppressed.

With the close of this year will change not only the century, but in the great division of time the second one thousand years will roll into the third thousand years of our Christian era.

All these events but serve to accentuate the development of our nation in civilization, progress, prosperity, and Christianity, and to build within the limits of the vision of this generation a structure of greatness that will far exceed the dreams of our fathers.

Your work here at this session will define the position Vermont is to occupy among the sisterhood of States. It will shape our policy as a State for years to come, and, in closing my last official act in this high office, I urge you to bear all these things in mind and to remember in your work that you are legislating for the twentieth century instead of the nineteenth.

FRED A. HOWLAND,

Secretary of State, Clerk.

Farewell address

of

Richard A. Snelling

As it appears in the

Journal

of the

JOINT ASSEMBLY

BIENNIAL SESSION

1985

Farewell Message of Outgoing Governor

Mr. President. Mr. Speaker, Members of the General Assembly, and fellow Vermonters:

We meet today, as others have for nearly two hundred years, to consider how we may best serve the common good. Because we are just like the neighbors we represent, we must stand somewhat in awe of the responsibility and trust which has been given to us. But no one comes to these halls without a determination to do the best they can to extend the triumph of self-government in this magnificent state we so love.

On eight prior occasions, I have had the honor, as the Governor of Vermont, to set forth in considerable detail a view of the State of the State.

I appear before you today to give a final accounting and a farewell. The torch is passed, and the responsibility for specific recommendations for action is not mine. My task today is more reflective - to search for lessons and principles suggested by consideration of the tasks and challenges of recent Vermont history which may be of help to those who will be the stewards of our future. These lessons or principles are few, but each has lasting implications.

1. The cost of government must be kept under control.

First, hopefully we will remember, as our Constitutional forefathers of long ago warned us, that only constant vigilance and painful discipline prevents the costs of government from making it a burden instead of the blessing it is meant to be. Those entrusted with the design and implementation of the functions of government must retain always that important sense of duty which springs from a recognition that it is government which must be the servant, rather than the citizens who create and fund it.

The need for moderation in making those decisions which determine how great shall be the burden of taxation is one apparently which must be learned over and over again. We have earned it anew in the most recent decade. As recently as 1976, Vermont found itself burdened with one of the heaviest ratios of taxes to personal income in the United States. We had, in the fifteen prior years, used and over-used the right to tax, so that even when faced with the special needs of the Recession of 1975, even in the face of important immediate needs and essential provisions for the future, there was no capacity left for increasing support of government.

While there is no perfect proportion for private versus public activity, it must be understood that if the share extracted from the people's income is too great, citizens cannot meet their own needs, and if the share taken by government is insufficient, all society is diminished by the injustice which becomes manifest. Moderation and balance are the essential elements of the taxation contract.

2. We must recognize and plan for cycles.

A second lesson of recent history is that the quality of government benefits from an understanding, justified by experience, that cycles of good times and bad are to be expected and must be planned for.

With this sense of history, in good times people will be grateful and prepare to do what can be done to postpone or diminish the bad times of the future. In hard times, people will have faith in improved prospects on the horizon and the certainty that wise, prudent, and timely actions can shorten misery and move society more promptly to the next period of opportunity.

We have learned how important it is to have a sense of what can be done to protect us from cycles of external circumstance. We have benefited from a willingness to expect change and to be neither despondent in bad times, nor wasteful in good times.

In the Recession of 1974-1975, the revenues of the State of Vermont plummeted and we found the government we had earlier built was no longer supportable. In the preceding ten years the bureaucracy had swelled by 50 per cent. Each biennium, or even each year, had seemed to be a time apart, and we had fallen into the habit of spending in robust times all the revenues which existing taxes furnished, and of then raising

taxes to maintain spending levels when the inevitable next recession reduced revenues for both the people and the government. That habit was stopped, here in this hall, only in 1976. Nevertheless, between 1964 and 1974 taxes increased twice as fast as personal income.

It was as much a failure to understand the importance of full-cycle economic planning as it was a failure to understand the limits of taxation which brought Vermont to the difficult decisions faced in 1975 and 1976. That was the year legislators referred to as the "Year That Even Sacred Oxen Were Slain" -- as programs believed important to the future, some only barely begun, were slashed.

In the most recent decade, with that example behind them, most Vermonters recognized the benefits of practicing restraint in good times and of fixing our position with a sense of the economic cycle. For ten years we have been cutting taxes and the cost of government has been rising more slowly than incomes. Our level of taxation has now receded below the national average. In this fiscal year we are experiencing a very rapid growth in revenues and we know that the deficit which resulted from the most recent recession can be largely eliminated before the end of this fiscal year, and totally eliminated in less than two years.

Because of restraint practiced over the last six years, and the prudent steps of the past Legislature, this General Assembly will not need to practice any greater restraint in setting appropriations for the next biennium than that which has been practiced by its predecessors. Appropriations may be increased by an amount even greater than the average increase of the last decade with a reasonable certainty that the deficit will still be liquidated.

Still, the lesson of the past requires recognition that these times of high employment and strong revenues will be followed by weaker times. The news that revenues are running 17% ahead of last year and projections that more or most of the deficit may be liquidated in the current year than as originally forecast already has produced in some the temptation to reduce taxes at this time. To do so would almost certainly result in a requirement for some future legislature to once more gore sacred oxen and mortgage Vermont's future.

3. It is better strengthen the effectiveness of government than to rush to higher taxes.

Perhaps we have been reminded again in more recent times of a third principle -- that it will always seem easier to some to increase taxes than to face the tough decisions and hard work which may together be summed up as "good management." Efficiency and effectiveness are not, as so many suppose, enemies of sensitivity and compassion. If citizens demand of their government that it spend their money effectively and with a sense of priority, both the individuals and the government will be beneficiaries.

The first investment required of any organization must be in its own capacity to function effectively. Every farmer, worker, investor and professional person in Vermont knows the value of clearly defining goals, of establishing standards for performance, of hiring carefully, of providing fair compensation, and of encouraging those who will do the work to take pride in the quality of their contribution. Regrettably, these are seldom the concerns of politicians. Our success in limiting the growth of government, in actually reducing in recent years the number of state employees and in holding the cost of operating Vermont state government to the smallest increase in any of the fifty states is, in large part, due to a willingness to bargain with our employees, to pay them more fairly, to provide programs which enhance their skills, and to select competent professionals for the leadership posts within the executive branch.

4. Priorities must be established among proposed public expenditures.

The costs of government can also be reduced, and the quality of its performance improved, by a willingness to establish priorities among programs and to perform first those functions which reduce what would otherwise be the requirements for future funding. The highest priority for social programs must be those which strengthen individuals and improve their capacity. None are more important than that broad range of programs which we describe as "Education", which increase the skills of people, and their understanding of how they may contribute to the production and services valued by our society.

A major and continuing effort clearly must be to reduce the handicaps and dependency experienced by some Vermonters, as a result of physical or mental disabilities. Those who are ill, or who suffer some such common

problems as alcoholism, do not wish to be a burden. They wish and deserve to be provided the tools by which they can become productive and in a position to help themselves and others.

Another type of public expense which becomes truly an investment are those which encourage and motivate individuals, which demonstrate and instill the immense personal satisfaction available to those who use their diverse potentials to the fullest.

5. The future must be approached with constructive optimism.

The fifth lesson that this last era ought to have taught us, once again, is that optimism and self-confidence are valid and constructive attitudes in bringing about change. Fatalism about the future is destructive because it leads people to reject efforts to shape the future to be the best that it can be.

History is not destiny. Through our efforts we determine the future. To recognize the uncertainty of the future is to alert us to the importance of the quality of preparation. It is not a reason to despair, but rather a reason to act.

In this last period we have seen that Vermont can equip itself for the future. For decades unemployment in Vermont always rose faster and higher in times of recession than in the nation as a whole. Often Vermont continued to have high unemployment when the rest of the nation approached full employment. Those circumstances have been changed. Vermont unemployment at the end of 1984 approached 4%, one of the lowest rates in the nation. In both recent recessions, Vermont unemployment remained far less than the national average. More Vermonters are working today than at any time in history and, indeed, there are 20 per cent more jobs filled in Vermont today than was the case a decade ago. Vermont is not recession-proof, but it is exhibiting a high degree of recession resistance.

We have demonstrated that a favorable business climate and a determination to provide the fundamental elements which motivate business decisions can build a stronger economic base. Action to assure stability, reasonable tax burdens, affordable energy, adequate promotion of agricultural products and travel, and to assure available skills, have brought the double reward of more people at work, who are earning higher incomes. Simultaneously, tax revenues increase, while tax rates and the cost of social programs decrease.

6. Vermont's own principle is that our environment is our most valuable and vital asset.

All of these lessons might apply to the people of any state. But Vermont is not any state. We are a people with a special love and respect for our environment. We all love these hills and mountains and valleys and streams which Calvin Coolidge loved. We view the stewardship of our environment as a sacred trust. We know that it should not be sacrificed in pursuit of any other goal.

Indeed, we know that part of our economic strength has come from the recognition by others throughout the United States that the quality of life in Vermont will continue to be attractive and enjoyable for the foreseeable future.

The record clearly shows that the economy of the State of Vermont and the economic circumstances of our people have been strengthened by our determination to develop our resources thoughtfully, while maintaining vigilance in the protection of our environment.

7. For Vermonters, participation in government is as much a principle as it is a tradition, and essential to our hopes for the future.

Vermonters are special, too, in their understanding that the quality of government is determined to a considerable degree by the willingness of every citizen to accept a share of the burden of government.

Vermont is, and always has been, a unique place among the many states which make up this land of liberty. We share a common heritage with our neighbors, from sea to shining sea.

But we are special in our traditions of citizen participation in government, and that tradition is indeed a principle which must be recognized and respected. Vermont has always preferred to ask many of its citizens each to contribute a little to the process, rather than to ask a few to contribute a lot. There is a role and a task

for everyone, not just for those who serve in elected or appointed posts. The obligation, and the opportunity, begins with the Freeman's Oath. It continues for a true Vermonter as long as life in Vermont.

The complexity of our times puts a strain on this traditional way of doing things. In Vermont both legislators and governors have been expected to spend most of their lives as private citizens, living with the rules and circumstances they have helped to determine. We have always had a citizen legislature. There is risk that, in an effort to become more professional, the character of our government will change.

I would hope we are never tempted, in the name of equality between the branches, to strengthen the Legislature by actions which will unknowingly surrender the historic sense of citizen participation.

8. *Our pride in Vermont and its history is one of our strengths.*

Finally, we must remember to preserve the strength (which has so often protected Vermont in times of great stress) that flows from the sense of pride Vermonters have in this place, in themselves, and in their traditions. George Washington knew Vermonters were different. George Aiken, in our own times, epitomized that difference. And I dare say every president of the United States to this very moment understands the Vermont spirit of independence and the high expectations we have for our state. It is an exceptional quality which encourages Vermonters to seek to do more than might otherwise seem possible. As we examine the government of others, and consider what we should borrow, we must take great care to preserve our essential difference from other states.

And now, please permit me a few personal moments of farewell.

It was 26 years ago on nearly this day that I first came to this Hall to take the Oath of Office as a member of the General Assembly of the State of Vermont.

That moment, almost half of my life-time in the past, remains in my mind as one of my proudest moments.

I do love this place, not for its simple, serene beauty alone, but because of what it symbolizes.

Here men and women have come for centuries to peaceably reconcile greatly differing points of view about public policy. This is a shrine to freedom and to the dignity which human-kind earns by its resolve that government shall proceed only with the consent of the governed.

These years in the service of my neighbors have been the source of deep personal satisfaction to me. The tasks and the challenges have been stimulating.

But it is the personal contacts, the friendships, the spirit of common undertakings with thousands, maybe even tens of thousands of Vermonters, which have produced the memories which I take with me to cherish for the rest of my life.

I will not forget the warmth offered by friends, nor the excitement and education furnished by adversaries. Already, often when I remember some quest, some tough problem of the rapidly-receding past, my memory strangely makes it appear that all who were involved were friends.

It is time for me to leave public life, at least for a while. Long ago I knew that I wanted to come, to serve and to return. I look forward now to the quiet privacy which is the birthright of all freemen of Vermont.

For all you have done for me -- for your trust, confidence, very considerable patience and forbearance of my many shortcomings, please accept my deepest gratitude.

To those of you who continue in public service, my thanks, appreciation, and best wishes.

God bless you all.

Farewell address
of
Robert T. Stafford.
As it appears in the
Journal
of the
Joint Assembly.

1961

Thursday, January 5, 1961

Farewell Address

CONGRESSMAN STAFFORD'S MESSAGE

Mr. President, Mr. Speaker, Members of this Joint Assembly. I appreciate the privilege you have given me, under the rather unique circumstances of my present position, of allowing me the opportunity to deliver this message to you.

One cannot leave the office of Governor of Vermont without feeling the tug of strong personal emotions. It has been a great privilege to serve the people of our State as Chief Executive. It has been hard work but satisfying. The experience is the highlight of my life. The memories of the years in Montpelier will be dearly cherished. The associations of these years, with all with whom it has been my privilege to work, will be highly valued.

Vermont is a special place. I hate to leave it. My solace in leaving this responsibility lies in the fact that you have graciously given me the opportunity, in another capacity, to continue in the service of our State.

My friends, with a certain sense of amazement that two years could have gone by so quickly, will you join me, in a brief final review of the administration's record and in a glance at the future.

You will recall that two years ago, as a result of a combination of circumstances, the incoming administration was faced with a substantial and growing deficit in the general fund. Indeed it appeared likely that unless steps were taken to correct the situation, the credit of the State would be seriously impaired. As a result, the General Assembly of 1959, was informed in my inaugural message, that balancing the budget represented their thorniest problem. It was pointed out to them that it was not only imperative the budget be balanced, but that it be done without major new taxes—because Federal, State and local taxes were already taking about 24¢ of each income dollar and higher taxes could become a stagnating influence upon individual initiative, capital investments and economic growth of the State.

The General Assembly of 1959 had the courage—the insight and the foresight, to write a balanced blueprint for Vermont's fiscal operations which end next July 1st.

I honor them for it.

Accordingly it is with real gratification that I can conclude my stewardship of your affairs at Montpelier with the knowledge that Vermont's fiscal operations—although the most extensive by several million dollars in the history of the state—have been balanced. Indeed, we were able, with the cooperation of your Department Heads, to develop a surplus in the General Fund last year, sufficient to retire over a million dollars of the inherited deficit and it appears likely another substantial payment can be made against it this year. In any event Vermont currently enjoys probably the best credit of any State in the Union. This pays off literally, since we have been able to save money on interest charges because of our favorable interest rates, running to sums in excess of one million dollars, during this two year period.

Furthermore, the present sources of revenue have produced increasing monies during this biennium—a sure indication of growth in the State's economy. I suggest this growth to be due in part at least, to the fact that the economy of Vermont has not suffered from the stagnating effects of any major new taxes.

Accordingly, I commend the announced fiscal policy of the incoming administration in reference to balanced budgets and taxes, and hope that this General Assembly will support it.

Now, lest it appear that my administration has been unduly preoccupied with the States financial affairs, let me turn to a review of other matters of importance to the State's economic and social growth in which we have been active during this biennium, In doing so, I propose to touch only upon the highlights.

At the start of the period, Social Welfare benefits in the fields of Old Age Assistance, Aid to the Disabled and Aid to Dependent Children, were substantially increased as a first order of business. Funds for community mental health programs were increased 300%.

A number of additional classrooms were provided in Special Education.

In the important field of Labor Legislation, Vermont has assumed a position of national leadership. We are amongst the first of the States to have tied unemployment compensation maximum benefits, to a formula, of one half of average weekly wage and to provide thirteen additional weeks of emergency unemployment benefits during a period of business recession. The amount of earnings before disqualification for benefits, has also been liberalized. Our minimum wage has been brought up to the level of that of the National Government. These steps have been good for the working man of course—but, they have been undertaken, because basically, they are good for the stability of the economy of Vermont as a whole.

Now a word about some of the capital investments we are making which can be of enormous future benefit to us and our children.

We have continued the program of State aid in the construction of new schools which has effectively triggered the construction of something in the neighborhood of a thousand new classrooms since its inception several years ago. Modern school buildings will constitute an appropriate monument to educational progress in our State during the 1950's.

My friends, let us continue this program until our needs are fully met.

We have authorized new buildings at Waterbury and the University of Vermont to fulfill urgent needs at the State Hospital and the University.

In the field of higher education, we can all rejoice at the accreditation of Castleton Teachers College. It is to be hoped that the other teachers' colleges will speedily be in a position to achieve similar recognition. The principal problem facing you today is no longer in connection with the existence of the three teachers' colleges, but lies in arranging for their most effective use in meeting the overall educational needs of our people.

Significant progress has been made during the biennium in the construction of modern highways. Much of the credit should go to Governor Johnson who initiated the overall program.

The continued building of modern highways is an absolute essential to the social and economic growth of this State. With them our society expands—without them it will wither. Nor shall we overlook the fact that construction of the interstate road system is actually a bargain—costing us far less per mile out of our own pockets (\$100,000.00 v. \$175,000.00) than it costs us to rebuild the old highways they will supplant. It is in the best interest of the State to continue the construction of all types of modern roads as rapidly as our pocketbooks will permit, during the next several years.

We are making solid progress in the matter of cleaning up our public waters. As a matter of health—as a means of insuring the economic and recreational development of the Green Mountains, I urge your continuation of this program.

Vermont is truly blessed with unexcelled natural advantages as a year round vacation land. We have but to grasp the opportunities with which nature has endowed us to solidify our position as the eastern vacation capital of the United States. The achievement of this position is dependent upon a continuing harmonious partnership of effort between the State and private enterprise. Partnership, not rivalry.

Two years ago, at my urging, the General Assembly made a million dollars available to finance the State's part of this effort. It was the first quarter of an eight year program. The continuation of this program is in Vermont's best interest.

The proper management of our fish and wildlife, the strategic acquisition of hunting and water access rights are essential factors in the achievement of our full recreational development, as is the important field of community recreation.

The past two years have offered ample evidence, in case it were needed, of the increasing importance of aeronautics to Vermont. Located as we are at some distance from population centers, air travel by commercial airlines or small airplanes places the State within easy reach of those to whom travel time is a paramount consideration. The fact that about 100,000 persons traveled to or from the State by air during each of the past

two years is an indication of the importance of airlines, small airplanes, airports and navigational facilities in planning for development of industry and recreation.

Continuing aggressive search for inexpensive sources of power is as essential to our industrial growth as are stable taxes. In this area the acquisition of St. Lawrence Power—the qualification for Niagara power have been important items of progress.

The Vermont agricultural community is entitled to the full proper backing of its state government and to great credit for its willingness and ability to meet so many of its difficult problems through its own effort. Farming will continue to be a basic Vermont activity. It will be aided by the merger in many instances of cooperatives.

Possibly the most significant legislation adopted by the last General Assembly was that implementing the basic recommendations of the Little Hoover Committee. Vermont thus begins to provide itself with a streamlined governmental organization to meet the demands of the twentieth century. Keep up the good work this year!

Looking to this session, I note that you have a unique opportunity, given only to every fifth General Assembly, to review our States Constitution. Now our Constitution has served us admirably for a very long time, but there are certain changes which might make it an even more effective instrument today. Some have been proposed by the committee on constitutional revision. Others, which I suggested two years ago, include a four year term for governor and the elimination of the ten year time lock on initiating amendments to the Constitution so long as the other safeguards against hasty action be retained.

Ladies and gentlemen, I am loathe to bring this message to an end for it means my final responsibility as Governor has been discharged. I leave the office filled with gratitude for the work, the assistance and cooperation of the members of the last General Assembly, of the Department Heads and of my own hard working staff whose efforts, have made possible the progress of these two years.

I leave to Governor-elect Keyser—the Governors parking lot—if he can beat you to it in the morning—and the privilege of serving as our Chief Executive. I wish him all success. I congratulate you upon your opportunity in the months ahead to accomplish much good for our State.

Mrs. Stafford and our daughters join me in cherishing the memories of our years in Montpelier with so many of you.

DISSOLUTION

Congressman Stafford, having completed his retiring message, was escorted from the Hall by the Committee appointed by the Chair.

The Joint Assembly dissolved.

HOWARD E. ARMSTRONG
Secretary of State, Clerk

Farewell address
of
William W. Stickney
As it appears in the
Journal
of the
Joint Assembly
1902

Thursday, October 2, 1902
Farewell Address

Gentlemen of the Senate and House of Representatives:

In the administration of the office of Governor during the biennial period now closing, some knowledge of the conditions and needs of the several departments of State government has been acquired, and some public business has been transacted, acquaintance with which may be helpful in the discharge of your duties as faithful, honest representatives and guardians of the people.

I, therefore, have the honor to lay before you such matters as are deemed important and about which you are entitled to information.

STATE FINANCES.

The financial condition of the State on the 30th day of June, 1902, as appears from the Treasurer's report, was as follows:

RESOURCES.

Cash on hand and in banks	\$324,969.28
Corporation taxes, estimated.....	450,000.00
Collateral inheritance tax, estimated.....	50,000.00
	\$824,969.28
	=====

LIABILITIES.

Due to towns, United States deposit money	\$2,701.85
Due soldiers, unpaid balances.....	8,057.83
Due towns for school and highway taxes	233,639.07
Auditor's orders, unpaid	42,482.74
	\$286,881.49
	=====

The amount therefore remaining available for the current fiscal year from July 1, 1902, to June 30, 1903, is \$538,087.79.

This shows an increase of available assets of \$205,171.86 over two years ago.

The only liability of the State not included in the foregoing statement is the Agricultural College fund evidenced by registered bonds amounting to \$135,500 due in 1910, bearing interest at the rate of 6 per cent.

If the available cash on hand and in banks on the 1st day of July 1902, could have been applied upon the liabilities of the State, the unpaid balance thereof would have been \$46,871.64.

The report further shows, omitting what is not essential, that the receipts and disbursements for the biennial term ending June 30, 1902, have been as follows:

RECEIPTS.

Cash on hand and in banks, June 30, 1900	\$117,161.20
Tax, collateral inheritance.....	105,824.91
Tax, corporation.....	916,360.04
Tax, State	272,935.28
From all other sources.....	350,413.82
Total	\$1,762,695.25
	=====

DISBURSEMENTS.

Paid soldiers, State and allotted pay	\$909.54
Paid United States deposit money.....	11,681.41
Paid debentures, Legislature	54,805.40
Paid interest.....	36,191.50
Paid Auditor's orders	1,334,138.12
Balance cash on hand and in banks.....	<u>324,969.28</u>
Total	\$1,762,695.25
	=====

STATE EXPENSES.

The same method of stating the accounts of finance and expenses is employed therein as was used in my communication two years ago. This will facilitate the making of comparisons. It appears that there has been an increase in the receipts of the Treasury of \$152,253.60, notwithstanding the state tax raised during the preceding biennial term.

There were unpaid orders amounting to \$13,971.54 outstanding on June 30, 1900. The Auditor has drawn during the biennial term ending June 30, 1902, orders to the amount of \$1,373,186.16 of which the Treasurer has paid \$1,344,674.96, leaving the orders outstanding and unpaid \$42,482.74.

The Auditor reports that after deducting the moneys covered into the Treasury on account of receipts from the several institutions and balances returned by officials the net amount of State expenses for which orders were drawn for the biennial term was \$1,176,641.34, of which the following is a summary:

SUMMARY.

Administration of justice.....	\$337,557.11
Agricultural	48,940.18
County commissioners.....	1,670.98
Dairymen's Association.....	2,000.00
Educational	115,717.62
Executive departments	45,039.80
Fish and game	11,224.46
Insane	327,339.93
Legislative expenses	61,979.83
Libraries	7,880.46
Maple Sugar Makers' Association.....	1,000.00
Military	51,423.94
Moieties under liquor law	128.75
Noxious animals.....	6,651.80
Old Home Week Association.....	500.00
Penal.....	53,547.34
Pensions	480.00
Presidential electors	54.06
Public health.....	28,216.59
Printing.....	25,870.30
Railroad Commissioners.....	7,851.01
Soldiers' claims under No.86, 1898.....	174.28
Soldiers' Home	19,814.60
Special appropriations.....	11,826.54
Special commissions.....	<u>7,361.20</u>
Total	\$1,176,641.34
	=====

In determining the net expenses for the biennial term, there should be deducted from the above total the sum of \$23,367.85 paid the Brattleboro Retreat for support of the insane poor for the year ending June 30, 1900, which should have been included in the previous biennial term, and there must be added the amount which the Treasurer has paid by the authority of law without Auditor's orders, namely, \$37,101.04.

By making the foregoing deduction and addition it appears that the net expenses for the biennial term were \$1,190,374.53 or \$595,187.26 a year.

A comparison with the figures of two years ago will show an increased expenditure in many of the departments, but this is offset in a measure by the decrease of expenses in other departments, while the sum paid by the Treasurer by authority of law also shows a substantial reduction.

The decrease of the net expenses of the penal institutions in the last biennial term over the preceding is \$28,554.92 and the decrease in the sum paid for interest is \$13,738.50.

The income derived from the collateral inheritance tax during the present term has increased \$65,836.02 and the license tax \$5,425, while the gain in corporation taxes amounts to \$74,726.57. This increase is, in a measure, attributable to the efficient administration of the Tax Commissioner.

There ought to be a reduction in State expenses. Whether there shall be depends on your action.

No money can be drawn out of the Treasury unless first appropriated by act of legislation. Such is our fundamental law. You are therefore responsible not only for current appropriations, but also for continuing a statute which authorizes an unnecessary expenditure. It may be noted that, unless appropriations are materially increased, a state tax of not more than ten per cent. of the grand list, or its equivalent otherwise raised, in addition to existing sources of income, is all that will be necessary for the next biennial term.

THE CLAIMS BETWEEN THE STATE OF VERMONT AND THE UNITED STATES.

By an Act of Congress approved July 27, 1861, the Secretary of the Treasury of the United States is directed to pay to the Governor of any State the expenses properly incurred by such State for enrolling, subsisting, paying, clothing and equipping its troops employed in aiding to suppress the "insurrection against the United States, to be settled upon proper vouchers to be filed and passed upon by the proper Accounting Officers of the Treasury."

The Treasury Department, having ruled that this Act conferred no authority for the repayment of interest paid upon money borrowed by the State for such expenses, declined to refund to the several States the money so paid for interest.

Thereupon, in 1889 a proceeding was instituted in the Court of Claims of the United States by the State of New York, to recover from the United States the sums by it expended for interest upon money borrowed to meet war expenses, and in this proceeding judgment was finally rendered in the Supreme Court of the United States on January 6, 1896, in favor of the State of New York, as appears by the reported decision of the case in 160 U.S. Report, 598.

It was held that interest paid by a State on money borrowed to defray expenses of raising troops for the National defense is a part of the "costs, charges and expenses properly incurred" within the meaning of the Act of Congress of July 27, 1861, to be reimbursed to the State by the General Government.

Mr. Justice Harlan, delivering the unanimous opinion of the Court, said:

"We cannot doubt that the interest paid by the State on its bonds, issued to raise money for the purposes expressed by Congress, constituted a part of the costs, charges and expenses properly incurred by it for those objects. Such interest, when paid, became a principal sum, as between the State and the United States. That is, became a part of the aggregate sum properly paid by the State for the United States. The principal and interest so paid constitutes a debt from the United States to the States. It is as if the United States had itself borrowed the money through the agency of the State."

The amount due the State of Vermont on account of moneys so paid for interest was more than two hundred and seventy-five thousand dollars.

By joint resolution approved November 22, 1898, the Governor and Auditor of Accounts were authorized to appoint an agent or agents on behalf of this State, at such compensation as they might determine, to present, prosecute and recover this claim; and under the authority so conferred Governor Edward C. Smith and the Auditor of Accounts, Orion M. Barber, by contract dated the 15th day of September, 1899, appointed and employed John B. Cotton, of Washington, D.C., Frank C. Partridge, of Proctor, and Frederick H. Button, of Rutland, agents and attorneys, to prosecute the claim, and agreed that the compensation of the attorneys for this service should be 25 per centum, of the entire amount of the claim allowed in favor of the State irrespective of any offsets thereto; provided, however, that if any offset that is allowed in behalf of the United States against the State of Vermont equals or exceeds the amount of the claim which is allowed in favor of the State of Vermont, the agents shall receive no compensation either for their time, expenses or disbursements; that the compensation shall be payable out of any sums that may be collected and without any liability on behalf of the State for any expenses incurred in the presentation and prosecution of the claim of any kind or nature whatsoever; provided, further, that the total amount of the compensation shall not exceed the sum of forty thousand dollars.

The claim of the State in this behalf was adjusted and allowed in June last, to the amount of \$280,453.56, and the same was included in the deficiency appropriation bill passed at the end of the last session of Congress, and a warrant for that amount, payable to the order of the Governor, was drawn and forwarded to me and deposited in the State Treasury. But while it was in the hands of the State Treasurer, and before payment, a question was raised whether a charge of \$543,780.23, standing upon the books of the Ordnance Office in the War Department against the State of Vermont, ought not to be offset against this amount due the State, and, under the authority conferred upon him by Congress, the Secretary of the Treasury stopped payment of the warrant pending the settlement of this question.

This charge of \$543,780.23 is a memorandum of arms and ammunition furnished by the Federal Government to equip militia organized in this State soon after the St. Albans raid in 1864, for the purpose of aiding in the suppression of expected operations in the vicinity of the northern frontier of the United States by the armed forces of the insurgent organization then carrying on a war against the Union.

This militia was organized at the urgent solicitation of President Lincoln and Secretary Stanton, and with their assurance that all necessary equipment would be furnished by the War Department.

As the War Department was unable to furnish uniforms and camp and garrison equipage, they were furnished by the State, its expenses in the matter of maintaining this militia amounting to something more than \$166,000. For this outlay the General Government should reimburse the State.

This claim of the United States has been heretofore twice presented against the State by the officials of the Federal Government: Once during the administration of Governor Ormsbee, when the merits of the claim were discussed by him in a special message to the Legislature. This message will be found in the House Journal, 1886, p. 155. It resulted in the passage of Act 217, Laws of 1886, which was transmitted, as its terms required, to the President of the United States. But up to this time no officer or person has been authorized by Act of Congress to represent the United States and adjust with this State the matter involved.

The claim was again brought forward in 1891, when it was urged as a set-off to the refund of the direct tax due the State. The question was then referred by the Treasury Department to the Attorney-General of the United States. He, after an exhaustive examination of the subject in its historical and legal aspects, concludes:

“It does appear that there exists such a debt against the State and in favor of the United States arising out of the occurrences and circumstances detailed, as either law or equity requires should be set off against or deducted from the sum standing in the State’s favor, under the Direct Tax Acts.”

This opinion is reported on page 134 of Vol. 20 Opinions of the Attorneys General.

On the 30th day of July, 1902, a further contract was entered into by the attorneys above named and the State, whereby all the labor and expense of the defense of the State against the claim of the United States for \$543,780.23, and the presentation and prosecution of the further claim of this State against the United States for its expense in the matter of maintaining militia, amounting to something more than \$166,000, are to be

conducted without further or other compensation or expense to the State than stipulated in the former agreement dated September 15, 1899.

It is apparent that the delay in settling this claim is not attributable to Vermont. It seems to me advisable that the Legislature request our delegation in Congress to secure such Federal legislation as will enable the United States to meet this State in a speedy adjustment of the whole matter upon the just and equitable grounds proposed by Act 217 of the Laws of 1886.

DEAF AND DUMB, BLIND AND FEEBLE-MINDED CHILDREN.

The Governor is made by law commissioner of the deaf, dumb and blind, and of the idiotic and feeble-minded children of indigent parents and is charged with their instruction at the several institutions in New England designed for the education of such unfortunate pupils.

Under this duty and authority I have designated during my term of office sixteen children as State beneficiaries, as follows: seven deaf and dumb, five blind, and four feeble-minded children.

At the beginning of my term there were thirty-four like beneficiaries supported at the various institutions, who had been designated by my predecessors. In the last two years six of the foregoing number have completed the course or left the institutions and three have deceased, so that there are now forty-one pupils receiving this benefaction from the State.

The expenses for the beneficiaries at the several institutions are in detail as follows:

AMERICAN SCHOOL FOR THE DEAF, HARTFORD, CONN.

School year, 1900-01, 9 pupils	\$1,700.00
School year, 1901-02, 9 pupils	<u>2,025.00</u>
	\$3,725.00
	=====

CLARKE SCHOOL FOR THE DEAF, NORTHAMPTON, MASS.

School year, 1900-01, 9 pupils	\$1,800.00
School year, 1901-02, 9 pupils	<u>1,800.00</u>
.....	\$3,600.00
	=====

PERKINS INSTITUTE FOR THE BLIND, BOSTON, MASS.

School year ending August 31, 1901, 9 pupils	\$2,200.00
School year ending August 31, 1902, 9 pupils	<u>2,100.00</u>
	\$4,300.00
	=====

MASSACHUSETTS SCHOOL FOR THE FEEBLE-MINDED, WAVERLY, MASS.

School year ending July 1, 1901, 9 pupils	\$2476.61
School year ending July 1, 1902, 10 pupils	<u>2,514.46</u>
	\$4,991.07
	=====

HOSPITAL COTTAGES FOR CHILDREN, BALDWINVILLE, MASS.

School year ending July 1, 1901	\$139.27
	=====

THE MYSTIC SCHOOL FOR THE DEAF, MYSTIC, CONN.

School year ending June 30, 1901, 1 pupil	\$200.00
School year ending June 30, 1902, 1 pupil	<u>225.00</u>
	\$425.00
	=====

BLIND INSTRUCTED WITHIN THE STATE.

Minnie C. Fisher, Brattleboro, 1900-1902.....\$17.95
=====

The total expense of all beneficiaries during the terms mentions is.....\$17,198.29
=====

VERMONT INDUSTRIAL SCHOOL.

For the greater portion of the past biennial term this institution has been under the immediate direction of Mr. and Mrs. S.A. Andrews, Superintendent and Matron. They tendered their resignations to take effect on the 15th day of September, and the vacancies so created have been filled by the appointment of Mr. and Mrs. Elwin L. Ingalls, Superintendent and Matron. Mr. and Mrs. Andrews' work has shown good results.

The largest number of children in this institution at any one time was one hundred seventy-nine, the smallest number one hundred forty-two, and the average daily number one hundred sixty. The average cost a year for each child confined in the institution has been one hundred thirty-four dollars and four cents.

Acting in accordance with and under No. 130, Acts of 1900, an addition to the property of this institution consisting of a house, barn and about fifteen acres of land has been purchased and converted into a good substantial cottage and grounds sufficient for the accommodation of thirty-five to forty boys; which is designed for the younger and less criminal youth. This with an improvement in the water supply has bettered the condition of the children at the institution so that sickness among them has materially decreased.

Attention is called to the need of a better water supply at this institution as shown in the Superintendent's report.

HOUSE OF CORRECTION.

This institution has been managed the past biennial term by the same Superintendent as formerly, under the control of the Directors of the State Prison and House of Correction.

The average number of prisoners confined therein has been, to use the nearest whole number, one hundred and fifty a day. Net cost to the State for the past two years has been four thousand five hundred nineteen dollars and eighty-one cents, that is, an average cost of fifteen dollars and two cents a year for each convict.

For details of expenses, receipts and other matters of administration you are referred to the reports of the officers of the institution.

Early in the year 1901 it became evident that additional room both for manufacturing purposes and for accommodation of the women convicts was an absolute necessity, and as there was no existing appropriation which could be used for that purpose and no way provided by law in which funds could be paid out of the State Treasury for new construction, and the amount required did not warrant the calling of a special session to make an appropriation, the Board of Visitors to State Institutions raised the money on their personal obligations, and there was erected as an addition to the buildings already standing a structure of brick, forty by sixty feet, two stories in height, costing nine hundred sixty dollars, the labor of construction with one exception being performed entirely by convicts.

Further particulars concerning this will be found in the Director's report.

STATE PRISON.

The affairs of the State Prison have been efficiently conducted the past two years by the Superintendent, E.W. Oakes, and his assistants, under the supervision of the Board of Directors. The smallest number of convicts confined there at any one time during the past biennial period was one hundred thirty-one, and the largest number one hundred fifty-seven. The daily average for the two years has been, to use the nearest whole number, one hundred forty-six.

The institution has been more than self-sustaining, the receipts for labor of convicts exceeding the expenses by four hundred fifty-eight dollars and thirty-three cents.

The present contract for the labor of prisoners in the State Prison went into effect May 1, 1901, and will terminate by its limitation May 1, 1906. Under this contract the State is paid seventy-five cents a day for each able-bodied man, being advance of three cents a day on the price under the former contract.

The boilers now in use in the prison buildings for making steam for driving machinery and heating purposes are of insufficient capacity, and are old and constantly in need of repairs. They should be replaced with boilers of modern construction and greater capacity.

A school is maintained for the benefit of the prisoners, and on account of lack of room the school is conducted in the room used for a hospital; but when prisoners are ill in the hospital, the sessions of the school must be suspended. This room, used for both school and hospital, is directly over the cook room, and is constantly filled with its odors.

Suitable provisions, therefore, should be made for a hospital.

For the details of the administration of this institution your attention is directed to the reports of the officers of the Vermont State Prison.

CONDITIONAL DISCHARGE AND PAROLE OF CONVICTS.

The Governor, having doubts as to the constitutionality of those sections of the statutes, viz.: section 5306-5309 of the Vermont Statutes, and No. 126 of the Acts of 1898 and No. 104 of the Acts of 1900, which in terms undertake to regulate the exercise of the pardoning power, and confer some portion of that power upon a Board of Prison Commissioners, and impose upon the Governor in connection therewith the duty of issuing warrants for the recommitment of convicts who may have violated the conditions of their discharges, and under the leave granted to him in section 1006 of the Vermont Statutes, required of the judges of the Supreme Court their opinion in writing upon the questions of law connected with the discharge of his duties arising under the Statutes above stated, making the following inquiries:

1. Under the provision of the law as it now stands, has the Governor authority to discharge conditionally from the State Prison and House of Correction convicts sentenced thereto before November 16, 1898?
2. Has the Governor authority to discharge conditionally for the State Prison and House of Correction convicts sentenced after November 16, 1898, and before November 27, 1900?
3. Has the Governor authority to discharge conditionally from the State Prison and House of Correction convicts sentenced after November 27, 1900?
4. Has the Board of Prison Commissioners authority to discharge conditionally from the State Prison and House of Correction any convicts excepting after the expiration of the minimum term of such convicts as have been sentenced to a maximum and minimum term?
5. Has the Governor authority to issue a warrant to return to the State Prison or House of Correction a convict conditionally discharged before November 16, 1898, who has violated the conditions of such discharge?
6. Has the Governor authority to issue a warrant to return to the State Prison or House of Correction a convict sentenced before November 16, 1898, and conditionally discharged after November 16, 1898, and before November 27, 1900, who has violated the conditions of such discharge?
7. Has the Governor authority to issue a warrant to return to the State Prison or House of Correction a convict sentenced and discharged after November 16, 1898, and before November 27, 1900, who has violated the conditions of such discharge?
8. Has the Governor authority to issue a warrant to return to the State Prison or House of Correction a convict sentenced and conditionally discharged after November 27, 1900, who has violated the conditions of such discharge?

9. Is a convict conditionally discharged by the Governor between November 16, 1898, and November 27, 1900, lawfully at liberty?

In reply the judges of the Supreme Court on the 29th day of May, 1901, answered questions 1, 2, 3 and 9 in the affirmative; and questions 5, 6, 7 and 8 in the negative. As to question 4, five of the judges answered:

“The Board of Prison Commissioners has no authority to grant a conditional discharge, nor a parole to a convict in any case.”

On this question one judge dissented and one doubted.

In disposing of the questions the judges used the following language:

“The power to grant pardons is given to the executive by the constitution in unrestricted terms, except in cases of treason, murder and impeachment; and that such general power includes the authority to grant all kinds of pardon known to the common law, is well settled. The grant may be for a full, partial, absolute, or conditional pardon, provided the condition be not illegal, immoral, or impossible to perform. This power can neither be restricted nor taken away by legislative action. Nor can a like power be given by the Legislature to any other officer or authority.”

In the performance of the duties imposed upon him by the law as declared by the judges of the Supreme Court, the Governor has attempted to carry out the intentions of the Legislature in the matter of conditional pardons as expressed in the statutes concerning which inquiry was made of the judges of the Supreme Court.

HOSPITALS FOR THE INSANE.

In the matter of the care of its insane poor, the State has seemingly done its duty, as will appear from the reports of the Supervisors of the Insane, the Trustees of the Vermont State Hospital for the Insane, and the officers of the Brattleboro Retreat, to which reports you are referred for details of their work and needs.

The expenditure for the support of the insane poor is one of the largest items of State expenses and seems to be constantly increasing. One cause of this is the general tendency of towns to transfer to the State the burden of supporting their idiotic and demented poor who are not dangerous. Many have been returned to the towns during the biennial term, as the reports of the supervisors show.

Another cause is the general increase of insanity in the community. At present the rule is, not to see how cheaply the insane can be cared for and supported, but how well it can be done at the least cost. There are about 725 State patients at the hospital and retreat.

NEW YORK WITNESS LAW.

The courts of this State have always had difficulty in securing the attendance of persons found in the State of New York as witnesses to testify in criminal causes pending in this State. For many persons possessed of knowledge of facts necessary to be shown on the part of this State in such causes have exhibited a disposition to trade upon the necessities of the State, and insisted upon the payment of exorbitant compensation before coming into this State to testify.

This difficulty became so aggravated in a recent case that persons desired as witnesses in behalf of the State insisted upon the payment in advance of one hundred dollars a day and expenses each.

The Governor called this matter to the attention of the Governor and Legislature of the State of New York, and that law-making body, seeing at once the justice and propriety of remedying this evil, enacted a law which became operative on the 6th day of March, 1902, whereby any person within the borders of the State of New York can be compelled by subpoena to attend as a witness in all trials of persons charged with offenses of the grade of felony in the courts of this State, upon a proper application for such subpoena by the proper officers of this State, and tender to the person desired as a witness of the sum of ten cents for each mile to be traveled to and from the court wherein the trial is pending, and the sum of five dollars for each day that his attendance is required.

Our own statute on this subject (V.S. §§ 1919 and 1920) is reciprocal except that it provides for the payment of a sum so much smaller than this that it seems inadequate to meet the necessary expenses of a person sent into a large city for several days, and it is recommended that our statute be made reciprocal in respect of fees.

SUPREME COURT.

The Hon. Russell S. Taft, Chief Judge of the Supreme Court, died at his home in the city of Burlington on the 22d day of March last, at the age of 67 years, after a useful career of long public service marked throughout by honesty of purpose and fidelity to duty.

The vacancy thus made in the highest judicial office in the State was filled by me on the 31st day of the same month in the appointment of Hon. John W. Rowell, of Randolph, who was at that time the first assistant judge of the Supreme Court. Each of the other assistant judges was then promoted. The office of sixth assistant judge thus left unoccupied was filled by the appointment of Hon. Seneca Haselton of the city of Burlington.

BOARD OF RAILROAD COMMISSIONERS.

The Board of Railroad Commissioners was filled on the first day of December, 1900, by the appointment, with the advice and consent of the Senate, of Hon. Jonathan Ross, of St. Johnsbury, Hon. Lavant M. Read, of Rockingham, and Hon. Henry S. Bingham, of Bennington. These gentlemen accepted the appointment and acted as such Board until the death of Judge Read, a man honest and fearless, and therefore a good public servant. The vacancy caused by his death was filled by the appointment of Hon. James M. Boutwell, of Montpelier.

This Board has prepared and submitted to you a careful and thoughtful report, to which your serious consideration is directed. The interests committed to this Board are large and varied; and its membership should be composed of strong and safe men. It should then be given more authority and power to enforce its orders and judgments; otherwise the Board is of doubtful usefulness, and should be abolished.

SERGEANT-AT-ARMS.

The office of Sergeant-at-Arms was made vacant by the death of Truman C. Phinney on the 16th day of December, 1901, and James W. Brock, of Montpelier, was appointed in his place on the 17th day of the same month.

Mr. Phinney was first elected to the office in 1870, and has since then received continuous elections. At the time of his death he was beginning the thirty-second year of his service.

It is not out of place here to say that he was uniformly kind and obliging, and performed every duty faithfully and efficiently. His familiar figure will be greatly missed by all those now living who within the last generation have had occasion to do business at the Capitol.

PORTRAIT OF GENERAL LISCUM.

In consideration of the distinguished valor of Brigadier-General Emerson H. Liscum, commanding the Ninth Regiment, United States Infantry, who gave his life for the flag in the assault at the siege of Tien Tsin, China, July 13, 1900, the General Assembly at its last session authorized the Governor in behalf of the people of the State to contract with an artist for the painting of his portrait. It was ordered to be suitably inscribed and placed in the Capitol as a token of affection and admiration of the people of his native State.

In obedience to this provision, Mr. Walter Gilman Page, of Boston, the artist who completed the portrait of Governor Fairbanks, which is in the Executive Chamber, was given the commission.

The portrait was to be accepted on condition that it should be a good likeness and satisfactory to General Liscum's friends and family and it meets those requirements. Mrs. Liscum, the widow of the General, writes: "I hope General Liscum's Vermont friends will be as well pleased with the portrait as I have been. I was so much pleased with it that I asked Mr. Page to paint a copy of it for me. It is most satisfactory to me and all my friends."

The portrait has been delivered, and it is in the keeping of the Sergeant-at-Arms. It is designed to have it unveiled with appropriate exercises, at the meeting of the Vermont Officers' Reunion Society, which is to be held here during the present session.

PORTRAIT MEDALLION OF MAJOR GENERAL SMITH.

The following correspondence will fully explain what has taken place in reference to the gift to the State of the portrait medallion of Major General William Farrar Smith and its acceptance.

The tablet was delivered to me with the accompanying letter of General Wistar, at Montpelier on August 21st last by Hon. Samuel E. Pingree, some time Lieutenant Colonel of the Third Vermont Regiment in the War of the Rebellion.

PHILADELPHIA, AUGUST 11, 1902.

Hon. WM. W. STICKNEY, Governor of Vermont:

Dear Sir.—A few of the military friends of Major General William Farrar Smith, and who are not from his native State, desire to testify their appreciation of his distinguished services to his country in the great War of the Rebellion, and would ask your acceptance of the accompanying tablet to be placed in the State House amongst those of other prominent Vermonters.

The official records of the Rebellion, which must, after all, be the source from which the historian will draw his facts, contain the unembellished story of the deeds of our greatest soldiers.

From these official records we have selected an extract from a special report of the then Assistant Secretary of War, Charles A. Dana, which briefly discloses the eminent standing as a commander in which General Smith was held by the men then at the head of affairs—great men confronting most momentous events.

The portrait medallion is a replica from that designed by J.E. Kelly, the celebrated New York sculptor, for Colonel Jerome B. Wheeler, an old Comrade in Arms of General Smith, and kindly furnished for the present purpose. It is an excellent likeness.

With great respect, I am very truly yours,

ISAAC J. WISTAR
*Late Brig. General N.Y. Volunteers,
On behalf of the presentors.*

MONTPELIER, AUGUST 22, 1902.

Gen. ISAAC J. WISTAR, Philadelphia, Pa.:

Dear Sir.—I beg to acknowledge your esteemed favor of recent date in which you indicate the purpose of a few military friends to present to Vermont a portrait medallion of Major General William Farrar Smith.

In behalf of the State, permit me to convey to you and through you to the other friends concerned, the profound thanks of all our people for this most acceptable gift. We highly appreciate the noble impulse which prompted you to thus honor one of our sons whose merit and distinguished service reflects great credit upon his native State.

I have directed the tablet to be placed in the vestibule of the hall of the House of Representatives in plain view of our most precious trophies of the war of the Great Rebellion, the sixty-seven battle flags borne, defended and returned by the bravery of Vermont's citizen soldiers—the best blood of the hills—many of whom at one time or another were under the command of General Smith whom they loved and respected.

I shall request the Legislature at its next session to take further the more formal steps in recognition and acceptance of your donation.

I am, very respectfully, your obedient servant,

WILLIAM W. STICKNEY.

In accordance with my letter to General Wistar I now recommend such legislative action in the premises as to you seems appropriate and due to the generous donors.

PORTRAIT OF CAPTAIN CLARK.

By joint resolution, at the last session of the General Assembly, the Governor was commissioned and directed in behalf of the people of the State to request of Captain Charles E. Clark, lately in command of the United States battleship Oregon, to sit for a portrait to be placed with a suitable inscription in the State Capitol in commemoration of his distinguished service to his country, and as a token of the abiding affection and admiration of all the people of his native State.

In taking action on the foregoing proposition, in each House of the General Assembly, the members arose in their places, so the record runs, “as a distinguishing mark of homage to a commander eminent alike for his ability, his bravery, his devotion to duty, and his modesty, and who has made one of the brightest pages in the naval history of any country.”

Under this resolution Mr. Frederic P. Vinton of Boston, a gentlemen eminent in the art of portrait painting, was awarded the commission. He has completed the work and produced a portrait of life size, three quarters length. It is historical in character and represents the Captain as he stood on the bridge of the Oregon in her pursuit of the Cristobal Colon in the fight off the southern shore of Cuba, when the Spanish squadron made its unsuccessful attempt to escape from Santiago Bay.

BIRTHPLACE OF PRESIDENT ARTHUR.

The last Legislature determined that it was fitting that Vermont should provide a memorial to mark the place of the birth in the town of Fairfield of her illustrious son, Chester A. Arthur, the twenty-first President of the United States.

The Governor was therefore authorized to cause to be erected a memorial tablet, with a suitable inscription, at the birthplace of President Arthur, on condition that good title to sufficient land for its erection could be obtained without expense to the State.

On account of the failure to fulfill the condition that a good title to sufficient land be obtained, there was delay in contracting for the memorial tablet. But on August 22d last a deed of a tract of land fifty feet wide and extending from the public highway to the rear of the location of the Arthur house, was executed and delivered to the State. The purchase price was paid by the generosity of Mr. P.B.B. Northrup, of Fairfield.

A contract was then immediately made for a granite tablet, which will be completed and put in place during the present month of October. Its cost, with an iron fence around it, will not exceed the appropriation.

LIBRARIES.

From the report of the Board of Library Commissioners it appears that there are now in the State eighty-six towns without library facilities except the traveling library stations maintained by the State.

At the session of 1900, by Act No. 32, the sum of five hundred dollars annually for purchase of books and equipment and one hundred dollars annually for labor of cataloging and other necessary labor was appropriated for the maintenance of traveling libraries.

With these sums traveling library stations have been established in twenty-seven of these towns, leaving fifty-nine towns having no library facilities whatever. This work of extending the free use of books to the people is invaluable and should be continued.

The Secretary of the Board of Library Commissioners performs a large amount of work and should not longer be asked to do it as a gratuity to the State, and I also recommend that the appropriations for traveling libraries be a least doubled.

PAN AMERICAN EXPOSITION.

At the urgent solicitation of the Buffalo Society of Vermonters that Vermont be represented at the Pan American Exposition, the matter was taken up by me and a very large number of public spirited citizens of the State contributed a fund for providing proper representation for the State at the Exposition.

About four thousand dollars was raised for this purpose on the express understanding that no reimbursement should be asked or received from the State.

With this sum Vermont's equal share in the New England States' building was paid, and a Vermont room was prepared and properly furnished.

The Buffalo Society of Vermonters provided a custodian for the room and it was made a convenient and pleasant place of meeting for Vermonters and their friends throughout the Exposition.

Much credit is due to Mrs. Henry S. Bingham, of Bennington, for the good judgment and taste displayed in the selection of the furnishings and their arrangement in this room.

Vermont Day was observed August 8th by appropriate exercises in the Temple of Music, attended by the Governor and Staff, the two United States Senators from Vermont and many other Vermonters.

DIGEST OF VERMONT REPORTS.

Under the authority of No. 115 of the Acts of 1900, Hon. Seneca Hazelton of Burlington, and Hon. H. Charles Royce of the City of St. Albans, have received and accepted appointment to act with the State Librarian as a Committee to arrange and provide for the compilation and issue, in proper and serviceable form, of a Digest of the Reported Decisions of the Supreme Court of this State.

This committee, after careful consideration of the matters placed in its charge, formulated and submitted to the Governor for his approval a general plan for the prosecution of its work, and the plan was approved.

According to this plan the committee have contracted with Robert Roberts, Esq., of Burlington, for the publication and delivery to the State Librarian for the use of the State of four hundred copies of the Digest.

The copyright is to be taken out in the name of the Secretary of State, and to be the property of the State.

Mr. Roberts has the right to dispose of the remaining copies of the first edition for his own use, the price thereof to the members of the Vermont Bar not to exceed ten dollars a copy.

All copy to be completed and sent to press on or before June 1, 1904.

SURVEYOR GENERAL'S PAPERS.

The office of Surveyor General was created early in the history of the State. The Assembly Journal under the date of June 3, 1779, contains the following resolution and record.

“Resolved, That a Surveyor General be appointed to procure copies of all Charters that ever was made of lands lying in this State in order to make out one General plan of this State in order to know where vacant lands are ; and it shall be his duty to follow the instructions he shall from time to time receive from the Governor and Council or from this Assembly.

“The ballots being taken, Ira Allen, Esqr was Elected Surveyor General.”

Ira Allen continued in this office until 1787. He was succeeded by James Whitelaw of Ryegate, the veteran surveyor, who held the office for many years. The last Surveyor General was Ambrose L. Brown of Rutland.

The office was abolished by Act No. 25, Laws of Vermont, 1838. The Surveyor General was directed to deliver to the Secretary of State, the surveying instruments belonging to the State to be kept in that office for the use of the State.

In the early years this office was very important. Many valuable papers and records were in its possession, the most valuable of which were the surveys of town lines.

By an Act passed October 22, 1782, it was provided that,--“All charters of lands within this State whether granted by this State or any other government, be sent to the Surveyor General’s office for record, that where the original charters cannot be obtained attested copies should be received, and that the Surveyor General is directed to record all such charters or attested copies as aforesaid; that the Surveyor General be directed to proceed as soon as may be after the rising of the next session of this Assembly to perambulate the lines of the towns in this State by himself or deputies, and that they begin where the respective charters begin.”

The records of the surveys of town lines with the charts or maps of the towns filled ten volumes.

On the abolition of the office of Surveyor General no provision was made for preserving the books and records in his custody. They were, however, gathered up later by one Henry Stevens of Barnet and purchased by the State, as appears from a report made by the Secretary of State to the Senate in 1849. But they soon thereafter disappeared and have since not been in the possession of the State. About nine years ago they were discovered in the State Library at Albany. The State of New York obtained them from the administrator of Henry Stevens by purchase.

Under joint resolution of the last session the Governor was authorized to procure either these original papers or duly authenticated copies thereof.

After a number of communications and conferences the Regents of the University of the State of New York, in whose custody these papers were, entered into an arrangement to return all the papers in their possession which belonged in any way to the Surveyor General’s office, thirty-six volumes in number, on the basis of an exchange for certain Vermont books.

Some of these books were in our State Library in duplicate and were furnished without expense. The more valuable ones, however, were purchased by the Hon. Hiram A. Huse, who in the matter rendered valuable assistance. Since then Mr. Huse’s career of usefulness has closed; and this public servant, of sterling honesty, rugged ability, modest deportment and most exemplary fidelity, has passed away.

I recommend that the State commemorate in some fitting way his long and devoted service.

I have caused these papers to be delivered to the Secretary of State with instructions that they be properly preserved, rebound and made ready for use.

I cannot leave this subject without mentioning the kind offices of Mr. James Russell Parsons Jr., Secretary of the University, and Mr. Melvil Dewey, Director of the State Library of New York, who took the broad view that, although these papers were held by New York by purchase, they were official documents of the State of Vermont and in justice should be returned and kept within the State where they would be of the most service to all concerned.

I would respectfully recommend that by your enactment these volumes be placed permanently in the custody of the Secretary of State, and that copies thereof duly certified by that officer be permitted to be used in evidence in any Court where they are deemed material.

BOUNDARY LINE BETWEEN VERMONT AND NEW YORK.

Governor Odell, of New York, in a communication under date of June 27, 1901, requested my co-operation in the renewal of the missing monuments on the State line between New York and Vermont.

It is a matter of record that in the year 1790 the two States, first through commissioners and later by legislation, established the boundary line between them as follows:

“Beginning at the northwest corner of the State of Massachusetts, thence westward along the south boundary of Pownal, to the southwest corner thereof, thence northerly, along the western boundaries of the townships of Pownal, Bennington, Shaftsbury, Arlington, Sandgate, Rupert, Pawlet, Wells and Poultney, as the said townships are now held or possessed, to the river commonly called Poultney River, thence down the same through the middle of the deepest channel thereof, to East Bay, thence through the middle of the deepest channel of East Bay and the waters thereof, to where the same communicate with Lake Champlain, thence through the middle of the deepest channel of Lake Champlain, to the eastward of the Islands called the Four Brothers, and the westward of the Islands called the Grand Isle and Long Isle or the Two Heroes, and to the westward of the Isle La Mott, to the forty-fifth degree of north latitude.”

The line from the northwest corner of the State of Massachusetts to Poultney River, in the above description, was originally marked with permanent monuments at points where its course and direction changed, at important highways and at town corners. These are the monuments in question.

Governor Odell transmitted to me with his communication a statement from Hon. Edward A. Bond, State Engineer of New York, in which he says: “There were originally thirty-three monuments placed to mark this line, of which only six are in perfect condition. Of the remaining twenty-seven, eight should be reset, six are entirely missing and ten should be replaced by new and more conspicuous monuments, and the location of three is doubtful.”

A reply was immediately sent to Governor Odell that there was no law which enabled the Governor of this State to act in the matter.

I requested him to ascertain from the State Engineer what would be the probable cost of fixing the location and supplying the needed monuments, to the end that full information might be obtained upon which you could intelligently act.

Mr. Bond, to use his own language, responded:

“My understanding is that there is no dispute in regard to the location of the line between the State of Vermont and the State of New York, but many of the old monuments have been broken or heaved out of the earth by action of the frost, &c., and that at several places new monuments will be required and the old ones straightened up. This does not necessarily require highly skilled men, but it needs to be observed by parties representing each State so the proper certificate can be made showing that the new monuments are in the same location as the old ones.

“I think the total cost of the work will be \$4,000 and I desire that each State pay one half the expenses connected therewith including the cost of new monuments and all legitimate expenses in connection with the work.

“I cannot too strongly urge that this work be arranged at the earliest date possible, as it has been many years since this line was overhauled as herein contemplated.”

This request of the Governor and State Engineer of our sister State seems reasonable and should be granted on the ground of state comity.

Besides, both States are equally interested to have the old boundary maintained and marked by suitable monuments in order to prevent, in the future, any jurisdictional or other complications.

CONCLUSION.

In conclusion, permit me to say that after serving the State for two years and observing officially the operations of government, I am more than ever before impressed with the wisdom of the founders of our State, who placed in its constitution the admonition: *That frequent recurrence to fundamental principles and a firm adherence to justice, moderation, temperance, industry and frugality are absolutely necessary to preserve the blessings of liberty and keep government free.*

WILLIAM W. STICKNEY.

Montpelier, October 2, 1902.

Farewell address
of
John E. Weeks
As it appears in the
Journal
of the
Joint Assembly
1931

Thursday, January 8, 1931
Farewell Address

Members of the General Assembly:

Following a traditional custom with retiring governors, I now have the honor to submit to you, as members of the General Assembly of 1931, certain facts and information relative to important matters connected with the administration of our state government during the past four years.

I believe this custom is a commendable one because it provides the only method of presenting a detailed recital of the activities during my stewardship, together with some observations resulting from experiences encountered in the performance of my duties as governor. It is possible, too, that from a recital of facts there may be something gleaned which will aid you in your future deliberations.

AGRICULTURE

We can all agree that agriculture forms the fundamental basis of our livelihood as a state. Without it we could not prosper. In the promotion of our farming resources our dairy interests constitute a vitally important factor. In per capita earning power the Vermont cow leads those of every state in the Union. Consulting with the commissioner of agriculture recently I learned that in the tuberculosis eradication work the department is faced with the most serious situation that has developed since the work was inaugurated. While figures show that the department has tested more cattle during the present biennial period than in any other two years of activity, it is at present impossible to meet the demand placed upon it in the work of eradication. The department is without funds necessary to continue the service in new fields.

At present there are 10,000 cattle on the waiting list for test under the accredited herd plan and 68,000 for the test under the area plan. The inability of the department to comply with the requests that are daily coming into the office for new tests is a matter of serious economic importance to our dairymen, and if not obviated will eventually have a detrimental effect on Vermont's dairy industry.

Farmers are finding it increasingly difficult to dispose of their surplus stock if untested, and still more serious is the fact that several milk firms purchasing in the State are already refusing to pay the usual premiums on grade "A" product unless it is from tested cows. In some localities even state creameries have notified their patrons they will not accept their milk unless it is from tuberculin tested herds. These facts offer overwhelming evidence of what the results will be to the farmer unless present conditions are relieved. Naturally, our farming interests are demanding consideration in their dilemma, and rightfully so, since dairy products constitute the chief items of remuneration, and an income upon which the farmer depends to meet the expenses of his business.

Vermont can well boast of her fine herds of cattle, and as a dairy state should demonstrate a healthy growth each year. The last survey shows a total of 407,000 cattle, representing registered herds and grades. In 1926 there were 8,690 herds with a total of 146,381 cattle under State and Federal supervision, and of the above number 75,230 were officially accredited. In 1930 we had 12,856 herds and 245,496 cattle under such supervision and 160,578 were accredited. This is an increase over four years of 4,166 herds and 99,115 cattle, and an increase in accredited herds of 85,348 cattle.

AREA TEST

These statistics show that slightly over 60 per cent of our herds are tuberculin tested and bring the State face to face with this problem—should we continue the work as it has been done from year to year, or should we meet the emergency and clean up the remaining 40 per cent with greater dispatch? The farmer is emphatic in his demand for quicker results than can obtain under the present method and personally I feel that the demand is just. I hope that a special appropriation may be made available to be used immediately, or before July 1, 1931, so that the work of tuberculosis eradication may go forward. If you should deem it feasible to make such appropriation \$100,000, the Federal government will grant a like amount for this use. If this is not done, the money set aside for Vermont will revert back to the National treasury.

FORESTRY

The forests of Vermont are a valuable asset inasmuch as they embrace nearly two-thirds of the State's area. They are valuable not alone for the production of timber but for serving as a home for game, birds and animals, and for the beneficial effects upon climate and soil preservation. The forests of Vermont supply annually 425,000,000 board feet of lumber, pulp, excelsior and fuel wood. The lumber manufactories in Vermont furnish employment to about 8,000 persons with an additional 2,000 men in the woods. The aggregate annual pay roll is over \$7,000,000.

The first state forest program was adopted in 1909. To date 38,000 acres have been acquired--3774 acres by gifts and the balance by purchase. Since January, 1927, 7500 acres have been added. On these lands, there have been approximately 2,870,000 trees planted, or enough to reforest 2500 acres. A conservative estimate of the increase in timber values on the state lands would be something over \$200,000. In addition to this asset, we might add the scenic value, which cannot be measured in dollars. The forestry and woodworking committee of the Vermont Commission on Country Life has recommended the acquisition of 100,000 acres during the next ten years. Money spent in the purchase and improvement of state forests is not an improvident expenditure but a sound investment.

The state nursery to date has supplied approximately eighteen million trees which have been used to reforest waste or idle lands, seven millions of this number having been planted during my administrations.

TOWN FORESTS

In April last, I called attention through the press to the advisability of the towns and cities taking action regarding municipal forests, believing it to be a sound business proposition for most towns to acquire forests. The cost is small and the possibilities for returns unlimited. Eleven towns responded to this appeal.

As an example of those possibilities, I will cite one town which in 1900 purchased 10 acres of land for a town forest. This area has been gradually increased until that town now owns 752 acres for a total purchase price of \$8,800. Since 1923, logs and cord wood from the forest have been sold amounting to \$12,179.26. And it is estimated that 600,000 feet of marketable "B" lumber and 2500 cords of wood are now standing. In addition, there is a good stand of growing timber together with about 330 acres of forest planting.

FOREST FIRE PREVENTION

Resources representing such monetary and scenic value should be given every possible protection, and to this end the laws should be so amended that the governor could by proclamation, or otherwise, regulate more effectively hunting and fishing during periods of excessive drought to aid in the preservation of our forests.

AVIATION

The rapid progress made in the development of aviation throughout the United States presents a challenge to Vermont to meet the needs of a growing industry and keep pace with our sister states in the march of progress.

A very creditable beginning has been made and many landing fields located which are well adapted to aviation purposes, and when further improved they will provide safe and adequate facilities for those who come to the State by aircraft.

Three new fields with hangars have been developed during the present administration. They are at White River Junction, Montpelier-Barre and Swanton. An airport has been opened at Middlebury and a private field at Manchester although no hangars have yet been provided at either port. Other landing fields in the State are the emergency ports at Derby and Windsor and there are five others whose origin is of earlier date.

Aircraft registration reveals that in 1929 there were 14 resident and non-resident planes registered, and in 1930 there were 31. Pilot's licenses numbered 17 in 1929, and 47 in 1930.

Vermont manifests a growing interest in the promotion of aviation and an air-mindedness which augurs well for future development in the State. It is likewise apparent that cities, villages, towns and counties must meet the needs of the times by providing proper facilities for the accommodation of aircraft and the dispatch of air transport as rapidly as is feasible.

EDUCATION

Vermont ranks high in intelligence and leadership among the states of the Union. To thoroughness in early training we must largely attribute the enviable position we hold as a commonwealth. We have made notable progress educationally, especially in recent years during which time the systems inaugurated and maintained for the instruction of our youth have resulted in promoting efficiency and establishing a standardization of methods and equipment so essential to success in the conduct of schools.

A determined effort by the Legislature of 1927 to provide better rural schools, better buildings, better equipment and better teachers has had a most beneficial effect upon both pupils and parents. The influence of this effort has proved to be a vital factor in stimulating and promoting educational progress in all sections of our State.

The total number of schoolhouses in 1926 was 1118, and of this number only 242 were qualified as standard or superior schools at that time. In 1927 the standard and superior buildings had increased to 283; in 1928 to 413; in 1929 to 454; and during the past year the number has grown to 628, which represents an increase of over 50 per cent in the past four years.

One of the gratifying features connected with the work accomplished has been the standardization of rural school properties, and the spirit of cooperation between the state department of education and the authorities in the communities where the rural schools are located. Once conditions surrounding the rural school are bettered, that school becomes a source of pride and in many ways an important community center from which most helpful influences radiate.

Education fosters respect for sterling principles and for local self-government. Money spent judiciously for educational facilities never fails to pay good dividends. Vermont believes in making that investment, and by providing increased facilities has shown her willingness to meet the challenge.

FISH AND GAME

Primarily and essentially, Vermont is rural in her physical characteristics. Many valleys made fertile by the gentle flow of clear-running streams, and beautiful lakes teeming with fish of many varieties provide a veritable pleasure ground, not only for our own sportsmen, but for many visitors from other states as well. For this reason and for the remunerative returns accruing from these natural resources, the work of the fish and game department assumes an important aspect.

This department functions solely with funds which its own activities yield. No appropriation is made in addition to its own departmental receipts.

When the present commissioner assumed office in 1929, he faced a deficit of \$18,000. By exercising rigid economy in administration and by curtailing every expense possible, this indebtedness was entirely wiped out on July 1, 1930. The unfriendly feeling and antagonism which many sportsmen manifested in the early history of the department has largely disappeared owing to the promotion of a better understanding between the wardens, the public and the department.

FLOOD CONTROL

The subject of flood control has been given exhaustive study since the catastrophe of 1927, with a view to instituting possible prevention against a recurrence of such disasters with the consequent loss of life and valuable property. The investigation of the committee has shown clearly enough that flood protection for Vermont must rely fundamentally upon storage-power reservoir systems. At the present time there is no working basis for carrying out such projects and assessing their benefits. I believe this matter deserves the careful consideration of the Legislature.

HIGHWAYS

The progress attained in highway construction marks a real achievement. On January 6, 1927, my message suggested a definite highway policy whereby 40 miles of paved road could be built annually, as well as provision made for the necessary bridge construction and an improved system of secondary roads, if the

Legislature would authorize the plan and furnish the required funds. The funds were provided; the plan, in its main essentials, was adopted and the work started early in the spring of 1927. The program was vigorously pursued until the flood of November 3, 1927 forced a temporary suspension of activities. By reason of that catastrophe the State was confronted with a tremendous problem of restoration and financing. But Vermont did not hesitate. In a one-day special session of the Legislature the State authorized its first peace-time bond issue, appropriating, for rehabilitation purposes, \$8,500,000, of which \$8,000,000 was for the use of the state highway board in the reconstruction of highways and bridges. Under the act the highway department was given authority to repair, reconstruct, replace or relocate public highways and bridges destroyed or damaged by the flood. The department immediately began this great undertaking, and soon, under its vigorous efforts, the highways and bridges were made passable for temporary travel. The work of emergency repairs and the plans for permanent replacements went forward without interruption and with remarkable dispatch. To aid in this great plan of reconstruction, Congress appropriated \$2,654,000 to match state funds in rebuilding devastated highways and bridges throughout the State.

The gigantic task which faced the highway department on November 5, 1927, may be realized when one learns that 1,479 bridges have been repaired or rebuilt at a cost of \$6,236,317.39, not to mention the stupendous expense required to restore the highways proper. The books have been closed in this reconstruction work and the money was expended as judiciously as was possible in so extensive an undertaking. It is gratifying to note that with all the added work thrust upon the highway department because of the flood emergency, the regular hard surface program was continued as authorized before the flood.

The people of Vermont have won the admiration of the press and the country for their pluck, courage, initiative and industry in the restoration of our highway system.

The highway program of hard surface construction, as approved and adopted in 1927, has been continued with highly gratifying results during the four years just closed, and a total of approximately 225 miles of pavement built. In no year has the State failed to exceed the original 40 mile proposal. For instance, in 1927, 48.4 miles of hard surface were built; in 1928, 57.4 miles; in 1929, 64.8; and during the year just closed 55 miles were constructed. This is an average of over 55 miles per year and, to my mind, constitutes a record in which the State may take just pride. It is likewise pleasing to note that one contractor who has handled highway building projects in seven different states has publicly stated that in his opinion Vermont stands first in the quality of concrete construction used upon the roads.

I would also add that the total mileage of hard surface might have been increased by several miles this year but for the fact that a considerable amount of money was expended for grading and foundation work on projects in preparation for hard surfacing later on. This preparatory work will obviously lessen the final cost of paving the projects. With the completion this fall of 1.8 miles of concrete road between Montpelier and Middlesex, there is now a continuous stretch of hard surface, practically all cement, from East Barre, East Montpelier and Northfield, via Montpelier, to Burlington, thence north to the Canadian line and south to Middlebury.

Merely citing a few of the larger hard surface projects as examples of the work accomplished, I will mention a stretch of 35.6 miles between the Massachusetts line and Manchester on Route 7; 30.9 miles between Wells River and Lyndonville on Route 5; 23.8 miles between Brattleboro and Bellows Falls, and 23 miles between Ascutney and White River Junction. In addition, there are smaller units aggregating 112 miles.

And while these paving projects have been completed, the State has not underestimated the importance of the secondary road system which has been adequately maintained, and improved in many sections. As a matter of fact the secondary roads are in better condition than at any time in the history of the State.

While I take especial pride in presenting this analysis of our highway progress, I am not unmindful of the influences which made the achievement possible. I want to go on record before this body and representative group of people with the statement that the credit is due, first, to the citizens of the State, whose progressive spirit manifested itself in legislative action and made possible the necessary appropriations for such a program; secondly, to the contractors who have rendered full cooperation and excellent service in fulfilling the provisions of their contracts. And finally, I want to voice commendation of the highway department for its unflinching loyalty and excellent work during my administration. Through its splendid efforts the impressive achievements

outlined above were made possible, and a notable stride made toward the desired goal in our highway development.

It seems entirely fitting at this time to pause for a moment out of respect for the late commissioner of highways, Stoddard B. Gates, whose rare judgment, unflinching loyalty and guiding hand have played so conspicuous a part in Vermont's highway development.

FLOOD BONDS

It is worthy of note to mention the fact that with all the progress that has been made in the pursuit of the hard surface road program, the flood bond indebtedness has been reduced \$850,000 during the past two years.

CHAMPLAIN BRIDGE

Another important step in the development of our highway transportation system during the past four years is the completion of the Champlain bridge which joins, with a solid and enduring link, the two states of New York and Vermont, and stands as a majestic example of engineering and construction.

It will be recalled that in my first message to the Assembly in 1927, attention was called to the proposed bridge across Champlain and its important bearing upon highway traffic and commerce. The bridge was erected by the joint efforts of the two states in accordance with authority granted by the respective legislatures, and the opening was marked by fitting ceremonies.

The success of the structure as an artery of transportation has exceeded even the fondest hopes of its most enthusiastic advocates. It was estimated by the joint bridge commission that the revenues for the first year of operation would be \$52,500 whereas the actual receipts were \$84,124.60, including the five days in August immediately following the opening of the bridge in 1929. Thus the first year's revenues exceeded the estimated returns by over \$31,000, which attests to the utilitarian value and popularity of the bridge, and likewise to the wisdom of the policy of spanning Champlain with an interstate bridge.

STATE INSTITUTIONS

Since the flood of 1927, the hospital for the insane at Waterbury has been rebuilt in many ways owing to the excessive damage caused by water at that eventful time. Repairs were made to every building, and with a new barn and outbuilding and a new herd of cattle, the institution today is exemplary in many details.

We are confronted, however, with the necessity of providing accommodations for a constantly growing population. A tentative survey made recently shows the total number of patients to be 918, an increase of 100 since 1924. With every bed occupied at the present time, the institution will face an embarrassing situation for adequate accommodations within the next two years unless provision is made for the increasing population. I, therefore, suggest that this matter receive your serious consideration.

Another matter for concern at Waterbury is the fire hazard. Should a conflagration break out at the institution, the loss of life might be appalling because of lack of adequate fire prevention. I believe that one of the most humane acts possible would be the installation of a modern sprinkle system throughout the buildings of the institution. Adequate fire protection is a precaution we owe the helpless and unfortunate people confined there.

A dormitory has been added to the group of buildings at the Brandon school during the present administration which adds much to the efficiency and usefulness of the plant. I would call attention to the necessity for hospital accommodations at Brandon. The capacity of this institution is 300 girls and boys, and in case of epidemics it is practically impossible to properly care for the inmates. This is unquestionably a pressing need as all the other state institutions have infirmary accommodations. I would also suggest the advisability of a suitable residence for the superintendent of the school.

Another imperative need at this time is an adequate appropriation for a new heating unit at the Pittsford sanatorium, one of such capacity as will serve for both the sanatorium and the new infirmary and supplanting that in the sanatorium proper, which has become inadequate and obsolete. I might say in this connection that an

appropriation for this work at Pittsford would allow the completion of improvements which a previous appropriation contemplated but was insufficient to cover.

The condition of the physical plants at all the institutions is excellent and the character of the supervision and operation of a very high order.

SOLDIERS' HOME

Certainly we all have a kindly feeling toward the Vermont Soldiers' Home at Bennington, as it provides a haven for those who in time of war and strife offered their lives in defense of the country they loved. The inadequacy of the buildings and accommodations was never so apparent as it is at present. Some repairs and changes in the buildings should be made, not only for the comfort of the old soldiers, but as a good business proposition in the maintenance of state property. The entire plant is of wooden construction and has become much impaired by age and use. I trust you will give the condition and needs of this institution careful consideration.

PUBLICITY

The most rapidly developing resource of this State—in fact, in all three of the northern New England States—in reaching the proportions of “big business”, has come to be known as the recreational industry in which many million dollars of new money are received for service rendered and satisfaction given to those who come to us as tourists, vacationists and summer residents. Since no state surpasses our own in appeal to these guests, the only limit to their patronage is that imposed by ignorance of what the Green Mountain State has to offer. In this connection I commend the work of the state publicity bureau whose message through the various mediums of advertising and other forms of publicity has reached so far and served so well. The success it has achieved, in spite of limited funds, is only a measure of what might be accomplished as more adequate appropriations are provided.

TOURIST CAMPS

The marked improvement in our highway system, and the consequent development of our recreational resources, has resulted in a mushroom growth of countless tourist and roadside camps, popularly known as over-night cabins.

Attractively located, adequately appointed and properly conducted these camps are highly desirable for the State, as they offer tourists and campers unusual opportunities to enjoy Vermont's scenic beauties to the fullest. Their widespread and rapid growth, however, presents certain problems for the State, problems of physical health and moral welfare.

I believe there are elements of danger in allowing these overnight camps to continue without some sort of control and supervision. Operators of tourists resorts should be required to meet definite standards affecting sanitation and equipment, as well as to provide all possible protection against moral laxity on the part of some who might impose upon camp owners and abuse the broad privileges that are theirs at the present time. As it is now, no restrictions whatever are placed upon camp owners in the operation of their resorts, such as are demanded from regularly licensed hostelries.

Regulatory and precautionary measures are plainly in order for the protection of the camp owner as well as for the public good.

PUBLIC UTILITY RATES

As a result of the expenditure of \$5,000.00 appropriated by Joint Resolution No. 222 of 1929, authorizing the investigation of electric rates, the Public Service Commission has been able to cause a reduction in such rates, largely confined to residential service, which is conservatively estimated at an annual saving of \$145,000.00 based on the same amount of electricity consumed under the old rates for the year preceding.

Because of the success of this undertaking, I recommend that the appropriation to this commission be continued in order to permit further studies being made regarding present sound values of utility property and

the cost of service to the consumer, all to the end that further reductions in electric and gas rates may be accomplished.

TAXATION

In my legislative message two years ago I referred to the advisability of the authorization of a special tax commission whose duties should be to make a report based on a searching study of our tax problems, together with recommendations for a general revision of the laws.

Such a commission was duly appointed in accordance with a joint resolution adopted by the last Legislature, and the fruits of their study are before you.

This commission performed its duties well. Hours of painstaking study were put into the effort by the members and the report is exhaustive and comprehensive. I hope the findings will be given the serious consideration they merit and that they may form the basis of legislative action in practical revision of our tax laws.

JOHN CARROLL HOLLAND

Last September a serious accident occurred on the State House grounds which I feel deserves special mention. Mr. John C. Holland, an employee since January 20, 1930, while working on the building, fell from the roof to the pavement below, a distance of 30 feet, causing an injury which has required hospital care continuously until Christmas when he was removed to his home. This injury was so serious it will incapacitate him for service many months more. The State does not carry compensation insurance on employees except those employed in road work under the highway department. Mr. Holland's service was valuable to the State, and his ability, his energy and pluck made him a most worthy employee. The administration has furnished every aid possible. The case is, however, a meritorious one and should receive further consideration.

FRANK L. GREENE

Sorrow—deep, genuine sorrow—spread over Vermont at the untimely passing of our beloved senior senator, Frank L. Greene, whose death, coming upon us so unexpectedly, saddened the festive holiday season for hosts of devoted friends.

Senator Greene's death is a distinct loss to our State. A staunch Republican and a staunch Vermonter, he represented our people with unflinching loyalty and outstanding ability. Patriot, soldier, publicist, statesman, equipped with rare intellect and supported by an indomitable courage, Frank Greene was loved, respected and honored by his colleagues in Washington, as well as by the "folks" at home. His friends were legion; his attainments myriad; his friendship genuine; his devotion constant.

The name of Frank Greene will always remain a cherished memory with the people of Vermont.

CONCLUSION

You, as members of the General Assembly, are honored in being the chosen representatives of the people. Your duties to home, community and State are well defined. Ever keep in mind the best interests of the State in your deliberations. Preserve undefiled the heritage which falls to you from your forefathers, those courageous forebears who established the fundamentals of our present statehood. Today it is my privilege to hand over the important trust of governor to a worthy successor. I bespeak for him the same encouragement and loyal cooperation that have been mine to possess for the past four years.

And now, God speed you in your worthy efforts.

JOHN E. WEEKS.

The Governor, having concluded the reading of his message, was escorted to the Executive Chamber by the committee appointed by the Chair, and the Joint Assembly dissolved.

RAWSON C. MYRICK,
Secretary of State, Clerk.

Farewell address

of

William H. Wills

As it appears in the

Journal

of the

Joint Assembly.

1945

Thursday, January 4, 1945

Farewell Address

Members of the General Assembly and the People of the State:

I am glad of the opportunity to give to the members of this Legislature and the people of Vermont an account of my stewardship, covering the years 1941 to 1945. It has been, as was anticipated, a period filled with great problems but no outstanding issues; problems many of which have been solved, some on the way to a satisfactory solution, while still others, by their very nature, can never be completely settled and are therefore continuing.

Three years of the four have been war years, presenting unusual but highly stimulating challenges to a war Governor and his people. From December 7, 1941 to the present day, I have had the finest cooperation from the people of Vermont and from their elected representatives in two general and two special sessions of the Legislature.

In addition to this I wish to express my appreciation for the fine support given me by all the State Departments. Under the usual handicaps of general business in war time, those of shortages of manpower and materials, your state's business has been carried on by the heads of departments and those working under them, not only efficiently but with a fine spirit of unselfish devotion entirely incommensurate to the financial recompense provided.

So far in this war Vermonters in all civilian activities have met the standards set by our fighting men and women and by the best traditions of the past. What greater praise can be given them. I am grateful that in these stirring times, I have been privileged to be their Governor. Much ground remains to be covered in the days that will pass before victory is ours. There should be no let down here at home; if any change is to take place let us see that it takes the form of increased interest and greater effort by each and every one.

To provide leadership in all lines of endeavor during these past years has meant unceasing vigilance.

In the first year, 1941, the threat to the very existence of the University of Vermont was met and successfully worked out in a special September session of the legislature.

In December of that same year came the actual participation in World War II. This meant activating and thoroughly organizing the Vermont Council of Safety; the State Guard had to be set up to take the place of the National Guard called to active duty in February of that year.

Vigilance and much labor has been constantly necessary to insure to Vermonters their fair share of such materials as fuel, farm machinery and other essentials of which there has been a wartime shortage.

Moreover, because of a withdrawal to the armed services of the incumbents, more appointments to elective offices were made than in any similar period.

There has been also a constant turnover in the personnel in our State departments and institutions, 156 having entered our country's services and many others having gone into private industry for higher salaries available, creating a situation which has had many by products of administrative difficulty.

We have had to exert continual resistance to Federal encroachment upon State sovereignty. Even under the stress of war Vermonters are unshaken in their belief that the best government is still that which is closest to those whose servant it is—the people.

Through all these activities, there has been a consistent endeavor not only to lay the ground work for a postwar period which should be a substantial yet progressive one for the State and yet at the same time so carefully to husband the State's financial war gains that the future would not have to be mortgaged to pay for capital improvements.

I have here touched upon some of the highlights of these four years. There are some phases of governmental activity, however I would now like to discuss with you in their bearing upon future action, giving you my recommendations in the light of four years intimate experience with them.

Vermont Council of Safety

At the beginning of my first term in office, it was apparent that this country would be involved in war, and if this happened an organization of citizens could serve as a strong right arm in the war effort.

The Vermont Council of Safety was authorized by Joint Resolution on September 13, 1941, and their duties were outlined. It consisted of seven members, with the Governor as Chairman. With the legal status given them on September 13th, the Council was ready on December 7th, 1941, to take over the war activities of the State.

I will not go into a detailed account of the Council, except to say that it rapidly developed into an efficient organization of 25,000 people represented by every section of the State and composed of loyal, patriotic men and women who, though present need does not call for the strenuous activity at one time demanded, are ready to respond should occasion require.

When the history of this war is written the activities of the Vermont Council of Safety will occupy a prominent place in that book.

May I publicly here express my thanks on behalf of the State, to those men and women who spent long hours, day and night, as air raid wardens, spotters, as auxiliary firemen, and in a variety of other capacities in those fateful days of 1941-42-43 when we did not know what might occur from day to day.

Vermont State Guard

In my first message to the General Assembly of 1941 I recommended the establishment of a State Guard and the provision of funds to equip it. A sum of \$35,000.00 was appropriated and the organization of the Vermont State Guard was approved.

Since that time the Guard has maintained its strength in spite of frequent turnover, and has today about 1,278 men and 131 officers.

Regular drills are held, as well as maneuvers and expeditions according to the best present day military tactics, thus giving preliminary training to young men entering the armed service. A full and highly creditable encampment was held at Colchester last August.

These men who have given unstintingly of their time and effort have been a great source of security in a state which has no nearby army camp. They have guarded, at the request of the Federal government, vital structures such as bridges, electric plants and dams, under the worst of conditions, sub zero weather and inadequate clothing and equipment. They have been on call for many local emergencies such as forest fires, the finding of lost persons, searching for airplane crashes, and in the absence of the National Guard they constitute a fine, well trained volunteer group of citizens ready to meet any crisis competently and adequately.

As Governor for these war years, I am thankful for the security they give and cannot pay too high a tribute to the officers and men of the Vermont State Guard.

Camp Johnson

For nearly 25 years this State enjoyed the services of Herbert T. Johnson as Adjutant General.

At the beginning of the war, early in 1942, war burdens were too heavy for his failing strength and he resigned his office.

On November 4th, 1942, while discussing with me the military affairs of the State, he died, in the Executive Office.

Not only was General Johnson loved by those who knew him but his counsel was sought outside the borders of Vermont on military matters.

Over a period of years General Johnson developed for the benefit of Vermont's soldiers one of the finest military camps in the country, at Colchester. Last summer during the encampment of the State Guard at that camp it occurred to me that this should be made a permanent memorial to him by naming it Camp Johnson.

I did so in an Executive Order on August 18th, 1944, until such time as this session of the legislature could take appropriate action in the matter, and it is my hope that this will be done in memory of a fine gentleman, a great soldier, and a true Vermonter.

War Powers

The Legislature of 1943 granted to the Governor sweeping emergency war powers, effective until February 1st, 1945, the broadest ever granted a Vermont governor, only justified by the bitter fact of war. I have carried out my promise made upon its passage, that in return for the confidence placed in me the law would be administered with conservatism commensurate with the great trust which the power imposed.

Fortunately there have been only two occasions when I have had to use those powers. With the approval of the War Council, a proclamation was issued on April 14, 1943, making legal the blackout orders, and another on April 28th of that year, reducing our Motor Vehicle speed limits in the interest of gasoline saving, and fixing wartime truck loads and weights.

We here in Vermont may well be thankful that we have not suffered the ravages of war as in many parts of the world and that so little use had to be made of the emergency war powers granted to the Governor and War Council.

Veterans Affairs

Vermont has somewhat over thirty thousand men and women in the armed forces of our country. Some have already been released and are seeking readjustment to that civilian life they left upon enlistment.

Various opportunities and benefits have been provided for these returning veterans under a wide variety of sponsoring agencies, Federal, State and private.

The need was demonstrated some time ago for the establishment of one State agency to which the veteran could go, have the welter of confusion swept aside, and be properly advised.

I appointed a committee to study the problem. As a result, there was established the "Governor's Committee on Veterans' Affairs", a fulltime executive secretary appointed, and funds made available for that position and its activities by the Emergency Board.

The Committee has already published a guide for veterans in which is set forth every State and Federal Aid available to him.

There is being set up, under the Committee's sponsorship, a town by town organization so that in each community there will be available a counsellor to whom the veteran can go for advice and guidance.

This undertaking is of considerable magnitude and importance. Now existing under funds provided for its interim operation, it is my belief that specific action should be taken by the General Assembly to provide an appropriation for the continuance of the work.

The Congress of the United States recently passed the Servicemen's Readjustment Act of 1944, popularly known as the "G. I. Bill of Rights". This bill makes it possible under certain conditions for returning veterans to obtain loans from our State financial institutions on a much more liberal basis than these loaning institutions could ordinarily make.

However, under our present law, these institutions cannot participate in this type of loan. I strongly urge this Legislature to give early consideration to a law which will make it possible for returning veterans to share in the benefits of this "G. I. Bill of Rights".

These men and women will, we pray, soon return to Vermont.

We must be ready for them—

Ready with help—not ribbons;

With jobs and guidance—not charity;
With respect and gratitude—not only local praise.
Ready—for their destiny is in our hands—
And last, but not least—ours is in theirs.

War-time Federal-State Relations in Vermont

Vermont has not only been particularly fortunate but has profited by the high caliber of men assigned to Vermont to take charge of the Office of Defense Transportation, the War Production Board, the Office of Price Administration, the Selective Service, and other federal agencies located here.

These gentlemen have ably demonstrated a deep awareness of their responsibilities and on occasions without number have cooperated completely when called upon by your governor.

Agriculture

For the past three years Vermont Agriculture has gone to war in a big way.

The Federal Government early in the war asked agriculture to put all its efforts into increasing production of food, and Vermont has responded by the greatest production in her history.

The obstacles encountered have been many and serious.

Never before has the shortage of farm labor been so acute. There has also been a shortage of machinery, farm equipment, grain, feed, building materials and other agricultural necessities.

Not since pioneer days have women and children been required to take such an active part in the fields and in the care of dairy cattle.

All these obstacles have been overcome, however, by the sturdy, patriotic men and women of the soil, and their sons and daughters, and as a result the farms have produced more food than was produced in normal times with no such handicaps.

Our dairies produced milk enough last year to supply three and a quarter million soldiers or nearly one third of the whole armies' needs, if it all had been used for that purpose.

Figures for other production would be equally amazing. Not only have they produced more food, but in spite of the help shortage, they have found time to go into the forests and cut and haul vitally needed timber and pulpwood to help supply the great demands of war-time America for forest products. Records have been made in canning of produce by the women and girls.

It has required hard work on the part of our farm folk under most discouraging conditions. Besides the unusual hard work, those at home like many other citizens of our state, have taken upon themselves the extra work of draft boards, ration boards, state guard, civilian defense, and a host of other duties.

I have used the Executive Office in every possible way to help in the emergency, often carrying our farmers' troubles to Governors' meetings and to federal meetings where such subjects as equipment shortages, fair prices, grain and feed troubles and various aspects relating to our milk problems were discussed. Relief has been sought and obtained. Not the least of these problems was the situation brought about by curtailment of trucking facilities through reduction of the number of vehicles and ODT route consolidations, resulting in the rejection of large quantities of fluid milk at a Newport Creamery. This situation was given undivided attention and relief to the farmers in that area was quickly afforded. Again in 1943 authorization for leasing potato graders from southern states was given in order to more speedily handle the crop.

Early in the war there was set up a farm labor committee to give assistance to the farmers in obtaining help. Their work has been most beneficial, and as a result the State Supervisor reports that 1070 regular farm workers were placed and 5211 seasonal placements made, that a total of 5915 workers were ordered, indicating that the \$25,000 biennial appropriation of the 1943 Legislature was fully justified.

An act of the 1943 Legislature made it possible for the Governor to award a farm insignia to those boys who were deferred by Selective Service for farm work. There have been awarded over 9000 of these distinguishing

buttons. This insignia has been very much appreciated by those boys who have helped the war effort by producing food for freedom.

Two Suggestions on Agriculture

The State School of Agriculture at Randolph Center with its program of intensive, practical instruction in agriculture at low cost to the students meets a real need in our state plan for agricultural education. It should receive the support necessary to maintain its present standards and for expansion to meet the demands of the post war period.

The program adopted by the State in 1941 for the control of Bangs disease, in my opinion should be continued on its present basis; likewise for the eradication of tuberculosis.

At this time I wish to pay tribute to the Administration of former Commissioner of Agriculture, E. H. (Ed) Jones, recently resigned. I feel that through his conscientious work during the past twenty years, and through the efficiency of the department, under his guidance, Vermont Agriculture has received great benefits which will be appreciated more and more in the years to come.

Labor

In my message to the Legislature of 1943 I said:

“The most fortunate community is to be found where management and labor are not only enlightened but appreciative of the other’s position and problems. Experience in Vermont would indicate that here we have such a community.”

This administration has received the finest cooperation from Labor. We have worked together on many problems with satisfactory results.

While we have not always agreed, I have tried to be fair in my dealings and to be just. The patriotic spirit of both management and labor is to be highly commended during these trying war days and every Vermonter should be justly proud that, with but two slight exceptions we lost no time of war production due to work stoppages. This is truly a remarkable record.

During this administration, laws relating to labor have been liberalized.

Under the Unemployment Compensation law, the 1941 Legislature reduced the waiting period from three weeks to two weeks. The Legislature of 1943 increased the minimum weekly payments from \$5.00 to \$6.00 and also extended the duration of payments from 15 weeks to 18 weeks.

Under the workman’s compensation law by legislative action death benefits have been increased—numerical exemption has been reduced. Medical and hospital provisions have been greatly improved. Also other beneficial changes have been made.

We must continue to realize that if we are to have a prosperous state there must be unity between labor, agriculture, and industry; the success of each is dependent on the success of the others—that employer and employee must each seek to understand the problems and respect the rights of the other. There can never be a brotherhood of man if class is pitted against class.

Fortunately, in Vermont there is to be found a minimum of class consciousness and the ills resulting therefrom.

Industrial Development

Small industries have been the very life blood of many Vermont communities in normal times. In recent years, many of these industries have gradually faded out of our economic picture. As they have faded out, there has been developing an emigration from Vermont of our young people. In addressing the 1941 General Assembly, I said:

“This exodus of younger Vermonters has been going on for several decades. As an unfortunate result Vermont has a progressively smaller proportion of people in this productive age group (20 to 45) and an increasingly larger proportion in the older group (65 and over) than does New England or the nation”.

I became convinced, then and I still am convinced that an aggressive effort on the part of the Senate can do much to check and reverse the trend of this emigration of our youth if we seek to reestablish small industries in our Vermont communities.

Upon my recommendation, the 1941 General Assembly established the office of Industrial Agent.

Although good progress was made by that office in the first year of its existence, many of its functions were assumed and duplicated by a Federal agency set up to meet the existing needs of all out production for war. In view of the establishment of these Federal war time agencies and in the interest of economy, the activities of the State’s Industrial Agent were suspended.

I believe, however that there will be an even greater need for this office of Industrial Agent in the peacetime years to follow. Our towns and cities will continue to need industries to supplement the outlet for the talent of our youth, to assist the towns in their tax load, and generally to bring into better balance our State’s overall economy.

It is my hope that this Legislature will recognize the importance of this matter and will appropriate a sum large enough to allow this particular activity to be revived in full force **now** so that we may be ready to meet our needs in the postwar period.

Geologist

This State needs a well organized and financed geologist’s office under the State Conservation Board, to develop our mineral deposits.

Our hills are full of valuable minerals and they should be more thoroughly explored.

I believe there is considerable development that could be made in this aspect of our State’s economy that for years has remained untouched and neglected.

Many times during the war, effort has been made to locate vital and strategic war materials here but because we did not have the facilities to furnish the information, it was impossible to answer the call.

To me Vermont is losing a great opportunity for future development by failing to interest itself sufficiently in the valuable assets lying right at our door.

New England Governors’ Freight Rate Committee

The New England Governors appointed a committee known as the New England Governors’ Freight Rate Committee, to represent the New England States in proceedings before the Interstate Commerce Commission involving the railroad freight class rate structure of the country and to oppose various proposals pending before Congress for legislative establishment of so called nationwide uniformity of railroad freight rates. Certain representatives of Southern and Western states have claimed that freight rates in the South and West were unduly high in comparison with those in the North and the Interstate Commerce Commission is conducting an investigation into the matter.

The New England Governors concluded that the interests of New England required active participation in the Commission proceeding and active opposition to the legislative rate making proposals. This New England Governors’ Freight Rate Committee was appointed to this end. Mr. Heber G. England, appointed by me, ably served as a representative of Vermont on that Committee. The Committee has been active throughout the year both before the Interstate Commerce Commission and in the conduct of an educational program. The proceeding before the Commission is now awaiting decision and the proposed legislation, although still pending, has not been enacted.

Education

At the last regular session I asked the Legislature to increase the per equated pupil State Aid under Section 92 of the Acts of 1935 from \$15.00 to \$16. 50. This was granted, the first increase under the present system of State Aid since its establishment in 1935.

In 1943 I asked the Commissioner of Education and the State Board of Education to make a study of our situation in the public schools. They reported to me, among many other recommendations made public through the press and in booklet form, that an increase in State aid on the equated pupil basis should be advanced to \$25.00.

Upon recommendation, the Special Session of 1943 increased the \$16.50 to \$20.00, designating this advance "solely for the purpose of increasing teachers' salaries above those paid at the end of the school year 1944."

The \$20.00 was recommended because an overall budget of the State's financial condition was not available at a Special Session and it was considered good judgment to adopt the \$20.00 base until this regular session when with a complete picture of the State's financial condition in hand, a more intelligent decision could be made.

With the two increases made by the 1943 regular and special sessions of the Legislature only 659 rural teachers, out of a total of 2509 teachers in the state, receive less than \$1,000.

I am convinced that if we are to go forward in our educational program in this state adequate salaries must be paid to our teachers, and more state aid to towns made available to them. By increasing the per equated pupil amount to \$25.00, it will be possible for us to adopt the minimum salary scale of \$1000 for our teachers if you so desire.

It is my hope that this session of the Legislature will take favorable action in this respect.

In December, 1943, I asked the heads of the colleges and junior colleges and the commissioner of education to study the needs of higher education. Their Report, the first to be made in the history of our State, contains three significant recommendations

- (1) That colleges and high schools cooperate more closely by setting up a joint pupil guidance service and by making needed curriculum changes;
- (2) That adult education be established on a statewide basis through the efforts of local communities, the colleges, and the State Department of Education, and
- (3) That adequate provision be made to provide higher education opportunities for returning veterans.

The planning committee has organized itself into a Higher Education Council which will carry on a continuous study of the way in which the institutions of higher learning can improve the educational welfare of the State.

REVENUE

Highways

At the time of the 1943 Legislature, highway travel restrictions were being imposed, making the estimates of future highway revenue uncertain.

The appropriation act for highways was based on the best estimate then available for motor vehicle income for the next two years. No appropriation was made for construction by either the State or the towns; and maintenance appropriations were considerably reduced. An appropriation of \$1.00 was carried on each of the construction items otherwise omitted, and a provision placed in the Act that should the income be greater than the appropriation figures, the increase was to be apportioned to the several items as determined by the Emergency Board. An Act was passed providing that, if deficiencies should develop within the highway fund resulting from decreased motor vehicle revenue, highway flood bonds could be refunded to the amount of \$425,000 for each year. This was unnecessary.

At the end of the fiscal year ending June 30, 1944, there was no deficit but rather a surplus motor vehicle revenue of \$928,714.44 after flood bond payments had been made, which, upon recommendation of the Highway Department, was allocated by the Emergency Board to the reduced items in the appropriation act, thus restoring to the towns for their road work sums which they had agreed to do without when the estimated income was expected to be so low.

With this restoration of appropriations the towns have their full amount for town road work, and their \$60 per mile for State Aid construction this year. Some of the additional revenue was allotted to maintenance items, and part for postwar construction.

The maintenance of highways during the last four years has been a difficult problem because of increased costs, decreased appropriations, but mainly because of shortage of materials and manpower. Old equipment cannot be replaced to any extent. Our highways have not been allowed to depreciate; special maintenance has had to be applied through certain sections because of the excessive loads they have had to accommodate due to traffic imposed by war activities.

The engineering personnel of the Highway Department has been materially reduced, but a small force is making plans so that road and bridge jobs can be let immediately following peace, a process usually requiring considerable time. Plans are now ready for about \$2,000,000 worth of work.

Public Welfare Department

With the increased emphasis on welfare work, together with new and scientific methods developed in the care of the unfortunates throughout the nation, the last few years have seen the attention of state governments called, on repeated occasions, to the needs and problems of its welfare services and the institutions under the latter's control and direction.

The State government of Vermont has been no exception in that respect.

To these everyday problems of administration there has been added one of considerable magnitude directly traceable to the war, that is to say the labor turnover of institutional employees. One of our State institutions, for example, had an 80% labor turnover in one year. Another which is located in the center of Vermont's industrial section where high wages are offered by industry has found it almost impossible to retain the number and quality of help that the institution requires.

During this period, in spite of these handicaps, studies have been undertaken improvements made and plans outlined for adoption with the return of normal conditions.

A night school has been put into operation at the prison, and in all our major institutions the religious program has been broadened. Mass is celebrated for the Catholic population once a week and a Protestant Service is held once a week, with special religious education provided for the children in our institutions. When we remove persons from society it is our duty to make it possible for them to have religious and educational benefits, two factors most important to any rehabilitation program.

A farm coordinator now has general supervision of the several farms at the different institutions, and a uniform report system has been installed.

In addition to the foregoing, studies have been made of the State prison, the Brandon School and Weeks School.

The Osborne Association has remained in close touch with the House of Correction and State Prison at Windsor, continuing the study originated some years ago. The recommendations made by this reputable and capable organization have proven of great value; those suggestions that could be followed have been followed. The full report has been released and I invite your attention to those features which require legislative action if we are to have the modern type of penal institution that trained penologists tell us will meet minimum requirements.

Our State's prison population is at its lowest point in years. This is a condition always prevalent in wartime when adult crime decreases and juvenile crime increases. We must look forward, however, to the time when the population may again be at its maximum.

The Brandon State School was the subject of a careful study made by Dr. Samuel W. Hamilton in 1943. As you are aware provision was made by the last legislature for the construction of two buildings at the Brandon institution. The war has rendered it impossible to go forward with the construction. The need remains great, however, and additional plant to that already authorized will be necessary.

Our Brandon institution is badly congested. Originally set up as an institution for feeble minded children, it now houses a total of 380 patients, many of whom are adults but who were placed there in childhood. We are without laws for parole of those who might be returned to society under adequate supervision. The crowded condition there keeps out many children of the present generation who should be there and this deprives many families of needed relief to which they are entitled under our laws. There are approximately 125 on the waiting list at the present time.

Weeks School has again presented difficulties.

Late in 1943, rumors began to come to me and to the Commissioner of Public Welfare that there was trouble there. As soon as possible, Roy L. McLaughlin, Superintendent of Connecticut State School for Boys at Meriden, was engaged to make a study of this School. His services were obtained after consultation with Dr. Samuel W. Hamilton, Mental Health Advisor of the U. S. Public Health Service, and through the cooperation of Governor Baldwin of Connecticut.

The McLaughlin report was made public in full through the press so I will not go into the details except to say that as a result an advisory board was set up to advise with the Commissioner of Public Welfare.

This board is comprised of outstanding citizens representing business, medicine, religion, social work, psychology and education.

This board has given a great deal of their time, on a volunteer basis, in an advisory capacity to the Commissioner of Public Welfare, by making recommendations to him which in their judgment are for the good of the school, based upon the McLaughlin report.

They have been constructive in their recommendations to the Commissioner of Public Welfare, all of which according to the records he has passed upon. I believe progress has been made in this School with their assistance and their recommendations.

But I do not believe future difficulties have been eliminated and will not be until one outstanding obstacle is removed, namely, the keeping of boys and girls together at the school, a practice not now acceptable, a factor brought out forcibly in the McLaughlin Report.

I believe we should establish a definite school for boys and one for girls. Until that is done we will have, as heretofore, periodic disturbances at this institution.

It appears to me that ground work is now being laid whereby the Weeks School can ultimately perform a great service to the State in the rehabilitation of the great majority of these young people. This is the one institution dealing with youth who through no fault of their own, are often problems. With wise modern procedures, Weeks School can prove to be the crucible by which they enter useful worthwhile lives.

There are about 1080 patients at the State Hospital at Waterbury with bed space for only 920. These unfortunate patients are entitled to all the care and treatment that modern science can give them. We should not be lax in adopting new methods to help them on their way back to health. This large institution is understaffed and it is under manned and in great need of increased facilities. There has been a change in superintendents in this institution during the past year.

A committee appointed several weeks ago has completed a study of the building needs of all the state institutions, its institutional system and placement, as well as a limited study of existing laws relating to our welfare work. Their report will show the necessity of the building needs of our institutions and could well be

followed by the legislature in this regard. The estimated costs of an immediate building program is \$750,000. Funds for this purpose are available from the unappropriated surplus.

The work of the Department of Public Welfare has grown by leaps and bounds during the past few years. Demands have come from the Federal Government and citizens of the state; social work and social agencies have grown, all needing attention from the Commissioner.

The Commissioner should be relieved from all his ex officio duties, such as Milk Control Board and others.

I am convinced also that there should be set up by law a director of institutions. While this could be done without the enactment of a specific law for this purpose, I nevertheless believe the Legislature should create the office and define his duties, giving him full charge of the state institutions under the Department of Public Welfare.

All the ills of our institutions cannot be cured by money or Acts of the Legislature. There must be a changed attitude toward the purpose of these institutions and a deeper realization that the main purpose of such institutions is the rehabilitation of those unfortunates who are inmates therein, and for whom the State has a responsibility of attempting to make better citizens.

As you will see, we have tried to bring about such remedial changes as were possible with wartime conditions.

State Employees

Much has been done during the past four years to recognize the faithful and efficient service of the State's 1300 employees and to make available the benefits to which they by right are entitled.

Retirement System. I am happy to report to you that the retirement system was established in April of 1944 after thorough study and much research. As of today, approximately 77 per cent of those eligible State employees have joined the system, thereby indicating their desire to join with the State in providing for their personal security.

The passage of time will, I am sure, amply demonstrate the wisdom of the Legislature in providing authority for the establishment of the employee's retirement system, that the time and effort devoted to this matter by the Governor and the Emergency Board was well given, and that the plan devised and adopted by the Board has met the present needs of our Vermont problems.

I offer this suggestion: let us not be too eager to change the details of the plan now in operation until we have the benefits of a longer period of experience to guide us in effecting such changes as have been demonstrated to be needful.

Group Hospitalization. In addition to the retirement system, the benefits of a group hospitalization plan have been made available to the employees of our State government. Nearly every employee has wisely taken advantage of the benefits available to him under this plan at a small monthly cost to the individual but with no cost to the State.

Uniform Rules and Regulations. Moreover, uniform rules and regulations have been adopted so that all departments operate on a basis of equality of treatment. Included in these are to be found sickness and vacation pay provisions in all departments, including institutions.

Uniform Classification and Compensation. When I assumed office in January 1941, the uniform classification and compensation plan was in effect for employees who were paid from Federal funds. This plan has been expanded to include all employees so that now all are on a uniform basis.

In this connection, there was established an office of personnel director. The duties of the director have been several, but among them there has been carried on a study of the salaries paid to State employees, the establishment of personnel records, the classification and compensation plan to which reference has been made, and comparisons of our set-up with those of our sister states.

I do not, I am sure, have to point out in passing that increased living costs and higher Federal taxes have made it imperative that we in Vermont give thought to and reflect those increased costs of living by upward adjustments in salaries to the State employees. In the course of our studies there has been recorded the following information relating to salary increases made during the four years:

It was found that the wage scale in our State institutions was far out of line, and, if we were to remain in a position to retain our employees at the institutions, something had to be done immediately.

In 1940, the 443 employees at our institutions received a total payroll of \$355,716; in 1944, 450 employees were receiving a total payroll of \$522,000, a total increase of \$166,284.

Even though the other State departments had had more recent attention in salary adjustments, it became necessary in order to compensate for increased cost of living and higher Federal taxes, to institute general salary increases. In 1941 the payroll of the State for Departments and institutions was approximately \$1,500,000 for approximately 1300 employees. In 1944 the overall payroll of the State was \$1,830,000 and there are approximately 1238 employees. This shows a general overall increase of the payroll for the period of 1941-44 of \$330,000, with approximately 60 fewer employees, and reflects an average salary increase of 28 per cent over this period. All these figures do not include per diem workers or those employees on an hourly basis.

I must point out, however, that there is one field wherein rising living costs and higher Federal taxes have not been reflected by upward revision of salaries paid—and that this matter should have your serious and sympathetic attention. I refer to those salaries set by statute and that can be revised only through legislative act.

After four years of close contact with the department heads made closer through the innovations by me of frequent meetings with them as a group around the table in the Executive Office, I can tell you, without reservation, that the State government of Vermont is capably run largely through the excellent administration of the laws by the heads of our State departments. We must provide salaries commensurate to the responsibilities placed upon them and I feel that as of today and the times, we are not meeting our obligation.

The ground work has now been laid so that this Legislature can adopt a merit system by law that will be efficient and workable and give to the State a well rounded program of employment.

Unemployment Compensation Commission

The Unemployment Compensation Trust Fund of nearly eleven million dollars appears to be more than adequate to meet any obligation under the present law, notwithstanding the fact that many additional workers are now covered under the system due to the expansion of employment on account of the war.

It is expected that during the period of reconversion to peacetime production there will be a displacement of workers, and it would seem to me to be good policy to make preparations and adjustments that will insure the utmost assistance from our unemployment compensation system.

On January 1, 1942, at the request of the President of the United States, I, as Governor, agreed to transfer the State Employment Service to the Federal Government, but stipulated that the transfer be limited to the duration of the war. This Service should be returned to the State at the earliest practicable moment, because only through the closest integration of the Employment Service and the Unemployment Compensation Commission can the provisions of the Vermont Law be carried out to the utmost degree of efficiency.

New State Office Building

One of the disappointments of this administration has been our inability to proceed to erect the new state office building, authorized by the 1941 Legislature. In my message to that Legislature I explained the need for the building. The bill authorizing the building appropriated a sum of \$600,000. It also set up a Building Commission consisting of the Governor, the State Purchasing Agent, and three commissioners appointed by the Governor, charged with the responsibility of purchasing necessary sites, employment of architects, and to proceed with the construction, if conditions warranted.

The Commission immediately began to carry out its duties. Two building sites were purchased at a cost of \$35,000—these adjoin the old brick office building on State Street opposite the State House.

Architects were retained, who made a thorough study of all the state departments, their requirements of additional space for present needs and further expansion.

Preliminary plans were drawn for a four story granite veneer structure to harmonize with the State House, and were approved by the Commission.

After this preliminary work was done, labor and materials became unavailable because of vital war needs. The Commission did not want to have an unfinished building standing for the duration of the war, and therefore continuation of the project was postponed.

Since the preliminary plans were drawn in 1941 it has become evident that a five, rather than a four-story building is needed and the Commission voted at its last meeting to recommend to this legislature that an extra story be added.

The State's business has grown with the war, and it will continue to do so. Then, again, the first study did not provide housing for the Welfare Department. Over this last two years that department has grown and needs not only safe quarters but additional space.

The new Office Building fund now available and earmarked in the State Treasury is \$533,000—after the purchase of property, the architects fees and other costs have been deducted from the original appropriation of \$600,000.

I am advised by the Architects that to meet additional building costs over 1941 for labor and materials, and for the extra story, an additional appropriation of \$150,000 will be needed. There are ample surplus funds to take care of this additional expense and thus continue the State's policy of using surplus funds for capital improvement and future obligations.

I do not need to go into more detail as to the necessity of this building. After four years close contact with the State's business I am convinced that the saving in rent costs for outside state property and the elimination of the inefficiency of doing business under overcrowded conditions in many of the departments will more than repay the State for the expenditure.

I hope this Legislature will provide the additional funds necessary so that this project may be undertaken the moment conditions permit.

Flood Control

Much has been said and done during the past four years concerning the attempt by the Federal government to erect so-called flood control projects in the valleys of southern Vermont.

The contention of your State government and your elected representatives in the Congress has been that the State government should be consulted and have a voice in any such proposed undertaking.

This is not a new question nor has the last been heard concerning it. The same matters plagued my predecessor in office and I fear will rise to plague my successor.

My efforts, as your governor, have been directed toward the rights of the State.

The situation at the West River location and at the so-called Wilder development are not the same. In the West River situation no state agency representing the interest of Vermont and Vermonters was then admitted by the Federal government as having a voice in determining either the need for a dam or the compensation for land seized under eminent domain proceedings. In the so-called Wilder Dam proceeding, a case where a dam in existence for many years is sought to be enlarged, the State does have a voice provided by statute.

There is an existing deficiency in our Vermont law in the latter respect, however. There should be lodged in some state agency, such as the Public Service Commission, the power and authority to pass upon such projects as the Wilder redevelopment prior to the date when the condemnation of lands is sought. This is a question upon which, if you desire so to do, you may legislate at any time and is a matter particularly within your province.

A special committee was set up by the last Legislature to study the proposed development of the Wilder Dam and to report their findings to this session of the General Assembly. That committee, provided with funds

by legislative appropriation, was further instructed to examine the laws relating to dams and hydro-electric developments and to recommend such remedial legislation as they deemed desirable.

In the proceedings at Hanover relating to the Wilder development, held under the auspices of the Federal Power Commission, the State of Vermont was represented not only by the full membership of the Public Service Commission and by this special legislative committee, but also by representatives of a three-man board on water resources appointed by me to undertake special tasks in connection with this proceeding and the West River controversy. There has been great interest displayed by those who have the Wilder Dam situation at heart, because of their being adversely affected by proposed developments in that area.

There has been cooperation all along the line between the citizens of the Wilder Dam area and the legislature and authorized state officials.

In connection with the West River development, Freeman, Incorporated, an organization of citizens whose homes would be adversely affected by this development, have been unceasing in their opposition to it. They have carried their fight to any and all whose interest in and support of their position could be obtained.

I have sought to enlist the assistance of my fellow governors in our cause whenever occasion presented itself, carrying our message to governors' conferences and in many instances, provided with a \$10,000 fund by the Emergency Board, representatives of your State government have been sent to conferences with federal officials, with officials of our sister states, and with members of Congress in both House and Senate.

The immediate objective of the drive spearheaded by your State government was to secure a suitable amendment to the flood-control bill that not only made provision for this West River project but which was before the Congress for action.

A flood control plan for this particular West River area was devised by the State Planning Board assisted by special hydraulic engineering counsel retained for that specific purpose. That plan called for a series of small dams instead of one big dam. That plan was offered to and accepted by the Congress as basis for developing the flood control program in the West River.

There has been much labor in this whole controversy on the part of those representing the Vermont viewpoint. The Vermont congressional delegation has rendered complete cooperation throughout.

It is gratifying to me to be able to report that the joint effort of all those engaged in waging this fight has been successful and that the right of the State to have a voice in under takings within its borders has been recaptured.

Vermont Building at the Eastern States Exposition

When the Vermont building at the Eastern States Exposition at West Springfield, Massachusetts, was constructed about fifteen years ago, it was expected that the demand would exceed the amount of space available. This has not been the case. Vermont industry has not been interested in displaying products; only the valiant work of the late and honored Morton Downing, in particular, and of the Building Commission, has kept the financial account out of the red. In spite of much travel and many hours of attempted selling, space was not entirely purchased at recent expositions. As a consequence, the balance was going down. A fortunate contract with the Army for use of the structure resulted in a balance of \$4,044.52, some of which will have to be spent for repairs.

It is my recommendation that the Legislature appropriate for the maintenance and operation of this building and that space no longer be sold. The Legislature should also consider a change in the law to place the building under the management of a state department instead of asking men otherwise engaged to give their time.

Federal Work Relief Fund

Since 1937 there has been setup a fund at each session of the legislature to carry on work relief projects. At each session the fund has been reduced to meet existing conditions on work relief.

The Works Projects Administration ceased operation in Vermont on January 26, 1943. At that time I asked the Legislature which was in session to appoint a legislative committee to study all the projects then in operation and to determine which ones they deemed essential to be carried on under the work relief funds of the State.

This was done and I received from the Legislature a report in which I concurred, naming the school lunch program essential. Immediately receiving this report I set up the school lunch program under the Department of Education and used the appropriation for federal work relief funds to finance it.

It seems to me that the Federal work relief fund which was established in 1937 should now be entirely eliminated and an appropriation made to finance the school lunch program direct from the Department of Education.

Recreation

In November 1943 I appointed a State Recreation Committee of statewide representation in order to meet the growing need for increasing and improving recreational opportunities in all sections of the state for children, youth, adults and service men.

In December 1943 I called the first state-wide Conference on Recreation. The Conference drew a large attendance and showed the extent of Vermont's recognition of the need for a state recreation program.

A state office was set up under the Council of Safety as one of the war services and a fulltime state director was employed.

Keeping in mind the need and the purpose it has been possible to offer practical assistance to the communities of our State.

The development of local Recreation Councils and Boards, the planning of local recreation facilities, including post-war plans and facilities as "living memorials"; the formulation, planning, and financing of comprehensive programs; the recruiting and training of leadership have been features of this assistance to the towns.

To date over 200 towns in the State have requested the director's help. The basic necessary work is beginning to bear fruit. Towns and villages throughout the State, realizing their responsibility to provide recreation, are using their facilities and resources more effectively.

Public concern about recreation is not new to American life. It is an interest of practically every function in which government participates, schools, law enforcement, conservation, planning highways, health, welfare and even trade and commerce. It is for all ages in all walks of life. The benefits to the community are numerous.

Our boys and girls in the armed forces have been introduced to the best in recreation and know the importance of it in their daily lives. No right exceeds the right of a veteran to speedy rehabilitation and a right to a normal life. Veterans are coming back expecting clubs where they can meet old friends and will insist on decent places for their families to live and play. The towns offering recreation to the returning veteran will keep their loyalty and interest.

We cannot afford any loss in population and in consequent industry so that viewed from the economic as well as character building and rehabilitating angles, it is necessary to continue the work already so well begun in war-time as a peace-time program.

In the past we have underestimated the importance of recreation in attracting industries. It is important for just plain good business reasons.

My recommendation to this Legislature is that this valuable work be continued and carried on under the jurisdiction of the Department of Education and a fund for its continuation be appropriated. Recreation should be recognized as a vital, necessary and important public service.

University of Vermont and State Agricultural College

The Legislature of 1941 directed me to make an investigation and report on both the educational and financial status of the University of Vermont and State Agricultural College. I secured the services of some of the most experienced experts of the country on both phases of the matter and the reports were published on July 9, 1941. The situation as disclosed by these reports was even more serious than had been anticipated and it became obvious that substantial assistance from the State was necessary in order to insure the continuance of the educational work of the University. I called upon the Special Alumni Committee for support and assistance and for the presentation of a practical plan of rehabilitation.

At the same time I appointed a Public Advisory Committee made up of outstanding citizens of the State in order to secure the benefits of their study and recommendation.

This special Advisory Committee of citizens spent several weeks in a very serious and painstaking study of the facts and recommended to me a plan of rehabilitation.

I called a special session of the Legislature in September and after six days of consideration the general recommendations made by the Committee were followed and an appropriation was made sufficient to meet immediate needs. A further appropriation was made payment to be upon condition that an equal sum be contributed by alumni and friends of the University. The Alumni campaign for funds resulted in the receipt by the University of contributions in excess of \$300,000, more than enough to meet the legislative requirements.

The position taken by temporary President Packer and by temporary Business Manager Disque before the Special Session in 1941 was very clear and definite to the effect that this University would require \$150,000 to \$225,000 a year annually in the future in order to maintain its position as a first class institution. In my message to the 1943 Legislature I said in substance that the University would need \$150,000 in each year of the biennium 1942-3 and 1944-5, in order to balance its budget.

The appropriations made by the Special Session in 1941 and the 1943 Legislature have not all been required by the University, due to a combination of circumstances resulting in unforeseen income and gifts, and therefore was not requested.

The budget of 1943 was balanced and a surplus of \$100,000 was carried forward to the next fiscal year so that only \$50,000 was requested from the Legislature of 1943 for the fiscal year 1944. Just prior to the close of the fiscal year 1944 it was found that the income of the University was sufficient to meet expenditures without using the money appropriated by the State, therefore the State was not called upon to pay the sum appropriated to the University for the fiscal year ended June 30, 1944.

Since the rehabilitation plan has been in operation only the appropriations made for the fiscal years 1942, 1943, have been used and the 1945 appropriation will be required.

However, this does not mean that there is any prospect of the State making a decrease in its contributions in the future or at least for some time to come.

The University of Vermont and State Agricultural College, like all universities, has had to meet problems of extreme difficulty during the period of war. With the drafting of virtually all young men, the University enrollment was rapidly reduced after Pearl Harbor, which of course resulted in a sharp drop in the University's income from student fees. The adjustments necessary to meet this condition have been successfully met with appropriate reductions in the University's staff and operating expenses. The University has had the great satisfaction of serving the nation by training members of the armed forces. Several thousand young men have been trained in various specialties by the University. The largest number on the campus at any one time was approximately 1500, a number equal to or slightly greater than the peace-time enrollment of the entire institution.

Now that the training period has been completed, the University has returned to essentially a civilian institution. With all its facilities available, the University has found it possible to admit additional women students and this fall the largest freshman feminine enrollment in the history of the institution was recorded.

Though the University is operating at a point considerably below its maximum capacity, nevertheless all departments are being maintained and the minimum income necessary is being received.

There has been continued progress, however, and I am pleased to report that to you today, but it does not mean that the University is out of the woods.

The notes payable as of June 30, 1944, were \$324,063.98. This liability on June 30, 1941, amounted to \$445,160.00, which are a reduction of \$122,096.11 in three years. The annuities payable have been reduced from \$49,461.32 to \$44,496.29 during this same period.

Success of the plan laid down in the 1941 legislature depends of course upon the continued support by the State through the action of this and future legislatures and also upon the loyalty of the alumni and friends of the University.

In any discussion of the affairs of the University with the 1945 Legislature there is associated with it the future plans for the expansion of the College of Agriculture.

These plans have met the approval of agriculture groups over the State and have clearly shown that an expansion should be considered.

I am thoroughly in sympathy with this endeavor as I feel sure that an aggressive, well equipped College of Agriculture would do much for the State's agricultural interests and I hope to see a full realization of the plans. The State has done little over the years towards furnishing facilities for resident instruction on the campus in the College of Agriculture.

Too much stress, however, cannot be put upon the continuance of the rehabilitation program started in 1941 if we are to put the University on a sound financial basis. The two programs must not be confused.

(See House Journal, Page 25-33, 1941 Special Session for full details of condition at that time)

“In times of plenty, let us prepare for times of scarcity.”

Finance

Over these war years families as well as states have had unprecedented incomes . . . big wages to the workers and big income to the states because of greater earnings by individuals and business concerns.

Our State income has increased over these years to the largest point in our history. The problem has not been how to get money, but how to conserve it.

Early in my administration I adopted the program of “save for a rainy day”, without, however, pursuing any policy which would impair the efficiency of our State government; so today I can report to you a sound financial condition exists in our State finances.

The reserves which have been built up will stand us in good stead in the postwar era, which, I hope, is soon to come.

Briefly thus:

Unappropriated surplus, June 30, 1944 (Present trend would indicate a substantial increase before the end of this fiscal year).	\$ 1,006,000.00
Soldier Bonus Funds, earmarked State Office Building \$600,000 appropriated by 1941 Legislature, property purchases for site, architects' fees, etc., leaves balance on hand	2,500,000.00 533,000.00
Buildings authorized at Brandon State School	120,000.00
Highway Funds on hand, approx.	1,000,000.00

	\$ 5,159,000.00
Unemployment Compensation Fund—approx.	11,000,000.00

	\$ 16,159,000.00

This backlog of funds will help us to meet the period of construction by furnishing jobs and help cushion any extended period of unemployment that may arise.

No additional taxes have been voted during this administration. A small reduction in bank tax has been made and the amusement machine tax has been eliminated.

Besides the available funds the State debt has been reduced, January 1, 1941 to January 1, 1945, from \$7,668,000 to \$3,875,000 nearly 50 per cent, and thereby a saving in interest payments on the debt of \$88,439.50 has been effected.

Another innovation of this administration has been the investment of funds on hand in Government securities. Income from this source has produced \$41,475.03 in 1944.

The soldiers of this war will not be obliged to help pay for their own bonus as did the veterans of World War I. At that time the State bonded for \$1,500,000 to meet bonus obligations and we are still paying it off with 26 years of interest payments added, the unpaid balance on October 1, 1944, being \$238,000. I expect the \$2,500,000 already earmarked will nearly meet the State's financial obligations to the servicemen of World War II.

On November 21, 1944, 2393 veterans have received their bonus payments, amounting to \$212,589. 05, or an average of 88.00 each. On this basis of 30,000 veterans entitled to payments at this average rate, our obligation would amount to \$2,664,000, providing, of course, that recruiting does not go on for too long a time. Only time can answer that.

The fund of \$2,500,000 already earmarked for this purpose was taken from surplus funds at that time. I suggest that at least \$200,000 additional be set aside for the next biennium, and that amount be taken from the present unappropriated surplus fund.

I am proud of the State's financial condition today, particularly after all our war demands have been met on a pay-as-you-go basis. Added to that, there have been extraordinary calls on the State Treasury, including the University of Vermont rehabilitation, Highway allowances, increase in Old Age Assistance appropriation, adjustment of wages and increased appropriations for the State Institutions and welfare work, and many others .

What the future holds for the State's revenue no one can tell. I do feel, however, that the present high rate of income cannot always continue and the funds accumulated during this period should be guarded carefully.

Post-War Planning

During the latter part of 1943 I called together the State Planning Board to formulate plans for the state in the postwar era. The State had been ready for war and I wanted it to be thinking about a peacetime plan.

To make a study for this purpose, I appointed eight major committees representing Agriculture, Education, Manufacturing Industries, Public Works, Recreational Development, Transportation and Communications, Labor, and Promotion of Business.

In asking citizens of the State to take their places on these major committees, I received perfect cooperation and acceptances from 85 outstanding citizens.

In describing to them the purpose of their work and their duties, two objectives were outlined:

1. To find ways and means to provide, through private, industry and public works, jobs for our returning veterans and others.
2. To plan for long range improvements which will be of benefit to the State.

The major committees were split into sub-committees when necessary for specific work, and the work has been carried out on the local as well as on the state level.

After the reports of the various communities had been approved at a meeting of the committee chairmen they were summarized by the Planning Board and put into printed form.

There will be placed on your desks the results of their labors, and this document should give you a good overall picture of the extent of state and local planning for the postwar period, based upon the two objectives outlined. It shows that Vermonters are aware of the complications of the future, and are attempting to do something about it. The plan deals with our recreational or tourist business, Fish and Game, Forestry, Publicity and points to their importance in our economy.

I want to thank the members of these committees who have given of their time and effort to this endeavor.

I am proud in my retiring message to you to report that our state was ready for war and valuable information is prepared for the period following war's end.

And now we come to the close of this administration

For over three years now, this nation has been engaged in bloody conflict with the most dangerous and unscrupulous enemies that have ever dared to challenge us. Our fighting men, including the cream of America's youth, are meeting those enemies in all parts of the world. Thousands have already given their lives in the service of their country. Thousands more have felt the grievous wounds of battle. Many will return to carry the disabling scars of war until they die. And thousands are today behind the barbed wire of enemy prison camps waiting for the release that only a victorious peace can bring.

Here at home, many Vermonters, beneath their pride and courage, already know the full depth of sorrow and the bitter price their sons have paid and are paying for our victory and our freedom. Many homes have felt the deadening shock of news of the death, disappearance or wounding of their loved ones. Many more will do so before this war is won.

All of this, plus the knowledge that our enemies are not yet beaten and that the road to victory is still long and hard and bloody, is a challenge to us at home to do our utmost to back up our fighting forces till the last shot is fired.

We must keep our state and our people alert, organized and ready for whatever emergencies the unpredictable course of war may bring. Emergency measures already taken and emergency organizations already created and functioning should be carefully examined before they are allowed to lapse or disintegrate. All that is good and useful, or may prove to be useful and necessary, in our existing war emergency legislation and organization should be preserved until the crisis which prompted its creation is ended by victory.

Governors may come and Governors may go, Legislatures may come and Legislatures may go, but so long as the people of our State continue honestly to follow the principles of good government set forth in our Constitution, so firmly established in the hearts of our people, Vermont will go forward to greater accomplishments.

As Americans we can, and must, live up to the standards laid down by the immortal Lincoln in those difficult war days of 1865, alike in so many respects to our war days of 1945.

His wholehearted endeavor to bring the war to a successful conclusion was the same then, as is ours now.

Yet, in all, he held clearly before this nation its fundamental faith in God and man. As he did so, he gave to us these imperishable words which today I urge all Vermonters to adopt as their guide, their inspiration and their goal—

“With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work up the nation's wounds, to care for him who has borne the battle for his widow and orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and all nations.”

The Governor, having concluded the reading of his message, was escorted to the Executive Chamber by the committee appointed by the Chair.

The Joint Assembly dissolved.

RAWSON C. MYRICK,
Secretary of State, Clerk.

Farewell address
of
Stanley C. Wilson
As it appears in the
Journal
of the
Joint Assembly
1935

Thursday, January 10, 1935
Farewell Address

Members of the General Assembly:

It is a Vermont custom that a retiring governor shall submit to the General Assembly a report of the governmental activities of the state during his administration, together with such recommendations and suggestions as he sees fit to make. In accordance with that custom, I now give you a brief account of my stewardship. I shall confine suggestions to those matters which have come especially to my attention through the experience of the past four years.

During this period we have dealt with numerous unusual and serious problems. Twice it became necessary to call special sessions of the General Assembly and we have had to deal with emergencies of many kinds and of serious import which have called for manifold activities outside the ordinary course of our state government. Under the circumstances I have not hesitated to call many times upon state officials for service outside the prescribed duties of their respective offices and to call for aid from local officials and private citizens as a matter of patriotism for the good of the state. To a marked degree I have been given full cooperation by officials and private citizens. Vermont is fortunate to have officials and employees who, though generally underpaid, give to their state honest, patriotic and efficient service.

STATE INSTITUTIONS

Our state institutions are in excellent condition.

I have to report that on July 30, 1934, the barn at the state prison farm was totally destroyed by fire. The loss was determined to be \$25,800.00 on the building, and \$10,455.05 on personal property, which included a large quantity of hay. A new barn, a little larger than the one burned, has now been completed and is in use. The cost of reconstruction was largely covered by the insurance received.

Since this fire, a new water supply has been provided for the prison farm with storage reservoir capacity of approximately 3,000,000 gallons. This water is piped to the farm buildings and hydrant service with about one hundred fifteen pounds of pressure provided for fire protection. This reservoir and water system was put in largely with prison labor and at comparatively small expense to the state, the cost being cared for from regular appropriations.

PRISON LABOR

Due to the provisions of the so-called Hawes-Cooper Act enacted by the 70th Congress and which became effective on January 19, 1934, a serious problem has been created as to employment of prisoners at the State Prison and House of Correction at Windsor. Under the provisions of this act, prison-made goods shipped from Vermont into any other state are subject to the local laws of such state, if the state has accepted the provisions of the act. Sales, if permitted at all, must be made under such regulations as the state law requires. The Supreme Court has not yet passed upon the constitutionality of the act. Considerable study has been made with a view to establishing at the state prison some industry or industries which will be suitable for prison labor and in which the manufactured product can be marketed, but in view of the unsettled state of the law, no definite conclusion has been reached. I suggest that the proper state officials be authorized by you to take action in this matter at the proper time.

INSURANCE ON STATE PROPERTY

During my first term it became evident to me that the insurance on state property needed revision. Conferences were held with insurance officials, and as a result a complete appraisal of state property for insurance purposes was made by a competent man approved by me and at the expense of the insurance exchange. As a result of this appraisal and negotiations conducted by the Commissioner of Finance and the Commissioner of Banking and Insurance, the amount of fire insurance was considerably increased but lower rates were obtained so that the net cost of the increased insurance was small. The insurance is now handled

through master policies with placement of insurance distributed among the different companies doing business in the state proportionally to the amount of tax paid by them to the state. This new arrangement reduces the possibility of dispute in case of fire and has distinct administrative advantages.

REVISION OF PUBLIC LAWS

The revision of the Public Laws of the state, authorized by the General Assembly of 1931 and continued under authority of the Legislature of 1933 has been completed. The cost of this revision was kept within the estimates and was considerably less than some previous revisions.

CONTROL OF TRAFFIC IN INTOXICATING LIQUOR

At the special session of the Legislature held last April there was enacted a new law for the control of the traffic in intoxicating liquor. It provided a state store plan for the sale of distilled liquors and provided for licenses for the sale of malt and vinous beverages. A State Liquor Control Board was created.

Eleven state stores were opened for business the middle of June and two agencies a little later. Up to the first day of January, 1935, the net profits to the state without deduction for possible income taxes payable to the federal government amounted to \$150,464.19. The revenue to the state up to the first day of January from license fees and druggists' permits amounted to the further sum of \$12,030.00. State taxes received on malt beverages for the six months ending December 31, 1934, amounted to \$51,967.40. License fees for the sale of malt liquors at retail are paid to the towns and cities where the licensed places are located.

On the whole, I think the operation of this new liquor control law has been as satisfactory as could be expected. No law dealing with the traffic in intoxicating liquor will be entirely satisfactory. Every reasonable effort should be made to control the traffic, to eliminate bootlegging, and to build up intelligent and powerful public sentiment in support of the control laws. Especially should effort be made to encourage temperance by making intemperance unpopular. We do not want to encourage the use of intoxicating liquor for revenue purposes. We want to discourage its use, but if it is to be used, the state should have the revenue and profits instead of letting the liquor interests and bootleggers control the business.

STATE PUBLICITY

The campaign of Vermont publicity which has been carried on for some years is getting results. I believe the money provided for advertising Vermont is well spent. About one-third of the appropriation is used for newspaper and magazine advertising, about one-third for publications, and the remaining third for exhibits, pictures, salaries and office expenses, contracts with travel bureaus, information booths and other activities. The publicity is intended to cover Vermont agriculture and Vermont industries and to stimulate the great recreational and summer business of the state. I believe that the future prosperity of the state depends to a large extent on the development and utilization of our wonderful scenic wealth to supplement our agriculture and our industry. I am proud to have had a part in publicizing Vermont through numerous broadcasts and other public addresses.

I commend to your consideration a report of the Vermont Bureau of Publicity recently published, and hope that you will continue this activity with such reasonable appropriation as you feel able to provide. We need the business which this advertising brings to Vermont.

EDUCATION

Education is essential to the safety and proper administration of a representative government. Our purpose should always be to improve educational facilities and so far as reasonably possible to make them equally available to all our young people, whether they live in populous communities or back on the farms. We may admire the success of individuals who have lacked educational advantages but that is no excuse for failure to do our best to remove from all our young people any educational handicap.

The last legislature provided for a commission to study the educational system of the state and make report as to facts, with suggestions for improving conditions. This commission has completed its labors and its report will be submitted to you. I commend this report to you as worthy of careful consideration.

BANKS AND BANKING

One of the emergencies which has had to be dealt with during my terms as Governor pertains to our banks. The general economic condition resulted in a great reduction in the values of real estate. Property owners to whom our banks had loaned money were unable to make their payments and in many cases were unable even to pay interest and taxes. The value of the security was greatly reduced. The entire investment market was greatly affected.

The last legislature provided legislation to deal with this situation. This legislation enabled banking officials to safeguard the interests of depositors without undue hardship to borrowers. Our Vermont banks have come through this troublous period fully as well as the banks of any other state. The orgy of bank failures which occurred in some state was avoided. People who had money on deposit in our banks have lost much less proportionally than those who had their money otherwise invested.

It is the business of the state to preserve to persons of small means the opportunity for safe investments. It is the savings of the many rather than the swollen fortunes of the few that make a nation financially secure. No one can prophesy the future of state banking. The present federal domination of state banks may be the forerunner of a coming unification of our banking systems. In any event we should foster the spirit of thrift and safeguard the savings of our people.

MAPLE SYRUP AND UNFAIR COMPETITION

Vermont is famous for her maple syrup and sugar. Because Vermont maple products are recognized as leading in quality, certain manufacturers of blend syrups are now putting them on the market under names and in connection with advertising apparently cleverly designed to deceive consumers into the belief that they are really the products of the maple forests of Vermont. Some of these blend syrups contain but little maple product and even that is understood to be largely imported. Whether or not this practice is actionable under federal laws, I believe Vermont has the power to protect its maple sugar makers from this unfair competition to some extent. I suggest that the manufacture, labelling, sale and advertising of such products within this state are within the control of the state and that carefully drawn legislation should be enacted to curb these practices that are greatly injuring our farmers. I am for Vermont made syrup spelled M-A-D-E.

ERADICATION OF BOVINE TUBERCULOSIS

An increased appropriation for the eradication of bovine tuberculosis was provided by the last General Assembly. As a result of this action, initial tests on all the herds in the state were completed before July 1, 1934. The retests are now being made regularly and the great work of freeing the dairy industry in Vermont from the handicap of this disease will soon be completed.

Under authority of this act \$600,000.00 was borrowed by the state, which has been carried as a temporary loan. This was an emergency measure to protect the markets of our dairy products. The results have justified the action.

UNEMPLOYMENT AND POOR RELIEF

The state and the towns were struggling with the problems of unemployment and poor relief in 1933 when Congress enacted several laws which directly affected Vermont. The Federal Emergency Relief Administration was created and provided with funds for use in cooperation with the states. Shortly afterwards, in cooperation with the state, the Federal Emergency Relief Administration set up a relief administration for Vermont. For a time the federal government provided sums which were in the nature of match money; or in other words, it refunded to the state, to be redistributed to the towns, a proportion of the expenditures of the towns for unemployment relief. Ordinary poor relief was excluded in this computation.

Later, the Civil Works Administration was set up, and the CWA functioned for several months.

On April 1, 1934, the entire administration of federal relief funds was turned over to the state, subject, however, to the required compliance by the state with definite rules and regulations governing the use of the funds.

Up to January 1, 1935, federal relief funds were received for use in the state as follows:

Administered directly by the Federal Emergency

Relief Administration for Vermont.....	\$ 456,782.53
Administered through the CWA.....	1,750,783.59
Administered through Vermont Emergency Relief Administration.....	<u>1,237,990.61</u>
Total July 1, 1933, to January 1, 1935.....	\$3,445,556.73

Every endeavor has been made by the Vermont Relief Administration to handle the funds wisely. We have been required to carry on some branches of relief service that personally I have deemed unwise or unnecessary. The Vermont Relief Administration has declined to enter upon some activities which seemed to be entirely unadapted to our conditions. We have, however, cooperated fully with the federal government and the administration of relief in Vermont has received high commendation by Washington officials. The percentage of administrative costs has been kept down below the average for all the states.

I hope that the amount of unemployment relief required will gradually become less. We must recognize, however, that we have confronting us serious problems along these lines. It is inevitable that federal funds will soon be greatly reduced, if not cut off entirely. Vermonters must be prepared to assume the whole burden when it is cast upon them. We have definitely and deliberately insisted that without legislative authority we should be cautious about setting up any new department or organization which will be comprised of or controlled by professional social workers. I believe that poor relief can be best handled by local officials with some guidance and supervision from the state. The closer the administration of relief is to a community, the better it is. Selectmen and Overseers of the Poor are better able to judge the needs of people in their towns than are professional social workers from outside. I hope you will not make the mistake already made in many states, of creating a great overhead organization which will constantly require more funds and become an unnecessary burden to the people.

CIVILIAN CONSERVATION CORPS

Another of the federal activities with which we have been called upon to cooperate has been the Federal Emergency Conservation Work. As a result of this activity, Vermont has had a large number of forestry camps in this state—considerably beyond the quota for Vermont.

The CCC men have done valuable work for the state in the development and improvement of the state forests and state forest parks. They have built and are building roads, some of them of real importance. Among them are those on Burke Mountain, Mt. Ascutney, Mt. Philo, Elmore Mountain, and in the Groton State Forest.

FLOOD CONTROL

In the late spring of 1933 it came to my attention that the Director of Federal Emergency Conservation Work was seeking an outlet for the employment of many thousands of men of the Veterans Division of the Civilian Conservation Corps. Vermont was fortunate in having available definite plans for flood control as a result of a survey following the 1927 flood made by army engineers in cooperation with the state. Most of the reports of the army engineers had been fully approved and printed as public documents by Congress.

Vermont succeeded in getting the federal government to approve flood control work in the Winooski Valley. The great flood control dam at Wrightsville and another at East Barre are nearing completion. Between four and five thousand veterans in the Conservation Corps have been engaged in these projects and channel improvements in the Winooski River. The so-called Clothespin Dam in Montpelier has been rebuilt with a structure that will reduce the danger of high water in Montpelier, and numerous channel improvements have been made along the river. The work already in progress will be of great value to the cities of Barre and Montpelier and to Waterbury, as well as the people all along the river to Lake Champlain. The state will get a direct benefit from the elimination of flood damage to its property. The annual flood menace and the greater menace of infrequent great floods will be reduced. We hope to have a third flood control dam constructed on the Little River in Waterbury, which will be larger than the other two dams combined.

The expense to the state for these great structures is small compared to the total expense of the projects and to the benefit to be derived. I feel that Vermont was fortunate indeed to secure this work. The total cost to the government to date is over \$5,500,000.00 and probably will be more than \$7,000,000.00. The expenditures by the state to the first day of January, 1935, in this connection have been \$153,531.90. The total expense to the state on these projects probably will be less than \$200,000.00, and under the Act which authorized the expenditures, a reasonable portion of this expense is to be reapportioned to the municipalities especially benefited. Provision should be made so that further flood control work may be done.

GREEN MOUNTAIN PARKWAY

The State of Vermont has pending with the federal government an application for the construction of the Green Mountain Parkway. As a result of this application and favorable preliminary action by the Federal Board of Public Works and the President, an appropriation of \$50,000.00 was made by the federal government for surveys. The preliminary survey and the reconnaissance survey have been completed. A portion of the final or location survey has been made.

There is a great deal of misinformation with reference to this project. The proposition is for the state to provide a right of way for the parkway, which will then be built by local labor and be owned, operated, controlled and maintained by the federal government without expense to the state. Its construction according to the revised plans would largely solve our unemployment relief problem. It would, in effect, be a national park extending along or near the Green Mountains from the southerly border of the state to a terminal near Jay Peak, at the Canadian border.

This is part of a general plan now being worked out by the federal government. Time will not permit telling the story about the parkway. I have information from a source that cannot be quoted publicly but which I have disclosed privately to my successor and to a limited number of your membership which convinces me that Vermonters have the opportunity to secure this great public work if they choose. It is a part of a plan which includes ultimately the construction of a national parkway from Georgia to the Canadian border. If Vermont so elects, I believe the state can be the northern link of the parkway chain and have the most outstanding advertising feature for her scenic resources of any eastern state. If Vermont fails to grasp this opportunity, New Hampshire or Maine, or both, will have the parkway and Vermont will be on a sidetrack.

A copy of the summary of the report of the engineers and the map showing the proposed location of the parkway was recently received by me and is available for study. I hope that you will take no action which will prevent the realization of this great project for Vermont.

VERMONT STATE PLANNING BOARD

Late in 1933 I was requested by the National Planning Board to appoint a Vermont State Planning Board to work in cooperation with the federal organization along lines in part designated by the federal government, but with freedom of action for state problems. I appointed such a planning board. The board is semi-official and the members have been serving without pay. The National Resources Board, which has succeeded the National Planning Board, has appointed a Consultant and an Associate Consultant to aid the State Planning Board. Employees have been furnished and their salaries paid by the relief administration.

Problems relating to land and water use, transportation, recreational facilities, long term public works program, town finances and the financial relation between state and towns are under consideration.

In view of the necessity for cooperation with federal authorities, the Vermont State Planning Board should be given permanent status. In these days we must plan for the future. Probably the best example of what deliberate planning may accomplish is found in the work that was done for Vermont after the flood of 1927 in a complete flood control survey of the state. It was due to the fact that plans were available that we were able to secure on short notice the great flood control work in the Winooski Valley.

HIGHWAYS

Good roads are essential to the progress of our state. The kind of road required in a given place depends largely upon the traffic which it is to carry. With limited funds at our disposal and a large mileage of roads to care for, it is evident that we must build wisely if we are to serve our people well.

We now have 14,386 miles of roads divided as follows: state roads, 1029; state aid roads, 3363; town roads, 9994. Only a small part of the mileage is properly classed as heavy traffic. Very little would be so classed in the more populous states. It is essential that we improve our roads as rapidly as possible so as to make them usable the year around. The traveling public wants above all to be out of the mud and out of the dust.

During the past four years rapid progress has been made along these lines. Persistent experimentation in this and other states has developed a low cost road surface which is giving very satisfactory service. It costs much less than either cement or macadam. It is bituminous treated gravel and is commonly called mixed-in-place. By the uninitiated it is frequently mistaken for macadam. It should not be confused with the old style surface treated roads of years ago merely because it has a black top. Properly constructed on adequate base and with proper drainage, it is economical in maintenance and adequate for nearly any traffic we have. By making use of this type of construction we have been able rapidly to increase the mileage of roads with a surface superior to gravel. During the past four calendar years such construction has been as follows:

Concrete	80.5
Macadam.....	81.8
Bituminous concrete	3.3
Bituminous treated gravel.....	<u>405.1</u>
Total	570.7

In addition a considerable mileage of roads has had base, grading and drainage work done preliminary to surfacing later.

We now have 352 miles of concrete, 171 miles macadam, 3 miles bituminous concrete, 644 miles bituminous treated gravel and 2 miles miscellaneous, making a total of 1172 miles of roads with surface superior to gravel.

The biennial report of the Highway Board shows that during the period from 1918 to 1933 the average cost of roads per mile was as follows: For concrete \$42,337.73, of which \$24,476.77 was for the surface or slab; for macadam \$30,019.50, including \$9,652.07 for surface; for bituminous treated gravel \$10,382.61 including \$3,553.54 for the surface. These figures need no comment when we are struggling to cover a large mileage of roads rapidly with limited funds.

During the past two years in accordance with a policy approved by the last legislature the major portion of the new construction work has been done on secondary or state aid roads. In 1934, of the improved surface, 60 miles was put on state roads and 79 miles on state aid roads. A great deal of work has been done getting roads so they will be out of the mud even though money be not available for final surfacing. We must continue the use of moderate cost construction if the people on secondary roads are to have improved roads within a reasonable time.

We are now getting praise from our visitors for our roads. But there is still a great deal to be done. A generation of constant improvement is ahead of us and we must not let up, because to progress in these days of the motor vehicle we must have roads satisfactory for motor vehicle use.

In connection with work on highways, I call your attention to the fact that it is through highway work that we have been able to give great relief from unemployment. It has been the only means for putting people at work all over the state and have the work a real benefit to the public. Statistics compiled by the Highway Department show that the money appropriated by the state for construction and maintenance of highways furnished 378,751 days labor during the fiscal year ending June 30, 1934. In other words, it would have furnished 2272 men work for 50 weeks of 30 hours each, during the year. In addition to that, an average of about 123 people have been employed in the highway office or at engineering work, and an average of about 45

employees during the year at the state garage. Combined, these funds were sufficient to furnish steady employment for 2440 people or to take care of approximately that number of families. Federal funds provided work sufficient for steady employment for approximately 530 men addition for the year.

In these days when unemployment is one of our great problems, it would be unwise to reduce appropriations for highway purposes. All of this work is done from money paid in to the state treasury for motor vehicle registration fees, operators licenses, and the tax on gasoline. I am strongly in favor of continuing the policy of preserving these revenues, paid by motor vehicle users, for the improvement of the roads of the state.

STATE HIGHWAY SYSTEM

Four years ago the legislature provided for the state taking full responsibility for construction and upkeep on about one thousand miles of roads. The state road plan has worked well. It has been so much more satisfactory to the traveling public that there is a strong demand for more of the main roads to be taken over by the state.

Many people now blame the state highway department for unsatisfactory winter maintenance on state aid roads without realizing they are only state aid roads and that the state has no control over the situation. Patrol maintenance is by no means perfect on state roads but it is much better because of better equipment and better organization for prompt dealing with storms. I recommend that an increased mileage of state aid roads be taken into the state system.

FISH AND GAME

Fish and game mean much to the state not only for the pleasure of the sportsmen, but also both directly and indirectly for commercial advantage.

The food value of our fish and game is considerable. I am informed that during the recent depression many people relied upon these food sources to a considerable extent. But above all, good hunting and fishing is an asset to the state which provides recreation for our people and is an attraction to summer visitors and summer residents.

During the past four years considerable progress has been made in the great work of restoring to Vermont streams, lakes, and forests the fish and game that once were so plentiful. Fish and game clubs have been cooperative, and there has been an increased interest in considering the fish and game problem on a businesslike and long-term basis.

During this period approximately \$92,000.00 or about one-fifth of the income of the department, has been spent for new construction, permanent improvements, repairs and new equipment. The new construction includes the hatchery at Salisbury, rearing pools and improvements at the state game farm.

All of the income of the department comes from fish and game licenses, and there should be no occasion to change the rule by which this department supports itself.

The records show that there has been a steady and rather rapid increase during the past four years in the number of fish planted and great increase in the number of yearling fish. Experience has demonstrated this policy to be wise. I suggest, however, that hunting and fishing will not be satisfactory again until public sentiment is properly educated. So long as game hogs and fish hogs are permitted to go their way unrestrained by law and without the finger of scorn being directed at them, we will not be able to make the progress we should. We should not endeavor to provide unrestricted sport for the few, but should endeavor to see to it that any person who buys a fishing or hunting license may have reasonable expectation of sport.

STATE FINANCES

During the last two years the general revenues of the state have decreased, largely due to economic conditions. Anticipated revenues from a sales tax provided by the last legislature did not materialize because of litigation which has prevented collection. The cost of goods and supplies bought by the state during the same time has increased. The cost of living has increased. In addition, there have been sizable emergency expenditures along lines already mentioned.

In spite of the adverse general conditions the finances of the state are sound. On January 1, 1931, the total bonded indebtedness of the state was \$9,125,531.90. On January 1, 1935, it was \$7,294,031.90. In other words during the past four years the bonded debt has been reduced \$1,831,500.00.

On January 1, 1931, the outstanding temporary loans amounted to \$2,230,000.00. Today the outstanding temporary loans amount to \$2,080,000.00 or \$150,000.00 less than they did four years ago. Included in the list of temporary loans is \$600,000.00 specially authorized by the 1933 Legislature for the speeding up of the bovine tuberculosis program and which it was planned to extend over a considerable period.

The credit of the state has been maintained. A very low rate of interest on temporary loans has been secured. With the hoped for return of normal conditions, the state should continue to be in fine financial condition.

CONCLUSION

Today I shall turn over the governorship to my successor. You and he will have the responsibility for the legislation of this session. It is my earnest hope and belief that the problems confronting you will be wisely solved.

Governors may come and governors may go, legislatures may come and legislatures may go, but so long as the people of our state continue honestly to follow the principles of good government set forth in our Constitution and ingrained in the hearts of Vermonters, the Green Mountain State will go on to ever greater strength and influence.

STANLEY C. WILSON.

Farewell address
of
Urban A. Woodbury
As it appears in the
Journal
of the
Joint Assembly.

1896

Thursday, October 8, 1896

Farewell Address

Gentlemen of the Senate and of the House of Representatives:

In accordance with the custom which has prevailed for the last twenty years for the retiring Governor to render to the people an account of his stewardship and to make such suggestions and recommendations as from his experience he thinks may be of value, I beg leave to submit to you the following imperfect account of some of the matters connected with my administration during the last biennial term. The framers of our Constitution wisely vested great power in the legislative branch of the Government, and but little in the executive. The veto power of the Governor is hardly worth the name, as it requires only the same number of votes to pass a measure notwithstanding his objections, as it does to pass it in the first place. He has but little control over expenditures. His influence is often potent in controlling the expenses of public officials and public institutions, but it is very little elsewhere. The expenses of each biennial term are determined by the legislature which sits at the beginning of it. The laws that are now upon the Statutes, and the laws you pass at this session, will very largely determine the State expenses for the next two years. My successor will have but little to do with them.

FINANCIAL.

Our expenditures have been unusually large during the last biennial term, but we have wisely adopted the principle of paying as we go, and you will find by referring to the Report of the Treasurer that the funded liability of the state remains the same as at the beginning of the term, viz: \$135,500.00

The payment of the temporary loan of \$50,000.00 is provided for in the estimated of funds available for the year ending June 30th, 1897.

The expenses of the State for the last biennial term, were..... 1,179,135.42

For the preceding term 920,397.48

Excess over preceding term \$258,737.94

Deduct from this the amount expended for permanent investments in State Asylum and House of Correction, etc., as shown by Auditor's report..... 212,000.00

And it will leave the excess of expenditures over the preceding term for other than permanent improvements..... 46,737.94

The other extraordinary expenses of the last biennial term, other than for permanent improvements, are as follows:

Cost of printing and editing Vermont Statutes, about..... 14,000.00

Paid for books for Town Free Libraries, under Act 1894..... 4,500.00

Expenses on account of Tuberculosis, about 20,000.00

Unpaid bills of Vermont State Asylum, accrued before July 1st, 1894, about..... 18,000.00

Total \$56,500.00

The amount of similar expenditures during the biennial term ending June 30th, 1894, was:

Addition to State Assylum \$47,000.00

World's Fair appropriation 26,750.00

Expenses of Committee on Revision of Laws 4,138.87

Total	\$77,888.87
The difference between this amount and the amount of like expenditures during the last biennial term, is.	\$21,388.87
To this add the amount mentioned above	46,737.94
and it makes the ordinary expenses for the last biennial term, in excess of the preceding term	68,126.81
I have analyzed the expenses of this term sufficiently to find that the above sum is very largely made up of three items, viz:	
The Court expenses exceed those of the preceding term.....	27,757.70
Debentures of General Assembly exceed	9,128.20
Salaries exceed.....	15,296.87

Total	\$52,182.77
The increase of salaries is very largely those of Judges of Probate and State's Attorneys.	
It was estimated by the Treasurer, in his report for the year ending June 30 th , 1894, that there would be funds available for the expenses of the fiscal year ending June 30 th , 1895, to the amount of.....	\$489,655.09
The Treasurer now estimates that there will be available funds for the fiscal year ending June 30 th , 1897, to the amount of	327,195.83
Or \$162,459.26 less.	
Reckoning that	212,000.00
will not be needed for public buildings, etc., for the present term – as most assuredly it will not – it will be seen that the amount available for expenditures, other than for public buildings, etc., exceeds the amount available at the beginning of the preceding biennial term, by	\$49,540.74
If the amount received from corporation should be the same as for the last biennial term, viz:	732,799.94
the amount required to be raised by taxation upon the Grand List will not exceed the amount raised for the last biennial term, which was.....	208,558.63
twelve cents on the dollar, even though no reduction in the ordinary expenses be made.	

The following will show the valuation and expenses of the several New England States, with the percentage of expenses to valuation in each, for the last year:

	Assessed Valuation.	Expenses.	Per Cent.
Maine	\$ 324,478,321	\$1,700,133.77	.0052
New Hampshire	286,756,618	674,744.96	.0023
Massachusetts	2,542,348,993	7,045,877.51	.0027
Connecticut	414,258,956	2,216,679.93	.0053
Rhode Island	359,529,451	1,671,835.36	.0046
Vermont – 1895	173,798,855		
“ Average total expenses per annum for last biennial term.		589,567.71	.0034
“ Average ordinary expenses per annum for last biennial term.		483,567.71	.0028

It will be seen that the per cent. of expenses of Vermont is less than those of any of the other New England States, except New Hampshire and Massachusetts. New Hampshire is, perhaps, more nearly like Vermont than any other of the New England States. Her valuation is considerably more, which will, in part, no doubt, account for less percentage of expenses. I believe that the court expenses of New Hampshire and of some of the other States mentioned, are paid by the several counties in which the courts are held, so the comparison is unfavorable to Vermont. It must be borne in mind, however, that the bonded indebtedness of Vermont is very much smaller than any other of the New England States, so that a much larger proportion of our expenditures are for current expenses than in any other of those States. While our expenses may not be excessive, I think it is due to our taxpayers that the closest scrutiny be given to all proposals of expenditure, that our people may be relieved of any unnecessary burdens. In the desire for retrenchment, care should be taken that no injustice be done any faithful public servant. I think it is only fair that our percentage of expenses should be based upon what I have called ordinary expenses, as those which have been termed permanent investments will not be needed in the next decade. The increased income from the State Prison and the lessened expense for the care of the insane will be favorably felt in the immediate future.

CORPORATION TAXES.

By referring to the Treasurer's report you will find that the amount received from corporations in taxes exceeds the amount for the preceding term by	\$ 40,648.76
Which excess was contributed by Savings Banks and Trust Companies.	
The total amount paid by corporations during the last biennial term is.....	\$732,799.94
Which amount is 62.1 per cent. of the total expenses, or 75.7 per cent. of the ordinary expenses of the State.	
Of this amount Savings Banks and Trust Companies paid.....	390,434.95
Or 54.1 per cent.	
The Railroads paid	209,162.46
Or 28.5 per cent.	
Life and Fire Insurance Companies and other corporation paid.....	127,192.53
Or 17.4 per cent.	
The ratio of the tax upon corporations to the tax of 12 cents raised upon the Grand List, is as 77.8 per cent. to 22.2 per cent.	
The Railroads paid	20,599.52
less than the preceding term,	
The Savings Banks and Trust Companies	41,881.33
more, showing the difference in the prosperity of the two classes of corporations.	

It may confidently be expected that the amount received for the next biennial term will considerably exceed the amount received during the last term

The office of Commissioner of Taxes is now one of the most important of the State offices. The present Commissioner had performed his duties with ability and promptness.

SAVINGS BANKS AND TRUST COMPANIES.

I invite your attention to the excellent report of the Inspector of Finance. It shows a marvelous increase in the assets of our Savings Institutions during these depressed times. They are a credit to the State and the men who manage them. During the most trying times through which we have passed and are now passing they have remained solvent and most of them have bettered their condition. The money intrusted to these institutions has always been returned to the depositors with interest. The seven-tenths of one per cent. upon deposits that the Savings Institutions pay into the State Treasury is an important item in helping defray State expenses, and I fully believe if the money that is now in these banks was in the hands of the depositors that not one-fourth of it would pay either State or town taxes. The law now relieves from town taxation a maximum of fifteen hundred dollars belonging to one person that may be in Savings Banks and Trust Companies April 1st of each year. I

believe it would be for the best interest of the State, both in keeping money at home and in largely increasing the taxes paid by the banks to the State, if, in addition to the fifteen hundred dollars – upon which the banks now pay taxes to the State – all sums that had been in the banks not less than six months previous to April 1st of each year be subject to the same rule. By this limitation of time no money could profitably be placed in the banks to avoid taxation. I do not think that town taxes would be appreciably lessened, and taxes paid to the State by the banks would be largely increased.

RAILROADS.

The work done by the railroad commission has been thorough and effective. The expenses have been moderate. The report is concise and comprehensive, and the cost of printing has been very much less than formerly. Contrary to the opinion of many people the power conferred upon the Commission by Statute is very large, and I believe the present Board has used its power without fear or favor. No Commission is more valuable to the State, in my opinion, than this. Very little of its work appears upon the surface. Many evils are corrected quietly that are never made public. The running of Sunday excursion trains upon some of the railroads in the State prevailed to some extent last summer. Believing such a practice is contrary to the moral sense of our people I suggest that the Railroad Commissioners be instructed by you not to allow such trains to be run. The Commissioners have performed their duties faithfully. While the railroads do not object to the Commission, they did not propose its creation, and would not, I believe, oppose its abolition. The Commission was created at the request of the people and for their benefit, and is, I believe, doing good and necessary work. The railroads of the country have severely felt the business depression that has existed for the past few years and our Vermont railroads have not escaped. After a brave but unavailing struggle against unfavorable conditions the Central Vermont Railroad, which for so long has been an important factor in the prosperity of our State, has passed into the hands of receivers. It is to be hoped that conditions will soon be favorable for its restoration to its owners.

VERMONT NATIONAL GUARD.

The expense of maintaining the National Guard is quiet considerable, but it is necessary in order to maintain our position as a State and to furnish our share of the means for a common defense in case of need. There is not a member of the National Guard from the Brigade Commander to the humblest private who does not in the service he renders the State sacrifice annually both time and money. The companies drill every week and usually turn into the company's treasury for the payment of expenses all that the State pays its members, and in addition each member pays annual dues. The members of the National Guard are not under obligation to the State for the compensation they receive, but the State is clearly under obligation to them for the services they render. Since the last meeting of the Legislature a permanent camp ground has been purchased near Fort Ethan Allen, upon recommendation of the Adjutant General, Brigade Commander and Colonel of the Regiment. This property joins the United States reservation and is close by the fine rifle range owned by the United States Government, which will be at the disposal of the State during musters. The ground has been prepared for use and is well adapted for the purpose, but having been graded only a short time it was not in good condition at the time of the muster in August, and I thought it not wise to use it this year so long as Col. Webb tendered the use of his property at "Oak Ledge" free of cost to the State. The rifle range at Fort Ethan Allen was used by the troops during the muster. The conduct of the members of the National Guard while in camp this year has never been excelled.

The members of the Guard are greatly indebted to Capt. Herbert E. Tutherly, U.S.A., Assistant Inspector General upon my staff, for his intelligent and indefatigable labors in their interest. The Adjutant and Inspector General and the Quartermaster General have performed their duties with their accustomed fidelity and efficiency.

STATE PRISON AND HOUSE OF CORRECTION.

The report of the directors of the State Prison and House of Correction indicates that these institutions have been well managed during the last biennial term and are in a very satisfactory condition. For the first time in the history of the State Prison that institution has been self-supporting, and it is gratifying to be able to predict that for the next five years the institution will probably show a net profit exceeding \$5,000 per annum.

Soon after the beginning of my term of office I ascertained that a contract for five years was about to be closed with the then contractor upon the same terms as he had had the contract for fifteen years previous, viz: fifty cents per day per convict. I sent for the chairman of the Board of Directors and requested him not to make a contract until I had time to look the matter up. In December, 1894, I visited Windsor and looked over the situation carefully. I found that most excellent discipline prevailed among the convicts and they seemed to be doing a large amount of work, and I was satisfied that fifty cents per day per convict with room and power and heat, and power and heat for a free shop outside of the prison walls, was too low compared with the price of free labor, although I had learned that no higher price was paid to any other penal institution in the country. After some two months of negotiation, I obtained an offer from A.E. Mann & Co. of Boston, for the labor at seventy-two cents per day, or twenty-two cents per day and \$66.00 per annum per convict advance over former price. In April 1895, I submitted this offer to the Board of Directors and the contract was closed. On the basis of one hundred and twenty convicts, the increased revenue to the State will be \$7,920 per year of three hundred days, or \$39,700 for the five years. I should state, however, that the increased power required probably will cost from \$1,000 to \$1,200 per year more than under the former contract. This most desirable contract has been made possible on account of the excellent discipline maintained by Supt. Oakes, who is, I believe, on of the best superintendents of penal institutions in the United States.

The House of Correction has been greatly enlarged and improved, for the details of which I refer you to the very comprehensive report of the Directors. The improvements have been judiciously and economically made under the supervision of Mr. Tuttle and Mr. Morgan. The superintendent of this institution is the right man for the right place. The directors of these two institutions are able, hones and painstaking men and they have performed their duties in an entirely satisfactory manner.

STATE ASYLUM.

By authority given by the last Legislature the State Asylum has been completed in accordance with the original design. An elegant barn has been erected and a dwelling house purchased and transformed into a ward for convalescents, and the laundry has been enlarged – all at an expense of \$150,000. I trust that all of you will have the privilege of visiting this institution, and I believe that you will admit that the money has been well expended and that the State has a fine property. I have not changed the opinion expressed by me at a meeting held during the last session of the Legislature, when this addition to the asylum was under consideration, that the saving to the State would be from ten to fifteen thousand dollars per annum. The institution is well managed both financially and for the interests of the patients. Much credit should be given Dr. Giddings, the superintendent, for his faithful and efficient labors. The trustees have been diligent and have rendered intelligent and valuable service. I invite your careful attention to the reports of the Trustees and Superintendent. The Superintendent estimates that the future cost of keeping a patient will be two dollars and fifty cents per week, or one dollar and twenty-five cents less than we should be obliged to pay were they kept in Brattleboro. This would make the cost per patient, per annum, sixty-five dollars less. Reckoning five hundred patients, the amount saved would be \$32,500 per annum. This saving will be for the future. It is but fair to say, however, that if the interest at four per cent. – \$14,000 – were reckoned on \$350,000 – cost of plant – the saving would be but \$18,500 per annum. The buildings are paid for, however, and the future saving will probably be as first above stated.

The institution is now of sufficient size to care for all the insane of the State and the law authorizing commitments to the Brattleboro Retreat should be repealed. The supervisors have performed their duties satisfactorily. While the State had its insane at the Brattleboro Retreat it was necessary to have supervisors of the insane to look after the interests of the State, but now that the State cares for the insane in its own institution their services are no longer needed, and the law creating the Board of Supervisors should, in my opinion, be repealed, and the very considerable expense they make saved to the State. The trustees of the asylum, one of whom should be a physician, with the superintendent are perfectly competent to manage this institution and care for the insane and should be vested with the necessary power so to do.

During my term of office two faithful public servants, Hon. Homer Goodhue, a supervisor of the insane, and Hon. William H. Hunt, a trustee of the Vermont Asylum for the Insane, have entered into rest. Both served their State faithfully, and will be much missed in home and public circles.

VERMONT INDUSTRIAL SCHOOL.

Nothing of unusual importance has transpired in this institution during the biennial term. The Trustees and Superintendent have, as heretofore, performed their duties with faithfulness and ability. The expenses of the school are necessarily large. It seems to me that some employment might be found for the boys that would lessen the net expenses of the institution, but I am not prepared to make any recommendations as to its nature. The per cent. of reformation is not as large as might be wished. The inmates enter the institution badly handicapped by bad hereditary tendencies. A good deal of the work done meets with but scant success. The Superintendent and Matron, Mr. and Mrs. Andrews, are earnest, Christian persons, and have at heart the moral and spiritual welfare of the inmates.

SOLDIERS' HOME.

This institution is being conducted by the Trustees on the same patriotic and beneficent lines as has uniformly been the rule under the immediate supervision of Col. and Mrs. Coffey. The men who marched to the music of the Union from '61 to '65 are being kindly and well cared for in their declining years. There is no appropriation more willingly made by the people of this State, than that for the Soldiers' Home.

STATE BOARD OF HEALTH.

The State Board of Health is composed of competent men who are greatly interested in their work. The work of this Board is of great benefit to the State.

FISH HATCHERY.

The comprehensive report of the Fish Commissioners will show that much has been accomplished during the last two years. During the early part of '95 it was discovered that the State had not a good title to the water it was using and that a mill was about to be erected above the fish hatchery in Roxbury, so that the water would be polluted and the fish destroyed. Although there was no authority of law, there was but one thing to do to preserve the property of the State, and I authorized the purchase, at a cost of \$1,000, of the mill site, which controlled the water, which action I trust will meet with your approval. I believe this industry which the State has established will grow more and more valuable each year, and its full benefit be more apparent in the near future. The Commissioners have been earnest in their desire to work for the welfare of the State in this direction, and have accomplished all that could be expected. The benefits of the work done are beginning to be seen, and I predict that in a very few years but few people will doubt the wisdom of the expenditures which have been made.

BOARD OF AGRICULTURE.

The Board of Agriculture has been engaged in the same good work as heretofore. The members of the Board who have acted as Cattle Commissioners have been very busy, and, I believe, have done their work with good judgment and economy. The cost of the work has, however, been more for the amount done than it will be in the future, as services of veterinary surgeons can now be obtained at a less price than heretofore. I do not think the cost of the treatment of tuberculosis will be any more for the present term than for the preceding one.

EDUCATION.

The educational interests of the State appear to be in at least as good condition as they were two years ago. The University of Vermont and State Agricultural College, Middlebury College, and Norwich University have made substantial progress during the last two years, and are of great benefit to the educational interests of the State. The work of the Experiment Station of the State Agricultural college is increasingly beneficial to the agricultural interests of the state, and its work could ill be spared. The Normal Schools have been doing the same class of work that they have heretofore done. The Johnson school was very unfortunate in having for its principal a man evidently unworthy the position. Although he resigned before the close of the last term, the evil effects of his administration have not yet been entirely dissipated. If more firmness had been used when the difficulty first occurred, the evil effects of it would have been greatly lessened. I believe that justice demands that the money received from the State School tax should be distributed according to the number of scholars, instead of the number of schools, as now. I call your attention to the report of the Commissioners appointed

under Resolution No. 346, passed by the last legislature, to investigate the condition of Normal Schools. While I believe that one good training school for teachers is needed in this State, and that we should have one at as early a date as practicable, I am constrained to believe that the conclusions of the Commissioners are well grounded. The report of the Superintendent of Education is a valuable contribution to educational interests.

FIRE MARSHAL.

I desire to repeat my recommendation made two years ago that the office of fire marshal be created and that the expense of the office be borne largely or entirely by the insurance companies.

GOOD ROADS.

I am glad to be able to report that considerable progress has been made in the making of good roads during the last two years. There seems to be a general disposition in most towns to make the roads better. Wide tires upon wagons are coming into more general use, which will be marked benefit to the roads. The Commissioners have done excellent service.

I still adhere to the opinion expressed two years ago that the money collected by the State Highway tax should be expended in the counties from which it is received. The larger towns, which usually are the business centers, are directly benefited by having goods roads leading into them from the smaller towns of their own counties, but the City of Rutland, for example, is not benefited to an appreciable degree by the condition of the roads in the town of Wheelock, Caledonia County. The town of St. Johnsbury is benefited, and there probably is some justice in compelling its tax-payers to help the poorer town of Wheelock, but why should the city of Rutland or the county of Rutland be compelled to build roads in Caledonia or any other county? This argument is not forceful when applied to the State School tax, as education is necessary for the moral and religious welfare of a people, and when the weaker communities of a State are unable to maintain proper schools the stronger communities should assist them. Is there not a tendency now to look to the State for assistance for many things that the towns and counties should do themselves? All these questions should be determined by the law of right and not by the law of might. I have confidence in the fairness and good judgment of the people of Vermont and believe that in the end they will do what is just and right.

STATE GEOLOGIST.

In inviting your attention to the report of the State Geologist I will say that while I think that he has accomplished as much as any other person could with the limited means at this disposal, I believe that the value of his work is not worth to the State what it costs. I therefore recommend that the office of State Geologist and Curator of the Cabinet be abolished and the Sergeant-at Arms be given the custody of the cabinet.

THOMAS CHITTENDEN.

On the 19th of August last the monument which was erected in Williston to the memory of Thomas Chittenden, the first Governor of Vermont, was dedicated with proper and imposing ceremonies. The monument is one of which the State and the Town where it is located may well be proud. It is a fitting tribute to the memory of one of our most illustrious men.

AUSTRALIAN BALLOT.

I continue in the belief that the mode of balloting should be simplified. I think that the law ought to be changed so that a voter may be furnished with such a ballot inside of the railing or in the booth as he can use without marking, or without the erasure of any names or insertion of others unless he chooses to make them.

PROHIBITORY LAW.

The past two years have witnessed vigorous attacks upon the so-called prohibitory law. These attacks come largely from advocates of a high license system, but it must be admitted that some friends of temperance believe that unless the law can be better enforced in some of the larger towns that it ought to be modified or displaced by one that can be enforced. It is only just to the friends of the present law, who I believe comprise a very large proportion of the people of this State, that I state a few of the objections that are raised against it in the belief that in so doing you may be able to correct the evils that now exist, and thus promote the cause of temperance.

It is charged that the law is not impartially enforced by the officers whose duty it is to enforce it. It is said that certain influential parties in many towns are let alone and only the weaker dealers in intoxicants are disturbed, and that in a few larger towns open saloons are run with the full knowledge of the State's Attorneys. It is charged that the seizing officers are satisfied to seize only enough liquor to prove the guilt of respondents instead of seizing all they might easily find, that the prosecuting officers do not prosecute vigorously and constantly, that judges of the Municipal Courts and justices of the peace impose only the minimum or nearly the minimum fine, so that respondents will not be so much discouraged as to go out of the business and thus cease to be contributors to the support of said officials by the payment of frequent bills of costs. It is charged that the main business of many of the druggists, licensed by the Board of Pharmacy, is the sale of liquors unlawfully. These and many other things are said. These are serious charges if they are partially true and the most vigorous measures should be taken to remove the cause for such complaint.

From my knowledge gained during the last two years, I must say that the charges are sufficiently true to demand the attention of every lover of law and order, and believer in temperance. These things should be corrected under the present law as it is, if they can be, or the law be modified, so it can be respected. Temperance men must not blind themselves to the fact that something needs to be done. The enemies of temperance cannot contribute anything toward the solution of the difficulties. They simply propose high license which would mean open saloons made respectable by the sanction of law, which would be worse than the imperfect enforcement of the present law. In most of the smaller towns no such condition exists as is claimed to exist in larger towns. In considering the faults of the present law it must be borne in mind that all sumptuary laws are unsatisfactory. All attempts to control the sale of spirituous liquors have been attended with almost insuperable difficulties in States that have the license system. These State have tried one kind of license system and then another in the vain endeavor to find one that is perfect. There is no license system in force in the United States that would, I think be preferable to our present law. I am, therefore, in favor of the present law with such changes or modifications as time and experience may prove necessary. That the law has been of great value in restricting the sale of liquors during the forty-four years that it has been in force no reasonable person will deny. There should be no hesitation in modifying the present law if you believe it will lessen the drinking of intoxicating liquor. The law given Moses on Mount Sinai was modified when the new dispensation came. It is pertinent to inquire why the law is not better enforced. There are several reasons, among which may be mentioned want of interest of the people, especially the business men, in its enforcement. Not that they do not want the law enforced and the liquor traffic stopped, but they are busy with their own affairs and think they have no duties in connection with it. Although there are many thoroughly competent and honest Sheriffs, State's Attorneys, Grand Jurors, Judges and Justices, it will be found, wheret he law is flagrantly violated, that those officers are either timid, incompetent or dishonest. No one has any power to suspend or remove any of those officials. It is claimed by some prosecuting officers and there is some ground for the claim that they enforce the law as rigidly as public sentiment will sustain them. I think, however, that in most cases they mistake the real public sentiment, as I do not believe there is any community in Vermont in which an officer will not be sustained in enforcing the law impartially and with firmness and good judgment. No community will sustain an officer who allows an open saloon on a main street to run undisturbed and prosecutes some man for furnishing his comrades liquor from his bottle. Every officer whose duty it is to enforce the law and sustain order knows before he accepts the office the many disagreeable duties he will have to perform, and unless he is willing to accept the responsibility he has no right to accept the office. Whatever may be the remedy for the evils that exist it is not in my opinion more law. We have law enough now. Our statutes are fairly groaning with the weight of it. Better one page of law that is enforced than a library full that is not and cannot be.

I will make, however, a few suggestions of changes, viz: That the Judges of the Municipal Courts be paid salaries instead of fees. This will be, in my opinion, of great benefit in the enforcement of the law and will cost the State less than under the present fee system. It will relieve the Courts from the accusation that they impose small fines so that respondents will be frequent contributors to their support. I would also suggest that the law be so changed as to stop, if possible, the device frequently resorted to by the saloon keepers of employing persons called "fine-takers," so that only first offenses will be found and small fines imposed. I would change the law so that persons convicted the first time of selling would be punished the same as for second offenses, if there had been previous convictions of a person or persons for violation of law in the same place. The Board of

Pharmacy should be authorized and directed to annul the licenses of druggists who are convicted of illegal selling.

VILLAGE CHARTERS.

I call your attention to the report of the Commissioners appointed by me under Resolution No. 348, Acts of 1894, to investigate Village Charters. I concur in their conclusions.

The report of the Commissioner appointed by me under Resolution No. 347, Acts of 1894, relating to uniformity of laws in the several States, will be placed before you, and will be of interest.

BUSINESS.

The severe business depression with which this country has been afflicted for the past few years has been felt in Vermont, but not in so marked a degree as in some other States.

The low prices of agricultural products are to be regretted, but our people are contented and hopeful. Vermont is all right. Her people are patriotic and whenever the Republic is threatened with harm her sons respond quickly. In 1861 Vermont responded nobly by sending 33,000 of her sons to fight manfully for the preservation of the Union. And now in this year of grace 1896, when the material prosperity of the country is threatened, she responds to the summons by sending 53,000 of her patriotic sons to the polls to deposit their ballots for the cause of good government and sound finance. The wave of depression which has been passing over this country for the past two or three years, and which has affected Vermont as well as other portions of the country will, I believe, on the first Tuesday of November, be met by an incoming wave of prosperity that will, with irresistible force, submerge the discordant elements now striving for the mastery and restore confidence and happiness to our people.

CONCLUSION.

I wish to testify of the faithfulness to their duties of all the State Officers, members of the various Boards and Commissions with whom I have had official relations during my term of office. I desire to express my sense of obligation to the people of Vermont for their kindness and forbearance during the administration of the high office in which they, with such generous partiality, placed me. It is a great honor to be the Chief Executive of such a people.

The duties of the office have been pleasant to me, but I leave it without regret. I am conscious of having done and of having left undone some things that I ought to have done. Whatever I may do or wherever I may be in the future, I will always have in mind the welfare of our beloved State. I wish you a pleasant session and one that will be profitable to the State. God save the Commonwealth.

CHAUNCEY W. BROWNELL,

Secretary of State, Clerk